



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Text File

File Number: K-1213-3

**Introduced:** 7/9/2012

**Current Status:** Consent Item

**Version:** 1

**Matter Type:** Contract

title

CONSIDERATION OF BID NO. 1112-62, CONTRACT NO. K-1213-3 WITH OPES, INC. IN THE AMOUNT OF \$169,269.25; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$13,730.75; PERFORMANCE BOND NO. B-1213-5, STATUTORY BOND NO. B-1213-6, MAINTENANCE BOND NO. MB-1213-3, AND RESOLUTION NO. R-1213-3 FOR FYE 2013 CONCRETE PROJECTS.

**ACTION NEEDED:** Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of \$169,269.25 to OPES, Inc., approve Contract No. K-1213-5, Change Order No. One increasing the contract by \$11,730.35, Performance Bond No. B-1213-5, Statutory Bond No. B-1213-6, and Maintenance Bond No. MB-1213-3, authorize execution of the contract and change order, direct the filing of the bonds, and adopt Resolution No. R-1213-3.

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

body

**BACKGROUND:** The Fiscal Year ending June 30, 2013 (FYE 2013) Capital Improvement Program Budget includes four (4) concrete sidewalk programs. The projects are similar in nature so more competitive bids have historically been obtained by bidding them together. Therefore, staff combined these projects into one project entitled the FYE 2013 Concrete Projects. These four (4) projects are described in detail below and outlined in a table attached.

The **Citywide Sidewalk Reconstruction Program** is intended to assist property owners in repairing existing sidewalks and constructing new sidewalks along an entire city block. Property owners who wish to participate in the Citywide Sidewalk Reconstruction Project will pay fifty percent (50%) of the estimated cost with the City paying the remaining fifty percent (50%) from funds allocated to this project.

The **Sidewalk Accessibility Program** provides wheelchair ramps where none exist and rebuilds existing ramps that do not comply with the current Americans with Disabilities Act (ADA) standards. This project will construct approximately twenty-five (25) curb ramps. Locations are determined at the request of citizens or along arterial and collector streets that do not currently have ramps at street-sidewalk intersections.

The **Sidewalk Program for Schools and Arterials Program** is used to construct new sidewalks adjacent to elementary schools that have no sidewalks and along walking routes to the schools. The following locations are included in this year's program: Peters Avenue from Ridge Road to Americana Court in the Wilson Elementary School district and Sherry Avenue from Crestmont Avenue to Iowa Street in the Cleveland School district.

The **Downtown Area Sidewalks and Curbs Program** will repair hazardous or deteriorated sidewalks, ramps and curbs in the downtown area. The location for FYE 2013 will be concentrated on the west side of downtown.

**DISCUSSION:** Bid documents and specifications were advertised according to State Law. Nine (9) contractors received the bid documents and four (4) bids were received on June 28, 2012. The low bidder, in the amount of \$169,269.25, is OPES, Inc. of Norman. OPES, Inc. has successfully performed work for the City of Norman. Positive references were also received for this contractor from the Oklahoma Department of Central Services. The Engineer's estimate is \$187,000.

The bid amount for each of the four (4) programs is shown separately on the attached bid summary. The bids for three (3) programs; "Citywide Sidewalk Reconstruction Program", "Sidewalk Accessibility Program", and "Sidewalk Program for Schools and Arterials Program"; were less than the budgeted amount; and the bid for "Downtown Area Sidewalks and Curbs" project was greater than the budgeted amount. For the Citywide Sidewalk Reconstruction, citizens have the option of using their own contractor, using the City's contractor or performing the work themselves. Therefore, staff recommends leaving \$12,000 in unencumbered funds for the City's fifty percent (50%) match of this program if the property owner chooses to not use the City's contractor. Please reference Table 1 attached to this memo.

Staff recommends the approval of Change Order No.1, which will increase the contract cost amounts for three (3) programs; "Citywide Sidewalk Reconstruction Program", "Sidewalk Accessibility Program", and "Sidewalk Program for Schools and Arterials Program"; in the amount of \$14,055.75 and reduce "Downtown Area Sidewalks and Curbs" by \$325. The FYE 2013 Concrete Projects Budget, Table 2, shows an unencumbered amount of \$12,000 that will be made available for reimbursements to citizens that hire their own contractor as discussed above. If approved, the contract amount will be increased from \$169,269.25 to \$183,000. The contracted amount of \$183,000 and the unencumbered amount of \$12,000 match the budgeted funds of \$195,000. This change order will allow more work to be accomplished for the programs listed below and bring the other two programs to the budgeted amount.

Citywide Sidewalk Reconstruction - Additional sidewalk repair.

Sidewalk Program for Schools and Arterials - Additional sidewalk and ramp improvements can be constructed adjacent to Cleveland School.

If approved, all of this work including Change Order No. 1 will be completed by August 31, 2013.

Resolution No. R-1213-3 confers upon OPES, Inc., the limited agent status for the purchase of materials to be incorporated in the project on a sales tax-exempt basis. The bid documents offered tax-exempt status to all bidders.

**RECOMMENDATION NO. 1:** Staff has reviewed the bids and recommends that Bid No. 1112-62 for the FYE 2013 Concrete Projects be awarded to the low bidder, OPES Inc. in the

amount of \$169,269.25.

**RECOMMENDATION NO. 2:** Staff further recommends that, upon approval of Bid No. 1112-62, the following contract and bonds be approved:

Contract No. K-1213-3  
Performance Bond No. B-1213-5  
Statutory Bond No. B-1213-6  
Maintenance Bond No. 1213-3

**RECOMMENDATION NO. 3:** Staff further recommends that, upon approval of Bid No. 1112-62, OPES, Inc., be authorized and appointed as project agent via Resolution No. R-1213-3.

**RECOMMENDATION NO.4:** Staff further recommends approval of Change Order No. 1 which increases the contract amount \$13,730.75.