



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1718-73 CO#1**

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<b>File ID:</b> K-1718-73 CO#1	<b>Type:</b> Contract	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item 13	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b> \$2,562.77	<b>File Created:</b> 10/29/2019
<b>File Name:</b> Change Order No. 1 for James Garner Phase 1 - Acres Street Intersection Project		<b>Final Action:</b>

**Title:** CHANGE ORDER NO. ONE TO CONTRACT K-1718-73: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, AND SILVER STAR CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$2,562.77 FOR A REVISED CONTRACT AMOUNT OF \$1,870,442.77 FOR THE JAMES GARNER AVENUE PHASE 1 PROJECT (AT ACRES STREET) AND FINAL ACCEPTANCE OF THE PROJECT.

**Notes:** ACTION NEEDED: Acting as the City Council and Norman Municipal Authority, motion to approve or reject Change Order No. One to Contract K-1718-73 with Silver Star Construction Company, Inc., increasing the contract amount by \$2,562.77 for a revised contract amount of \$1,870,442.77; and if approved, authorize the execution thereof, accept the project, and direct final payment in the amount of \$95,956.77 to Silver Star Construction Company, Inc.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 11/26/2019

**Agenda Number:** 13

**Attachments:** James Garner Phase I map, Change Order Signed

**Project Manager:** Chris Serrano, Construction Manager

**Entered by:** rachel.warila@normanok.gov

**Effective Date:**

### History of Legislative File

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Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File K-1718-73 CO#1

Body

**BACKGROUND:** On November 2, 2015, City Council approved Contract K-1516-83 with Meyer, Scherer & Rockcastle, Ltd. (MSR) for architectural services for the design of the new

Central Library, approved as part of the NORMAN FORWARD sales tax initiative. The Central Library is located north of the intersection of Acres Street and west of James Garner Avenue. Additionally, the approval of Norman Forward included funding for the widening and improvement of James Garner Avenue from Acres Street to Flood Avenue, north of Robinson Street.

On June 14, 2016, City Council approved Amendment No. One to Contract K-1516-83 with MSR for the design of the James Garner Phase 1 - Acres Street Intersection Project, increasing the contract amount by \$64,900 for a revised contract amount of \$3,750,710.

The James Garner Phase 1 - Acres Street Intersection Project includes the extension of James Garner Avenue along the east side of the new Library, which will serve as a fire lane for the Library. The project also re-aligned the intersection of Acres Street west of the existing intersection at James Garner Avenue and installed raised center medians to serve as barriers between the new intersection and the BNSF Railroad crossing. These permanent features will serve to improve the safety of this railroad crossing, as well as comply with the Railroad Quiet Zone requirements. The intersection improvements also include new left turn lanes from Acres Street onto James Garner Avenue. Stormwater drainage system improvements utilize a Low Impact Development (LID) design where depressed medians and landscaping facilitate rainwater to naturally filter and seep back into the ground by means of a "bio-swale".

Bid documents and specifications for construction of James Garner Phase I, including reconstruction of Acres Street and James Garner Avenue intersection were advertised according to State Law on December 28, 2017 and January 4, 2018. Five (5) potential bidders acquired plans and specifications and five (5) bids were received on January 18, 2018.

The low bidder was Silver Star Construction with a bid in the amount of \$1,867,880, which was \$18,522.85 less than the next lowest bidder. The Engineer's estimate for the project was \$1,900,454.80.

On March 13, 2018, City Council approved Contract K-1718-73 with Silver Star Construction of Moore, Oklahoma for the construction of the James Garner Phase 1 - Acres Street Intersection Project in the amount of \$1,867,880. Construction of the James Garner Phase 1 - Acres Street Intersection Project began in April 2018, with an expected completion date of November 2018. The combination of excessive rain days coupled with the unavailability of the required BNSF Railroad staff to conduct the legally-required flagging operations during the construction of the intersection, contributed to time delays of the project. Additionally, the colder temperatures associated with the winter months prevented the installation of pavement materials, as the surface temperatures were well outside the allowable tolerances for material placement. The James Garner Phase 1 - Acres Street Intersection Project was substantially complete in February 2019.

The remaining construction activities had no impact on traffic, and consisted primarily of sidewalk placement, grass sodding and final clean up. The James Garner Phase 1 - Acres Street Intersection Project is now 100% complete.

**DISCUSSION:** Construction projects are awarded to the lowest responsible bidder. Contractor bids are determined using estimated plan quantities multiplied by the contractor's unit prices for all bid items of the contract. The total of all of these costs represents the contractor's bid. During construction, each quantity was measured in the field and the contractor is to be reimbursed based on the actual quantity. This final Change Order No. 1 adjusts the contract based on the previously estimated quantity costs to the actual measured quantity costs. In all, 43 bid item quantities changed with 19 that increased for a total increase of \$113,798.90 and 24 that decreased for a total decrease of \$111,236.13. The net contract change is an increase of \$2,562.77 or 0.14%. The original contract amount was \$1,867,880 with a final contract value of \$1,870,442.77.

**Reconcile "as-bid" quantities to "as-built" quantities**

Quantity adjustments resulting in a net cost increase of \$2,562.77 are included. The most significant changes are as follows:

1. Bid item 250: The plans illustrated north and south limits for new concrete sidewalk to be removed and replaced. During the construction process, City Staff identified areas of existing sidewalk that both meets Americans with Disabilities Act (ADA) specifications and is structurally sufficient. The savings realized by leaving this sidewalk in place resulted in a cost savings of \$41,404.80.
2. Bid item 260: The plans illustrate the roadway pavement-structure within the BNSF railroad's right-of-way to consist of six-inches (6") of treated subgrade, eight-inches (8") of aggregate, and six-inches of asphalt. The proposed change to the pavement section consisted of one-foot of compacted aggregate base (rock) with seven inches (7"). This field-engineered change provided the same, if not greater, structural value, and also drastically shortened the time duration of the roadway closure and the daily costs associated with the railroad flagging operations.
3. Bid item 290: Plans did not include enough quantities to adequately sod the bare areas disturbed by construction activities. This resulted in an additional 7,461 square yards of sod be placed and an increase of \$35,812.80.

**RECOMMENDATION NO. 1:** Staff recommends approval of Final Change Order No. 1 to Contract K-1718-73 with Silver Star Construction increasing the contract amount by \$2,562.77 for a final contract value of \$1,870,442.77.

**RECOMMENDATION NO. 2:** Staff further recommends final acceptance of the James Garner and Acres Street Intersection Project Contract K-1718-73 and final payment in the amount of \$95,956.77. Funds will be paid from the Norman Forward Sales Tax Fund, James Garner and Acres Street Intersection Project (Account Org 51594403, Object 46101; project NFB008) These funds have been encumbered in Requisition 20200410.