

CITY COUNCIL CONFERENCE MINUTES

June 27, 2017

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:05 p.m. in the Municipal Building Conference Room on the 27th day of June, 2017, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

ABSENT: None

Item 1, being:

CHANGE ORDER NO. ONE TO CONTRACT K-1516-33: WITH MCKEE UTILITY CONTRACTORS, INC., INCREASING THE CONTRACT AMOUNT BY \$26,371.86 FOR A REVISED CONTRACT AMOUNT OF \$3,364,056.86 FOR THE ROBINSON STREET WATER LINE PROJECT, PHASE I, AND FINAL ACCEPTANCE OF THE PROJECT.

Mr. Chris Mattingly, Capital Projects Engineer, said this is the final Change Order for the project. He said the project was approximately 3,400 feet of 30-inch water line installed in 48-inch steel casing. He said the contractor hand tunneled under I-35, which was 380 feet without interruption to traffic. He said this change order reconciles estimated quantities to as-built final qualities as detailed in the change order for a total of \$26,371.86 for the only and final change order which is less than one percent increase bringing the total amount for the project being \$3,364,056.86. He said in a few items there was a traffic signal and got closer to more rock on that one so more concrete and sod was needed for outside of the bounds on the I-35 right-of-way area. He asked if there were any questions.

Items submitted for the record

1. Text File K-1516-33, Change Order No. One, dated June 14, 2017, by Chris Mattingly, Capital Projects Engineer
2. Change Order No. One to Contract K-1516-33

* * * * *

Item 2, being:

CHANGE ORDER NO. ONE TO CONTRACT K-1516-112: WITH RDNJ, L.L.C., D/B/A A-TECH PAVING INCREASING THE CONTRACT AMOUNT BY \$180,113 FOR A REVISED CONTRACT AMOUNT OF \$913,550 FOR THE URBAN CONCRETE PAVEMENT REHABILITATION BOND PROJECT AND BUDGET APPROPRIATION FROM THE 2010 STREET MAINTENANCE BOND ISSUE ACCOUNTS.

Mr. Shawn O' Leary, Director of Public Works, said this is being considered on the City Council Agenda later this evening. He introduced a new staff member, Masoud Pajoh, Capital Projects Engineer.

Item 2, continued:

Mr. O'Leary said this is the last concrete project in the 2010 Street Maintenance Bond Program. He said they are a little behind but plan to finish this year and this is the first year of the 2016 Bond Program. He said this is the Main Street project which has been very popular with citizens. He said Park Drive and Flood Avenue will be completed Wednesday, June 28th. He said the next phase is the final phase, which is the piece from Flood Avenue to Berry Road right in front of Norman High School. He said the work started in this area approximately a year ago. He said construction had to be stopped because it was too disruptive to the high school. He said the contractors are coming back to finish what they started, if the change order is approved. He said the Change Order amount of \$180,000 is a 25% increase, which is significant, but much of the concrete has failed in this area so 52 additional panels have been added mostly on the inside lanes, the turning lane and the inside east, westbound lanes. The contractor has committed to being finished by August 10th which is about a week before school resumes. He said if the change order is approved, work will begin Thursday, June 29th. He said this project and the Iowa and Dakota Street Reconstruction projects are at the end of the 2010 program and it looks like this program is coming in at about 10% under budget. He said this is a \$19 Million program with completion of over 230 street maintenance projects. He said about \$1.9 Million is left in the account and in the next few months, staff will be coming to council with some additional street maintenance needs that to spend that remaining balance of dollars.

Councilmember Castleberry asked will they maintain the brick median.

Mr. O'Leary said staff is trying to accomplish this because many people think the inlay brick is important but others don't. He said the road is in rough condition in certain place and staff is trying to maintain it. He said a few little spots that were dangerous were not replaced. He said concrete was put back because there had been no brick contractor to do that work, but for the most part the brick has been retained. Councilmember Castleberry asked if concrete brick was being used. Mr. O'Leary said to put the brick back is a lost art and it will have to be replaced where it is in really terrible condition.

