



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1516-44 AMD#2

File ID: K-1516-44 AMD#2 **Type:** Contract **Status:** Consent Item

Version: 1 **Reference:** Item 18 **In Control:** City Council

Department: Public Works Department **Cost:** \$291,900.00 **File Created:** 01/30/2018

File Name: Amendment No. 2 to Contract with Atkins for the 2013 CDBG-DR Projects **Final Action:**

Title: AMENDMENT NO. TWO TO CONTRACT K-1516-44: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ATKINS NORTH AMERICA INCREASING THE CONTRACT AMOUNT BY \$291,900 FOR A REVISED CONTRACT AMOUNT OF \$2,524,532 TO PROVIDE ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RELIEF (CDBG-DR) PROJECTS 2, 4, 7 AND 8 AND BUDGET TRANSFERS BETWEEN PROJECT ACCOUNTS.

Notes: ACTION NEEDED: Motion to approve or reject Amendment No. One to Contract K-1516-44 with Atkins North America increasing the contract amount by \$291,900 for a revised contract amount of \$2,524,532; and, if approved, authorize the execution thereof and appropriate \$226,950 from Project GC0066, 84th NE/Rock Creek to N. End, Design (021-4000-463.62-01) designating \$101,500 to Project GC0065, 120th Ave SE/Etowah: SH9, Design (021-4000-463.62-01) and \$125,450 to Project GC0067, 120th NE: Tecumseh-Stella, Design (021-4000-463.62-01).

ACTION TAKEN: _____

Agenda Date: 02/13/2018

Agenda Number: 18

Attachments: City and County Projects Location Map, Amendment 2 K-1617-94.pdf, Contract K-1516-44, Amendment 1 K-1516-44, Contract Fee Table, Projects 1-7, Projects 8 and 9, Requisition

Project Manager: Tim Miles, Capital Projects Engineer

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Effective Date:

History of Legislative File

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

Text of Legislative File K-1516-44 AMD#2

Body

BACKGROUND: The City of Norman and Cleveland County both received damages to roads after natural disasters including a May 19, 2013 tornado and multiple (six or more) wildfires in August of 2012. These disasters were all located in the same general area of eastern Norman/Cleveland County. Damages to these roads with thin pavement sections were caused by heavy equipment providing aid during the disaster and recovery phases of

the responses.

In June 2014, the U.S. Department of Housing & Urban Development (HUD) released its allocations and program requirements for the CDBG-DR 2013 Program. After learning that this aid was available to repair damages from the two previous natural disasters, both the City of Norman and Cleveland County completed applications to receive funding. On January 26, 2015, the City of Norman was notified by the Oklahoma Department of Commerce (ODOC) that they received a total of \$12,054,090 to fully fund engineering, right-of-way, administration and construction for seven separate projects totaling approximately 11.5 miles in length, as shown for reference in the attached Projects 1-7 Summary. Cleveland County received \$10,774,160 in grant funds for nine road repair projects that are currently being administered by the County.

On August 25, 2015 City Council awarded Contract K-1516-44 to Atkins North America in the amount of \$690,400 for the design and administration of CDBG-DR Projects 1 through 7.

In November 2015, the City of Norman applied for a second round of CDBG-DR 2013 Program funds made available from HUD. These additional funds were a surplus that HUD had available for this program after the first round of funds were allocated to cities and counties. On January 25, 2016, the City of Norman was notified by ODOC that they received an additional \$5,004,821 to fully fund engineering, administration and construction for two more projects totaling approximately five miles in length, as shown for reference in the attached Projects 8 and 9 Summary.

Between these two HUD allocations the City of Norman will receive a total of \$17,058,911 to repair approximately 16.5 miles of roads. The above-mentioned nine projects and Cleveland County's nine projects included in the current CDBG-DR program are illustrated in the attached map labeled City and County Disaster Relief Project Locations.

On April 12, 2016, City Council approved Contract K-1516-129 with ODOC for a portion of the first round, Tranche Two CDBG-DR 2013 Program funds. There is a twenty-four month timeline attached to these funds beginning from the time of acceptance. These funds are for five of the seven first round projects (1, 2, 3, 5, and 6) in the amount of \$10,293,600 for construction and construction monitoring and \$308,808 in City administration funds for a combined total award of \$10,602,408.

