



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-2021-53**

**File ID:** K-2021-53

**Type:** Contract

**Status:** Consent Item

**Version:** 1

**Reference:** Item 10

**In Control:** City Council

**Department:** Public Works  
Department

**Cost:** \$2,600,996.65

**File Created:** 10/13/2020

**File Name:** Porter and Acres Intersection 2019 Bond Project

**Final Action:**

**Title:** CONSIDERATION OF AWARDING BID 2021-28, APPROVING CONTRACT K-2021-53 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RUDY CONSTRUCTION COMPANY IN THE AMOUNT OF \$2,600,996.65; FOR THE PORTER AND ACRES INTERSECTION 2019 BOND PROJECT WITH PERFORMANCE BOND B-2021-46, STATUTORY BOND B-2021-47, AND MAINTENANCE BOND MB-2021-32; AUTHORIZING RESOLUTION R-2021-50; AND AUTHORIZING TRANSFER OF PROJECT FUNDS.

**Notes:** ACTION NEEDED: Motion to accept or reject all bids as meeting specifications; and, if accepted, award the bid in the amount of \$2,600,996.65 to Rudy Construction Company as the lowest and best bidder meeting specifications; approve Contract K-2021-53 and the performance, statutory, and maintenance bonds; authorize execution of the contract and bonds; direct the filing of the bonds; adopt Resolution R-2021-50; and transfer \$297,000 from Project BP0416, Porter & Acres Intersection, Utilities (50594019-46701) and \$250,000 from Project WA0354, Water Line Replacement, Construction (31996683-46101) to Project BP0416, Porter & Acres Intersection, Construction (50594019-46101).

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

**Agenda Date:** 10/27/2020

**Agenda Number:** 10

**Attachments:** City Council Staff Report, Bid Tab, Engineer Recommendation Letter, Location Map, Contract and Bonds, R-2021-50

**Project Manager:** Paul D'Andrea, Capital Projects Engineer

**Entered by:** brenda.gomez@normanok.gov

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

### Text of Legislative File K-2021-53

Body

**BACKGROUND:** On February 26, 2013, City Council approved engineering services Contract K-1213-165 with the engineering firm of Cabiness Engineering, L.L.C., in the amount of \$55,300 to provide a conceptual design for the Porter Avenue and Acres Street Intersection 2019 General Obligation (GO) Bond Project.

On November 25, 2014, the Norman City Council approved Programming Resolution R-1415-54, for the Porter Avenue and Acres Street Intersection 2019 Bond Project.

On July 11, 2017, City Council approved Amendment No. One to engineering services Contract K-1213-165 with the engineering firm of Cabiness Engineering, L.L.C., in the amount of \$160,000 to provide final design for the Porter Avenue and Acres Street Intersection 2019 GO Bond Project.

On April 2, 2019, the citizens of Norman voted in favor of a General Obligation Bond Issue to finance the local share of nineteen transportation improvement projects. One of the nineteen 2019 GO Bond projects is the Porter Avenue and Acres Street Intersection Bond Project (please see the attached location map showing the project boundaries).

Proposed improvements for the Porter Avenue and Acres Street Intersection 2019 Bond Project include:

- Revised geometry of the intersection to enhance traffic operations and pedestrian safety
- New traffic signals with ADA compliant ramps and crossings.
- New storm water structures meeting current City of Norman codes and ordinances
- Dedicated left turn lanes to enhance traffic operations
- Reconfigured access from Daws Street to accommodate intersection improvements at Porter and Acres
- Utility relocations as needed to accommodate intersection improvements
- New ADA compliant pedestrian sidewalks adjacent to the roadway

On August 13, 2019, City Council approved Authorization for Expenditure No. Two to Contract K-1314-102 with Smith-Roberts Land Services, Inc., for the Porter Avenue and Acres Street Intersection 2019 Bond Project, in the amount of \$65,230 for right-of-way acquisition services.

On June 9, 2020, City Council approved the Purchase Agreement for Parcel 3 and accepted easements for Parcels 4, 9 & 11 in the amount of \$18,997.

Due to design changes, the previous easement on Parcel 12 is no longer necessary so there are now only eleven (11) parcels included in the acquisition for the Porter Avenue and Acres Street Intersection 2019 GO Bond Project.

On August 25, 2020 City Council accepted easements for Parcels 5, 6, 7, 8, and 10 in the

amount of \$137,692.

On September 14 the City of Norman closed on the purchase of Parcel 3, located at 402 N. Porter, for a total cost of \$171,896.39 in property and relocation damages.

On September 22, 2020, the City of Norman accepted the final easements required for construction of the Porter and Acres Intersection 2019 Bond Project.

**DISCUSSION:** Bid documents and specifications for the construction of the Porter and Acres Intersection 2019 GO Bond Project were advertised according to State Law. Two (2) bids were received on October 1, 2020. Upon receipt of the bid proposals, Cabbiness Engineering, the design consultant for the project, analyzed the bids and found several mathematical errors in both bids; however, when corrected these did not result in a change in the low bid, and both bids were considered responsive despite these small errors. The corrected bid totals will be used for the contract documents if awarded.

The low bidder is Rudy Construction Co. of Oklahoma City, Oklahoma in the amount of \$2,600,996.65, which is \$34,828.65 less than the next lowest bidder. The Engineer's estimate for the project is \$2,685,655.75 approximately 3.25% higher than the low bid. Staff has done a comparative analysis of these bids and believes the low bid is competitive and represents a fair bid. Rudy Construction Co. has completed several similar construction projects in Norman and other municipalities within Oklahoma and has met the bidding requirements set forth in the bid documents.

In the interest of construction efficiency, the relocation of waterlines affected by the project has been included in the project construction plans and specifications. The waterline portion of the project will be funded jointly by Public Works (Capital Fund, GO Bond proceeds) and the Norman Utilities Authority (Water Fund). This will require a transfer of \$297,000 from the Capital Fund, Roadway Improvements, 2019 GO Bonds, Utility Relocation (Account 50594019-46701; Project BP0416); and \$250,000 from the Water Fund, Waterline Replacement, Construction (Account 31996683-46101; Project WA0354) to the Capital Fund, Roadway Improvements, 2019 GO Bonds, Construction (Account 50594019-46101; Project BP0416). The remaining funds for this project are available in the Capital Fund, Roadway Improvements, 2019 GO Bonds, Construction.

If approved, construction on this project will begin on November 30, 2020. Substantial completion of the project is expected by August 10, 2021. Porter Avenue will remain open to traffic throughout the construction project.

**RECOMMENDATION NO. 1:** The project team has reviewed the bids and recommends that Bid 2021-28 for the Porter and Acres Intersection 2019 Bond Project be awarded to the low bidder, Rudy Construction Co. of Oklahoma City, Oklahoma, in the amount of \$2,600,996.65.

**RECOMMENDATION NO. 2:** Staff further recommends that the following contract and bonds be approved:

Contract K-2021-53  
Performance Bond B-2021-46  
Statutory Bond B-2021-47  
Maintenance Bond MB-2021-52

**RECOMMENDATION NO. 3:** Staff further recommends that Rudy Construction Co., be authorized and appointed as Project Agent via Resolution R-2021-50 to avoid the payment of sales tax on project-related materials purchases.

**RECOMMENDATION NO. 4:** Staff further recommends that the following transfers of funds be made:

1. \$297,000 from Porter & Acres Intersection, Utilities (50594019-46701; Project BP0416) to Construction (50594019-46101)
2. \$250,000 from Water Line Replacement, Construction (31996683-46101; Project WA0354) to Project BP0416, Porter & Acres Intersection, Construction (50594019-46101)