Councilmember Castleberry asked if they would be done by August 10th. Mr. O'Leary said yes. Councilmember Castleberry asked if the contractors were not done by August 10th what happens. Mr. O'Leary said the contractors will be pulled off either way, and just call it done. Councilmember Castleberry asked if they were just going to leave with the project three quarters done. Mr. O'Leary said he thinks they will be done, but staff is not willing to work during the school year and disrupt the traffic like it was last year. He said the City will stop the work and negotiate with the contractor accordingly to maybe come back next summer. He said he doesn't know what the remedy would be, but he thinks it is more important to get the road back open to the full traffic at this time than to continue into September and be disruptive.

Councilmember Castleberry asked what would happen on August 7th if the contractor says, "Hey, we are not going to get it done in the next three days and so we need to just wrap up and get back to where it is usable." He asked if there were penalties for not getting it done. Mr. O'Leary said there wouldn't be penalties, but the contractor would not get paid for the work not done. Councilmember Castleberry asked if they were paid for the work they did and Mr. O'Leary said this is an enterprise contract so they are paid for the concrete they put down. He said if they don't put it down they don't get paid. He hopes they don't have to face that and that is why the change order has been brought forward. He said one of the things that happens every time they let this contractor stop working, they

Item 2, continued:

go work on another job in Oklahoma City or Midwest City and then can't get them back for a month. He said approval of this tonight will keep them committed to finishing that section on Thursday afternoon.

Councilmember Hickman asked since the project is being referenced as a 2010 Street Maintenance Bond Project, 2017, like the Iowa Street project, many constituents are puzzled why they are getting started on this work seven years later, is that because it takes time to raise the money from the bond or do those happen to be the last ones and it took a little bit longer to get to them? He said he is trying to get an idea if that is typical for these type of bond projects.

Mr. O'Leary said it does happen, but there have had severe staff shortages in the Street Division and they are behind schedule on this program. He said a project manager was needed for the project and Greg Hall, the former Street Superintendent, recently retired unexpectedly. One of the shortcomings has been running these two programs. He said Masoud is doing a great job working full-time on this now and they are going to finish the 2010 program a year later than they should have but are catching up on the 2016 program where they need to be. He said it is hoped that in the next few months or the next year he will be able to tell Councilmembers they are right on track to finish a five-year program in five years.

Councilmember Hickman asked what other road bond are coming up or ongoing. Mr. O'Leary said the first street maintenance bond program was in 2005. He said these are five year programs and that one ended in 2010, the next one began in 2010 and went to 2015, and the next one started in 2016 and will go to 2020. He said these projects are designed to make improvements to neighborhood streets like this one and improve the maintenance of local streets. He said these five-year programs with the money allocated each year in four different categories asphalt, concrete, rural road, and reconstruction. He said the 2016 program is a \$25 Million program while the 2010 program was a \$19 Million program spread over five years.

Councilmember Hickman asked if staff follows in the same trajectory they would be talking about having another road bond election in 2020 or 2021.

Mr. O'Leary said they hope so. He said it has been popular. He said he thinks one of the reasons it has been popular is because staff delivered on their promises. He said they are a little bit uncomfortable right now to not be delivering on the schedule they promised, but all of the street in the package are being done. He said every street was listed on the ballot for this election. He said residents can look at the map and if the City has listed 230 streets at the end of the program they are checking the boxes saying all of the streets have been done and the good news is that costs came in about \$1 Million under budget and staff was able to stretch those dollars and complete more streets than originally promised.

Councilmember Karjala said if the City subcontracts out most of this work.

Mr. O'Leary said yes, the Street Division does all of the rural roads with Cleveland County in-house and then contract out the other three categories. He said Masoud puts together the contract documents, takes care of the bidding process, and manages the contractors to make sure they are fulfilling all of the contract obligations and so forth.

