



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1415-103

File ID: K-1415-103

Type: Contract

Status: Consent Item

Version: 1

Reference: Item 10

In Control: City Council

Department: Utilities Department

Cost: \$2,130,855.00

File Created: 02/27/2015

File Name: Contract for Lindsey WL Improvements: Section B,
24-inch WL Extension

Final Action:

Title: CONSIDERATION AND AWARDED OF SECTION B OF BID 1415-45, APPROVAL OF CONTRACT K-1415-103 BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND MCKEE UTILITY CONTRACTORS, INC. IN THE AMOUNT OF \$2,130,885, PERFORMANCE BOND B-1415-67; STATUTORY BOND B-1415-68; AND MAINTENANCE BOND MB-1415-63 FOR THE LINDSEY STREET WATERLINE IMPROVEMENTS PROJECT, SECTION B, 24-INCH WATERLINE EXTENSION.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications for Section B; and, if accepted, award the bid in the amount of \$2,130,885 to McKee Utility Contractors, Inc., as the lowest and best bidder meeting specifications; approve Contract K-1415-103 and the performance, statutory, and maintenance bonds; authorize execution of the contract and bonds and the Norman Utilities Authority as part of the contract to pay subcontractors for equipment and supplies for the Lindsey Street Water Line Improvements Project, Section B, 24-inch Water Line Extension; and direct the filing of the bonds.

ACTION TAKEN: _____

Agenda Date: 03/10/2015

Agenda Number: 10

Attachments: Location Map, Bid Tabulation, Signed Bid Recomm
ltr, K-1415-103.pdf, Perf B-1415-67.pdf, Stat
B-1415-68.pdf, MB-1415-63.pdf, McKee Bid, McKee
PR

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1415-103

Body

BACKGROUND: On November 22, 2011, the Norman City Council approved Programming Resolution R-1112-63, requesting federal funds for the widening and reconstruction of Lindsey Street, between 24th Avenue SW and east of Berry Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG,)

the Oklahoma Department of Transportation (ODOT) agreed to provide 80% of the construction cost, up to \$9.7 million, and administer the construction with the matching share from the City of Norman. In order to receive the federal funding, the City of Norman is required to enter into an agreement with ODOT to complete the design, acquire all necessary rights-of-way and relocate utilities and remove encroachments at the City's cost.

On August 28, 2012, the citizens of Norman voted in favor of a General Obligation Bond Issue to finance the local share of eight transportation/storm water improvement projects. One of the projects is Lindsey Street from 24th Avenue SW to Berry Road. Attachment A is a map showing the project boundaries. On December 18, 2012, Council approved the design contract for this project with Leidos Engineering LLC, (formally SAIC, LLC).

The roadway portion of the project includes transportation and aesthetic improvements to Lindsey Street. The segment between Interstate 35 and Berry Road is the most congested corridor in the Oklahoma City metropolitan area. This section of Lindsey Street has a traffic accident rate three (3) times the national average.

Proposed improvements for the roadway project include:

1. Widening Lindsey Street from 3 lanes to 4 lanes with a raised median
2. New bridge over Imhoff Creek
3. Continuous sidewalks on both sides of the street
4. Access management to adjacent properties
5. Multi-modal improvements including bicycle lanes
6. Aesthetic enhancements including decorative pavement, landscaping, and roadway lighting
7. Underground utilities
8. Accessibility to disabled individuals

The storm water portion of the project addresses the flooding problems along West Lindsey Street, most notably at the Lindsey Street and McGee Drive intersection. The design will include conveying storm water from a 3.4 square mile watershed to an underground storm water system which will discharge directly into the Canadian River. Phase 1 of the drainage box construction, between State Highway 9 and the Canadian River is complete, and Phase 2, between Briggs Street and State Highway 9, will begin with the I-35 construction in March of 2015.

DISCUSSION: The Lindsey Street Waterline Improvements project has two components. The first one deals with the relocation of lines that are in direct conflict with the proposed Lindsey Street roadway construction ("Section A"). These lines need to be relocated prior to the beginning of road construction. The second component includes new lines that are part of an ongoing effort to upgrade the City's water distribution system. This part of the work is independent from the Lindsey Street roadway project, but happens to involve work within the limits of the proposed roadway construction and therefore needs to be completed at the same time ("Section B").

Section A of the project includes the relocation of 800 linear feet (LF) of 12-inch, 2,600 LF of 8-inch and 250 LF of 6-inch waterlines, and associated appurtenances. The cost of this work is to be paid by the City of Norman from Lindsey Widening Project bond monies. Section B is a continuation of the Segment D Waterline (WB0184) and includes 5,950 LF of 24-inch water line with interconnections to existing waterlines and appurtenances to be paid by the Norman Utilities Authority (NUA). Attachment B illustrates the location of both sections.

