



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1819-43 FINAL**

**File ID:** K-1819-43 FINAL

**Type:** Contract

**Status:** Consent Item

**Version:** 1

**Reference:** Item 29

**In Control:** City Council

**Department:** Public Works  
Department

**Cost:** \$3,439.57

**File Created:** 08/05/2019

**File Name:** West Main Street Bridge Over 10 Mile Flat Creek

**Final Action:**

**Title:** CHANGE ORDER NO ONE TO CONTRACT K-1819-43: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CONSTRUCTION UNLIMITED, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$3,439.57 FOR A REVISED CONTRACT AMOUNT OF \$328,439.57 FOR THE WEST MAIN STREET BRIDGE OVER 10 MILE FLAT CREEK PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

**Notes:** ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract K-1819-43 with Construction Unlimited, L.L.C., increasing the contract amount by \$3,439.57 for a revised contract amount of \$328,439.57; authorize the execution thereof; accept the project; direct final payment in the amount of \$58,754.57; and transfer \$3,439.57 from Project DR0057, Stormwater Drainage Projects, Construction (050-9968-431.61-01) to Project DR0066, West Main Drainage Structure S. Bridge, Construction (050-9717-431.61-01).

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

**Agenda Date:** 08/27/2019

**Agenda Number:** 29

**Attachments:** Staff Report, Change Order #1, K-1819-43 Final Pay  
App, Photograph of completed item

**Project Manager:** Carrie Evenson, Stormwater Program Manager

**Entered by:** amy.shepard@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-1819-43 FINAL

Body

**BACKGROUND:** On December 6, 1994, a Cleveland County District Court Order required installation of ten (10) 72" corrugated metal pipes (CMPs) and construction of a low water crossing immediately east of the CMPs to relieve the impoundment of water during flooding events caused by a privately constructed roadway at Ten Mile Flat Creek west of 48th Ave NW. The roadway was constructed to allow access to the private properties west of Ten Mile Flat Creek from West Main Street. In August 2007, a major flooding event washed out the CMPs and private roadway at this location, which negatively impacted vehicular access via Main Street to the private properties to the west.

Since the flooding event in 2007, there have been numerous discussions between the City of Norman and the three adjacent property owners regarding the best way to provide access to the properties to the west and how project costs should be shared. On June 27, 2017, City Council approved Contract K-1617-138 between the City of Norman and Arbuckle Properties, Inc., BellaRose, LLC, and Steven Rich, the property owners west of Ten Mile Flat Creek, for the funding and construction of the West Main Street drainage structure and single span bridge.

In an effort to improve access and stream flow at this location, the City of Norman, Arbuckle Properties, Inc., BellaRose, LLC, and Steven Rich proposed to construct a new single span bridge structure over Ten Mile Flat Creek. The project also involved stabilization of the stream banks with sheet piles and rip rap.

Since this work occurred in the floodway/floodplain of Ten Mile Flat Creek, Section 429.1 Flood Hazard District of the zoning ordinance (commonly referred to as the floodplain ordinance) applied to this project. A floodplain permit for the channel improvements was conditionally approved 6-0 by the City Floodplain Permit Committee on December 18, 2017, and approved by City Council on January 9, 2018. All other regulatory approvals were obtained as part of the floodplain permit application process.

The bridge and channel project was designed by two licensed Professional Civil Engineers, Mr. Lester Sieger, P.E., and Mr. David Hendricks, P.E., under the direction of the private property owners. City staff reviewed and accepted the engineering plans for the project using the same process as is used for all City capital projects.

The bid opening was conducted on August 16, 2018, and four (4) contractors submitted bids. The Engineer's Estimate was \$334,484. The lowest bid in the amount of \$325,000, submitted by Construction Unlimited was \$9,484 (3%) below the estimate.

On September 25, 2018, City Council approved Contract K-1819-43 between the City of Norman and Construction Unlimited, LLC, for furnishing all labor and materials for the West Main Street Bridge over Ten Mile Flat Creek Reconstruction Project for an amount of \$325,000.

Construction activities associated with the West Main Street Bridge over Ten Mile Flat Creek Reconstruction Project were completed in July 2019.

**DISCUSSION:** In accordance with state law and City Code, Construction Unlimited's bid included bond amounts based upon the total bid amount. The unique circumstances agreed to in the Participation Agreement (K-1617-138) required that the City negotiate an increase in the bond to the amount of the engineer's estimate. This increase resulted in an additional cost of \$3,439.57, which cost is submitted herein as Change Order No. 1. A request for a budget transfer is one of the recommendations.

This project was funded in the fiscal year 2018-2019 (FYE 2019) Capital Fund (DR0066). Total project costs for construction activities included construction of a new single span bridge, stabilization of stream banks, and installation of an automatic gate. The total actual project cost is \$328,439.57.

**RECOMMENDATION NO. 1:** Staff recommends approval of Change Order No. 1 increasing the contract by \$3,439.57. If approved, the total contract amount with Construction Unlimited, LLC of Oklahoma City, OK will increase to \$328,439.57 from \$325,000, an increase of 1%.

**RECOMMENDATION NO. 2:** Staff requests approval to transfer funds in the amount of \$3,439.57 from Stormwater Drainage Projects, Construction (account 050-9968-431.61-01; project DR0057), to Drainage Project with Bridge, Construction (account 050-9717-431.61-01; project DR0066).

**RECOMMENDATION NO. 3:** Staff recommends final acceptance of the West Main Street Bridge over 10 Mile Flat Creek Contract K-1819-43, and further recommends that final payment in the amount of \$58,754.57 be directed to Construction Unlimited, LLC of Oklahoma City, OK.