On April 12, 2016, City Council also accepted Amendment No. 1 to Contract K-1516-44 with Atkins North America in the amount of \$1,542,232 for the design and administration of the two new CDBG-DR Projects 8 and 9. This amendment also included construction management services for all nine CDBG-DR projects.

On May 24, 2016, City Council approved Contract K-1516-145 (Projects 3, 5, and 6) and Contract K-1516-146 (Projects 1 and 2) with Silver Star Construction Company, Inc. for a total amount of \$7,797,350.85 including Change Order No. 1 to increase the pavement thickness from 4 inches to 6 inches.

On August 22, 2017, City Council approved Contract K-1718-40 (Projects 8 and 9) with Silver Star Construction Company, Inc. for a total amount of \$2,226,480.45.

On September 26, 2017, City Council accepted thirteen (13) easements from CDBG-DR Projects #4 (one easement), #7 (eight easements), and #8 (four easements).

In a separate agenda item tonight, City Council is being asked to consider accepting easements for CDBG-DR Project #2.

This Council action is to amend the current contract with Atkins North America for additional design services outside the original scope of the project.

DISCUSSION: The tasks outlined in Amendment No. 2 are generally a direct result of the three scope changes listed below:

1. Project #2 scope changes are the result of the need to replace one additional existing culvert under 120th Avenue SE. Initially an existing culvert was going to be used in place where minimal road improvements were being made. However, after further investigation of the existing culvert before construction took place, it was determined that the existing culvert was in poor condition and needed to be replaced. As a result of the hydrology and hydraulic studies, the existing 4-36" corrugated metal pipes need to be replaced with a 9-10'x8' reinforced concrete box.
2. Projects #4 and #7 required additional easements to construct the proposed improvements than were anticipated in the initial scoping of the project. The amendment covers the acquisition related costs on these projects.
3. Since the CDBG-DR Projects as a whole are running under budget, a culvert upgrade was added to Project #8. During the May 2015 flood events, an existing 60" corrugated metal pipe culvert (FHWA #4) was washed out and a temporary culvert has been installed in its place. FHWA has agreed to upgrade the culvert to meet City Standards (3-12'x6' reinforced concrete box) at an 80% participation rate. By replacing this culvert as a part of the CDBG-DR Project #8, we can take advantage of 100% federal funds.

The contract amendment is in the amount of \$291,900 and will be no cost to the City since all scope items fall within the original CDBG-DR Grant and we are collectively under budget on the nine (9) CDBG-DR Projects. However, a transfer of \$226,950 will be required to get a portion of the funds into the correct project. Projects #2 and #8 will require a transfer of funds in amount of \$226,950 from CDBG-DR Project #4, Construction (021-4000-463.61-01; project GC0066). Of this amount, \$101,500 will go to CDBG-DR Project #2, Design (021-4000-463.62-01; project GC0065) and \$125,450 will go to CDBG-DR Project #8, Design (021-4000-463.62-01; project GC0067). Funds are currently available in Projects #4 and #7 to pay for the portion of the amendment for those projects.

If Contract Amendment #2 is approved, Atkins design, construction monitoring, and grant administration fees of \$2,524,532 (as shown in the attached Contract Fee Table) equates to 14.8% of the total project costs of \$17,058,911.

RECOMMENDATION No. 1: Staff recommends that Council approve the transfer of \$226,950 from Project GC0066, 84th NE: Rock Creek to N. End, Design (021-4000-463.61-01) with \$101,500 going to Project GC0065, 120th Ave SE: Etowah to SH9, Design (021-4000-463.62-01) and \$125,450 going to Project GC0067, 120th NE: Tecumseh to Stella, Design (021-4000-463.62-01).

RECOMMENDATION No. 2: Staff further recommends approval of Amendment No. 2 to Contract K-1516-44 with Atkins North America to add the above mentioned engineering and acquisition services to the CDBG-DR Projects 2, 4, 7 and 8 as described above and in the attached amendment.