On October 22, 2013, the City of Norman and the NUA both contracted separately with Leidos to perform design and surveying services for the water line construction. The design plans have been submitted to the Oklahoma Department of Environmental Quality (DEQ) and the plans are expected to be approved prior to the beginning of construction.

The advertisement for bids was published in the Norman Transcript on February 6 and February 12, 2015, and in several trade publications. Eight contractors attended the pre-bid conference and bids were received from four contractors on February 26, 2015. As shown on the attached bid tabulation, McKee Utility Contractors, Inc. was the low bidder at \$3,074,165. Other bids ranged between \$3,222,735 and 3,726,515; the engineer's

estimate was \$3,474,790, or approximately 11.5% higher than the low bid. As noted in its letter of February 27, 2015, Leidos recommends award to McKee Utility Contractors, Inc. of Prague, Oklahoma. The Public Works Department and the Utilities Department have done a comparative analysis of these bids and believes the low bid is competitive and represents a fair bid.

Funding for this water line project is to be allocated from two sources. The first source is the Lindsey Street - 24th Avenue SW to Berry Road Roadway Project utility account (Account 050-9552-431.67-01, Project BP0189). This account currently has \$3,691,431.42 in available funds for the relocation of water lines and other underground utilities. The cost attributable to this section of the bid is \$943,180. Additionally, an estimated \$5,000 will be required to pay for the construction testing services, for a total of \$948,180. The testing services will be provided by CEC of Oklahoma City, Oklahoma as part of the annual contract with the City.

The second source of funding for this construction project is the Water Fund. The Water Fund will cover the cost of Section B of the Lindsey Street Waterline Improvements which is a continuation of the Segment D 24-inch Waterline. The low bidder allocated \$2,130,885 toward Section B of the project. The Fiscal Year Ending (FYE) 2015 budget includes unencumbered funds of \$2,176,000 in 24-inch Waterline Segment D Construction (account 031-9360-462.61-01; project WB0184). Additionally, unencumbered funds of \$357,660 remain in Design (account 031-9360-462.62-01) and \$192,000 remains in Land/ROW (account 031-9360-462.60-01).

The City of Norman is exempt from the payment of any sales or use taxes. A bidder and his subcontractors may exclude from their bid sales taxes on appropriate equipment, materials, and supplies that will not have to be paid while acting on behalf of the City of Norman. Pursuant to Title 68 O.S., Section 1356(10) and as allowed by Oklahoma Tax Commission Rules Part 27 Trust Authority 710:65-13-140, direct vendors to the NUA are also exempt from those taxes. To minimize project costs, the NUA will make payment directly to vendors supplying equipment and materials for incorporation into the project.

We anticipate a contract start date of March 21, 2015 with final completion within 180 calendar days or by September 17, 2015. Due to time constraints associated with the Lindsey Street Improvements, an intermediate completion date of 75 calendar days was implemented for substantial completion of Phase 1 of the project. Phase 1 must be completed by June 4, 2015 and generally includes all waterlines west of McGee Drive; early completion of this phase allows the Common Utility Trench (CUT) to be installed by others in a timely manner and should allow the franchise utilities to move their facilities to the CUT by the ODOT deadline of November 19, 2015. Additionally, in the bid package, an incentive of \$3,000 per calendar day has been offered for completion of the Phase 1 work; a maximum incentive of 15 days or \$45,000 has been budgeted and is offered to the contractor.

RECOMMENDATION NO. 1: Staff and our consultant have reviewed the bids and recommend acceptance of the bids received in response to Bid 1415-45 for the Lindsey Street Water Line Improvements (Section A and Section B) and award the bid for both sections to the low bidder, McKee Utility Contractors, Inc. of Prague, Oklahoma, for \$3,074,065.

RECOMMENDATION NO. 2: Upon award of Bid No. 1415-45 for Section B, 24-inch Waterline Extension project, staff further recommends that the Chairman be authorized to sign Contract K-1415-103 with McKee Utility Contractors, Inc., Performance Bond B-1415-67, Statutory Bond B-1415-68, and Maintenance Bond MB-1415-63, all in the amount of \$2,130,885.

RECOMMENDATION NO. 3: Staff further recommends that the NUA allow the Utilities Director to approve the purchase of equipment and materials directly from vendors at prices agreed upon by the Contractor.