



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1819-1**

**File ID:** K-1819-1

**Type:** Contract

**Status:** Consent Item

**Version:** 1

**Reference:** Item 11

**In Control:** City Council

**Department:** Public Works  
Department

**Cost:** \$1,547,476.00

**File Created:** 07/02/2018

**File Name:** Urban Concrete Project 2019

**Final Action:**

**Title:**

CONSIDERATION OF AWARDING OF BID 1819-1; CONTRACT K-1819-1 WITH CENTRAL CONTRACTING SERVICES, INC., IN THE AMOUNT OF \$1,451,515; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$95,961 FOR A REVISED CONTRACT AMOUNT OF \$1,547,476, PERFORMANCE BOND B-1819-1; STATUTORY BOND B-1819-2; AND MAINTENANCE BOND MB-1819-1 FOR THE URBAN CONCRETE PAVEMENT STREET MAINTENANCE BOND PROGRAM, FYE 2019 LOCATIONS, AND ADOPTION OF RESOLUTION R-1819-2 GRANTING TAX EXEMPT STATUS.

**Notes:** ACTION NEEDED: Acting as the City Council and Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of \$1,451,515 to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; approve Contract K-1819-1, Change Order No. One Increasing the contract amount by \$95,961 for a revised contract amount of \$1,547,476, and the performance, statutory, and maintenance bonds; authorize execution of the contract and bonds; direct the filing of the bonds, and adopt Resolution R-1819-1

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

**Agenda Date:** 07/24/2018

**Agenda Number:** 11

**Attachments:** K-1819-1, CO#1 K-1819-1, Perf B-1819-1, Stat B-1819-2, MB-1819-1, Location Maps, Table of FYE 2019 Location, Letter, R-1819-1, Requisition

**Project Manager:** Tony Mensah, Capital Projects Engineer

**Entered by:** rachel.warila@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-1819-1

Body

**BACKGROUND:** In the Norman General Obligation Bond Election of 2016, voters approved the Street Maintenance Bond Program, a 5-year, 4-phase program to address maintenance needs on neighborhood streets. The four categories include (1) Urban Asphalt Street Rehabilitation, (2) Urban Concrete Street Rehabilitation, (3)

Urban Road Reconstruction and (4) Rural Road Rehabilitation. Prior to the election, the City provided a list of all streets included in the program based upon the pavement condition data from the City's current Pavement Management System. Seven (7) neighborhood additions with 17 locations on urban concrete streets were identified for the third year (FYE 2019) of the program. A list of the locations and the associated maps are attached.

**DISCUSSION:** The bid opening was conducted on June 14, 2018. Bid specifications and documents were advertised on May 24, 2018 and May 31, 2018 in accordance with State Law. Seven (7) potential bidders acquired plans and specifications. Three (3) contractors submitted bids. The lowest bid, in the amount of \$1,401,464 was submitted by RDNJ, LLC dba A-Tech Paving of Edmond, OK. The next low bidder is Central Contracting Services, Inc. of Norman, OK, in the amount of \$1,451,515. All bids received are less than the engineer's estimate of \$1,778,400. Staff has done a comparative analysis of these bids and believes the bids to be competitive and represent a fair price. The bid tabulation is attached.

The State Competitive Bidding Act (Act) requires that the contract be awarded to the "lowest responsible bidder". However, the Act does not define lowest responsible bidder. Section 8-204 of the City Code states that "[A]cceptance will be made of that bid most advantageous to the City, considering price, quality, date of delivery, and other pertinent factors." Although price is important, other factors can and should be considered to determine whether the bid represents the best value for the City. Typically these factors include the bidder's financial or pecuniary ability to complete the contract, integrity and trustworthiness, skill, judgment, ability to perform faithful and conscientious work, promptness, experience, necessary facilities and equipment for doing the work, efficiency, previous performance of satisfactory work or other essential factors.

