



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1516-76**

<b>File ID:</b> K-1516-76	<b>Type:</b> Contract	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item 13	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b> \$548,251.90	<b>File Created:</b> 02/23/2016
<b>File Name:</b> Sutton Wilderness Lake Dam & Spillway Repair Project	<b>Final Action:</b>	

**Title:** CONSIDERATION OF AWARDING OF BID 1516-44; APPROVAL OF CONTRACT K-1516-76 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DOWNEY CONTRACTING, L.L.C., IN THE AMOUNT OF \$548,251.90; PERFORMANCE BOND B-1516-36; STATUTORY BOND B-1516-37; AND MAINTENANCE BOND MB-1516-25 FOR THE SUTTON WILDERNESS LAKE DAM AND SPILLWAY REPAIR PROJECT; AND ADOPTION OF PROJECT AGENT RESOLUTION R-1516-61.

**Notes:** ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of \$548,251.90 to Downey Contracting, L.L.C., as the lowest and best bidder meeting specifications; approve Contract K-1516-76 and the performance, statutory, and maintenance bonds; authorize execution of the contract and bonds; direct the filing of the bonds; and adopt Resolution R-1516-61.

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

**Agenda Date:** 03/22/2016

**Agenda Number:** 13

**Attachments:** Text File Downey, Location map, Bid Tab,  
K-1516-76, Perf B-1516-36, Stat B-1516-37,  
MB-1516-25, Project Agent Resolution, PR Downey

**Project Manager:** Joe Willingham, Stormwater Engineer

**Entered by:** rachel.warila@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 K-1516-76

body

**BACKGROUND:** Sutton Wilderness Lake Dam is located about 1500 feet south of Rock Creek Road and 2200 feet west of 12th Avenue N.E. in the City of Norman, Oklahoma (see Attachment A).

This property is owned by the State of Oklahoma Department of Mental Health and Substance Abuse Services. The property has been leased to the Oklahoma Tourism and Recreation Department, and subsequently subleased to the City of Norman, for the establishment and maintenance of the George M. Sutton Urban

Wilderness Area in accordance with the provisions of House Joint Resolution No. 1008 approved by the Honorable Governor George Nigh on February 8, 1979.

The George M. Sutton Urban Wilderness Park is part of the City of Norman Parks System, and consists of the 157.7 acres, more or less, under a 99-year sublease between the City and the State of Oklahoma. An additional 53-acre tract immediately adjacent to the west was purchased by the City of Norman in 2008, and is maintained as part of the Park. Guidance and advice regarding rules, regulations and activities for the park as well as a management plan *"to maintain Sutton Urban Wilderness as a healthy ecosystem, representative of the natural ecology of Oklahoma..."* is provided by the Sutton Urban Wilderness Committee created by the City in 1983 as an ad hoc committee to the Norman Parks and Recreation Department.

The Oklahoma Water Resources Board (OWRB) notified the City of Norman that the Sutton Wilderness Lake Dam had been reclassified as a high hazard-potential structure on November 24, 2010. This reclassification was based on the findings in OWRB's hazard-potential reclassification report, which indicates that the failure of the dam would likely cause loss of human life. OWRB stated that the dam must meet certain minimum standards appropriate for the dam's classification and size. Certain requirements set forth in the notification letter from OWRB have been completed, including ongoing dam safety inspections, a dam breach analysis and report, a breach inundation map, and a preliminary emergency action plan.

The Sutton Wilderness Lake Dam and Spillway Inspection Reports conducted since the reclassification have characterized the dam and spillway as "in poor condition" and recommended the following actions to address identified deficiencies:

1. Removal of all trees from the dam and spillway
2. Flattening of the downstream slope to facilitate slope maintenance
3. Grading of the area at the downstream toe of slope to prevent standing water
4. Restoration of the emergency spillway
5. Evaluation of the principal spillway for deterioration
6. Installation of an upstream control valve
7. Restoration and stabilization of the dam face (upstream slope) including the addition of riprap.

**DISCUSSION:** On September 10, 2013, City Council approved Contract K-1314-39 with Wilson and Associates to provide design and engineering services for the improvements to the Sutton Wilderness Lake Dam.

The City's project goal is to make structural improvements necessary to appropriately address identified deficiencies and bring the Sutton Wilderness Lake Dam into compliance with current OWRB design standards while maintaining Sutton Urban Wilderness Area as a healthy ecosystem representative of the natural ecology of Oklahoma. Throughout the design process, City staff has worked closely with the City's Sutton Urban Wilderness Committee.

On January 22 and January 28, 2016, the Public Works Department published a Notice to Bidders requesting bids for the Sutton Wilderness Lake Dam & Spillway Repair Project. A pre-bid meeting was held on February 2, 2016, attended by several interested contractors. Bids were opened on February 11, 2016, at 2:00 P.M. The City received 2 bids (see the Bid Tabulation in Attachment B). The low bid of \$548,251.90 is 12% below the Engineer's Estimate. Combined with the engineer's design fees, the total cost of this project is now estimated to be \$740,785.06.

Based on a complete review of the submittals, it has been determined that Downey Contracting, L.L.C., is the low bidder and best suited to conduct this construction project. Downey Contracting has extensive experience in repairing dams and spillways for the Natural Resources Conservation Service. Staff had initially estimated the funds necessary for this project to be \$750,000. The Consulting Firm Wilson and Associates provided the design consultation for the project and they estimated project construction costs would be \$625,102. The bid by Downey Contracting is within industry standards for a project of this scope. See Attachment C for the contract and bonds.

The attached construction project contract services include:

- Removal of woody vegetation from the back of the dam
- Modifications to the face and back of the dam
- Modifications to the primary spillway with a riser
- Modifications to the secondary spillway

Funding for this contract with Downey Construction is available in Stormwater Drainage, Construction (account number 050-9968-431.61-01; project DR0059).

If approved by Council, Downey Contracting will begin construction on or about April 1, 2016. Completion of the project is estimated to take 200 days, or to be completed by approximately September 30, 2016. Public Works and Parks Department staff are collaborating closely on this construction project with the Sutton Urban Wilderness Committee to minimize any negative impacts to the lake and the park.

**RECOMMENDATION 1:** Staff recommends Bid 1516-44 be awarded to Downey Contracting in the amount of \$548,251.90.

**RECOMMENDATION 2:** Staff recommends approval of Contract K-1516-76, Performance Bond B-1516-36, Statutory Bond B-1516-37, and Maintenance Bond MB-1516-25 for the Sutton Wilderness Lake Dam & Spillway Repair Project with Downey Contracting.

**RECOMMENDATION 3:** Staff recommends approval of Tax Exempt Status Resolution R-1516-61 naming Downey Contracting as Project Agent for the City for this project.