



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: R-1516-74

File ID: R-1516-74

Type: Resolution

Status: Consent Item

Version: 1

Reference: Item 19

In Control: City Council

Department: Utilities Department

Cost: \$900,000.00

File Created: 12/16/2015

File Name: Emergency Sewer Replacement, Bishop Creek at
Constitution

Final Action:

Title: RESOLUTION R-1516-74: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY TRANSFERRING \$900,000 FROM THE FYE 2014 SEWER MAINTENANCE PLAN FOR THE EMERGENCY REPLACEMENT OF THE 21-INCH SANITARY SEWER AERIAL CROSSING OVER BISHOP CREEK AT CONSTITUTION STREET.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to adopt or reject Resolution R-1516-74.

ACTION TAKEN: _____

Agenda Date: 12/22/2015

Agenda Number: 19

Attachments: Emergency Declaration 120115, R-1516-74

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File R-1516-74

Body

BACKGROUND: On December 1, 2015, the Mayor declared a disaster emergency related to the severe ice storm occurring between November 26 and November 30, 2015 (see attached). The existing aerial sewer crossing over Bishop Creek just east of the intersection of Constitution and Ryan Avenue was constructed in the 1950's; the crossing was modified during construction of the Constitution Bridges and associated underground tunnels for the University of Oklahoma Golf Course. The crossing consisted of 21-inch sewer piping inside a 24-inch steel casing constructed on three concrete piers with footings.

The aerial sewer crossing, and two adjacent manholes, over the western leg of Bishop Creek failed during the ice storm when the eastern bank of the creek bed adjacent to the bridge was undermined causing several large trees to fall into the creek. It is believed that the crossing failed sometime over the weekend of Saturday, November 28 through Monday, November 30, 2015. An OU golf course employee notified the City of the problem at about 3:00 pm on November 30, 2015.

NUA staff contacted Urban Contractors and they delivered portable pumping equipment which was installed and operating by 6:00 pm that night to eliminate the bypass. Piping was installed above ground on the south

side of Constitution Avenue between the upstream and downstream manholes. The Oklahoma Department of Environmental Quality (ODEQ) was notified of the sewer bypass on December 1, 2015 in accordance with their rules.

Since the failure, the Department of Public Works has worked continuously to:

- establish access to the creek from the west bank;
- clear the creek of trees and debris, damaged sewer pipe and manholes;
- deliver, place and compact fill materials to re-establish the eastern bank;
- place riprap on the eastern side slope of the creek for erosion control; and
- repair damage storm water piping conveying street drainage to the creek.

In addition to the initial installation of bypass pumping equipment, the NUA has:

- caused bypass pumping to be relocated to shorten the pumping distance and reduce the potential for vandalism;
- taken over maintenance of the bypass pumping equipment;
- contracted with Lemke Surveying to perform survey work;
- contracted with Terracon Consultant to perform two geotechnical borings on either side of the creek and provide recommendations for constructing the new aerial crossing; and
- contracted with Chaing, Patel and Yerby (CP&Y) to provide expedited design services and bidding documents.

Purchase orders have (or will) be created to Urban Contractors, Lemke Surveying, Terracon Consultants and CP&Y, for use of emergency bypass pumping equipment, surveying services, completion of geotechnical borings, and expedited design services, respectively. Each of these contracts are less than the \$25,000 limit and do not require NUA approval.

Terracon Consultants completed two geotechnical bores to bedrock on either side of the creek on December 11, 2015. CP&Y, with assistance from Lemke Surveying, has prepared abbreviated design and bidding documents and will complete the design to allow distribution to potential bidders. An ODEQ construction permit is not required for maintenance of existing infrastructure.

DISCUSSION: The NUA will have the bid documents ready and will have an on-site pre-bid conference on Thursday December 17, 2015. Five qualified contractors who regularly bid NUA work have been asked to submit their bid by Monday, December 21, 2015 at 2:00 pm. Based on the previous aerial crossing bid occurring in 2014, the NUA expects the emergency repair of the Bishop Creek Sewer Crossing to range between \$600,000 and \$800,000. The other services mentioned above should total less than \$100,000. The estimated total price to repair the sewer crossing and complete stabilize the creek is about \$900,000.

In order for competitive bidding requirements to be waived under the Oklahoma Public Trust Act (60 O.S. s. 176), the trustees of the NUA need to make a "finding" that an immediate emergency exists and the immediate outlay of trust funds in excess of \$50,000 is necessary to avoid loss of life, substantial damage to property, or damage to the public peace or safety. The NUA can then enter into contracts without competitive bids.

In addition, Section 8-204 of the Norman City Code exempts certain contracts for services from competitive bidding when approved by the Council as necessary for the immediate preservation of the peace, health, or safety.

The Mayor's declaration of emergency allows the NUA to waive competitive bidding. The contract with the responsive low bidder, as well as services necessary now to develop the bidding documents, can be ratified by Council at a later date.

The Fiscal Year Ending 2015 budget for Sewer Maintenance Plan FYE14 (WW0200) includes unencumbered funds of \$2,798,000 in Construction. To fund the proposed Emergency Replacement of the Bishop Creek Sewer Crossing (new project WW0209), staff recommends transfer of \$900,000 from Sewer Maintenance Plan FYE14 (WW0200) Construction (321-9338-432.62-01) into Emergency Replacement of the Bishop Creek Sewer Crossing construction account (321-9338-432.62-01).

The bidding documents require the repair to be complete within 21 calendar days. The estimated schedule for constructing the Emergency Replacement of the Bishop Creek Sewer Crossing is to start work on December 28, 2015, with an estimated final completion date of January 17, 2016.

RECOMMENDATION: Recommend the NUA approve Resolution R-1516-74 authorizing the transfer of \$900,000 from Sewer Maintenance Plan FYE14 (WW0202) Construction (321-9338-432.61-01) into Emergency Replacement of the Bishop Creek Sewer Crossing (WW0209) construction account (321-9338-432.61-01) as a necessary transfer and expenditure to preserve the health and safety of Norman citizens.