Staff carefully reviewed the bid packages. The lowest bidder, RDNJ, LLC dba A-Tech Paving, is currently working on five current projects for the City of Norman. Most of these projects are incomplete and significantly behind schedule. For instance, the 2015 Main Street Pavement Repair Project is still incomplete. The 2017 Imhoff Creek Channel Repair Project is about four and a half months behind schedule. The current Lahoma Street Project is over two months behind schedule. City Staff has also been informed that RDNJ is having similar problems in the City of Oklahoma City. This raised concerns that RDNJ, LLC dba A-Tech Paving would not have adequate personnel and equipment to complete the Urban Concrete contract in the required timeframe. This contractor has also been non-compliant with other contractual obligations. The findings of the selection committee are outlined in the attached letter to RDNJ.

For the above mentioned reasons, city staff recommends that RDNJ, LLC, d/b/a A-Tech, not be considered the lowest responsible bidder on this project. Staff has met with the Contractor to discuss corrective measures on the pending projects, and if completed satisfactorily, RDNJ will be considered for future City projects.

City staff has also reviewed the bids and documents submitted by the next low bidder, Central Contracting Services, Inc., and their current performance on projects with City of Norman. Staff has found their documentation to be in compliance with City of Norman's Standard Specifications, and their current performance acceptable, and therefore is considered the lowest responsible bidder.

If approved, the base bid for this project will complete the third year (FYE 2019) locations in the Urban Concrete Pavement Rehabilitation portion of the 5-year 2016 Street Maintenance Bond Program. If approved, construction will begin on these projects at the end of July 2018. The construction time for this project is 180 days with an estimated completion at the end of January 2019. However, projects near schools may be postponed to coincide with breaks or following the school year to avoid interruptions to the drop-off and pick-up procedures at the schools. The completion could also be delayed due to cold temperatures in the winter months that hinder paving operations. All work will be completed within FYE 2019.

The recommended bid from Central Contracting Services, Inc. is \$1,451,515 or 18% or \$326,885 below the engineer's estimate of \$1,778,400. The project is funded in the Capital Fund, Urban Concrete Pavement Bond Program, Construction (account 050-9393-431.61-01; projects BP0405 through BP0412), as shown on the attached Table.

Additionally, the Norman Utilities Authority (NUA) would like to utilize these favorable concrete prices to construct a paved area for the East Norman Recycling Drop Off Center. The drop off area will be north of the East Norman Library on East Alameda Street. The site is bounded by a drainage ditch on the north, the parking lot will be approximately 75 feet by 110 feet with a retaining wall on the south end. In addition to the concrete bid prices, NUA staff negotiated prices for retaining wall, curb and gutter, reinforcing steel, and mobilization.

Change Order No. 1, which will be funded separately with Norman Utilities Authority funds, will increase the contract an additional \$95,961 for a revised total of \$1,547,476. This project is scheduled to be constructed in fall 2018. Sanitation Utility funds in the amount of \$129,500 are available in Sanitation Capital Projects, Construction (account 033-9975-432.61.01; project SA0010).

**RECOMMENDATION No. 1:** For the above mentioned reasons, Staff, after reviewing the bids, recommends Bid 1819-1 for Street Maintenance Bond Program - Urban Concrete be awarded to the lowest responsible bidder, Central Contracting Services, Inc. of Norman, Oklahoma, for \$1,451,515.

**RECOMMENDATION No. 2:** Staff further recommends that, upon acceptance of Bid 1819-1, the following contract and bonds be approved:

Contract K-1819-1  
Performance Bond B-1819-1  
Statutory Bond B-1819-2  
Maintenance Bond MB-1819-1

**RECOMMENDATION No. 3:** Staff further recommends that Central Contracting Services, Inc. be authorized and appointed as Project Agent via Resolution R-1819-1 for the City of Norman portion of the funds.

**RECOMMENDATION No. 4:** NUA staff recommends that Change Order No. 1, for the East Norman Recycling Drop Off Center, increasing the contract amount by \$95,961, be approved for a revised contract price of \$1,547,476.