Councilmember Karjala asked if that was where the staff shortages have been problematic is managing the work and the contracts, etc.

Item 2, continued:

Mr. O'Leary said lots and lots of hours and no one was available to do it.

Councilmember Holman asked if any of the savings money be used for sidewalks or is it just for street maintenance. Mr. O'Leary said he said he thinks it is for street maintenance only. Mr. Anthony Francisco, Finance Director, said it has to be a related project.

Councilmember Holman said a section on Main Street that is being repaired has sidewalks that are crumbling and he hopes that is a related project for repair. Mr. O'Leary said staff would be happy to look at this, but in the previous program the focus was more conventional street repair work. Councilmember Clark asked if bond money could be used for street sweepers. Mr. Francisco said absolutely not. He said the bonds can do more of the same kind of project but it has to be the same kind of project. He said the sidewalks are different than streets and that question came up in a previous General Obligation Bond issue. He said when they wanted to put sidewalks with the related street projects, it was found that sidewalks are not considered a public utility and would require 60% of a majority vote, so the sidewalks were taken off the projects.

Mr. Steve Lewis, City Manager, said one of the interesting things about this is that because of the growth of the community in general, our overall assessed valuation keep going up every year and so the tax rate is the same, but more project were done. He said that is the hidden gem of this program.

Mr. O'Leary said the voter approval rate for these street elections has increased every time. The most recent election had an approval rate of 64 to 65 percent. He said that tells everyone that citizens want more street maintenance and they like this program.

Mr. O'Leary said this contract was used to do Main Street; however, most of these projects happen in the neighborhoods such as Iowa and Dakota Streets and the citizens are happy that the workers are there.

Councilmember Hickman said Mr. O'Leary and his department are doing a great job. He asked when will staff start on the next bond package and what is Council's role in saying what streets are going to be in the bond package. He said he knows it is a long way off. Mr. O'Leary said it begins about one

Item 2, continued:

to two years out. He said maybe 2018 for a 2020 or 2021 election. He said this one has been driven by our Pavement Management System, which is updated every day, every year, and Council has really supported this concept of using the data management system to select the streets that are most needed for maintenance. Councilmember Hickman asked if that is what the extra money will be used for. Mr. O'Leary said he will let them know what streets are selected in the various categories and then they will look to the Council for action and approval well ahead of the election ballot.

Items submitted for the record

1. Text File K-1516-112, Change Order No. One, dated June 14, 2017, by Masoud Pajoh, Capital Projects Engineer
2. Change Order No. One to Contract K-1516-112

* * * * *

Item 3, being:

CHANGE ORDER NO. ONE TO CONTRACT K-1617-80: WITH CENTRAL CONTRACTING SERVICES, INC., INCREASING THE CONTRACT AMOUNT BY \$6,175 FOR A REVISED CONTRACT AMOUNT OF \$83,293 FOR THE 12TH AVENUE S.E. WATER LINE RELOCATION PROJECT BETWEEN CEDAR LANE AND HIGHWAY 9 AND FINAL ACCEPTANCE OF THE PROJECT.

Mr. Tim Miles, Capital Projects Engineer, said Change Order No. One to Contract K-1617-80 is basically a project to move the City public utilities out of the way for the upcoming 12th Avenue Widening Project that has an Oklahoma Department of Transportation (ODOT) bid opening on September 21st. He said there had been one bid item inadvertently left off the bid proposal for sidewalks. He said this final change order addresses this and on the Council's Agenda, staff is asking for approval of the change order as well as final acceptance of the project. He said there is money in the utility budget to cover the costs and staff is looking at \$120,000 extra overall in the project after construction which leaves a contingency if anything unforeseen comes up.

Mayor Miller said the water line is just being moved because we are going to widen the road. She asked if there was a problem with the water line. Mr. Miles said no, it is not being upsize or anything like that. He said it is just in the way.

Items submitted for the record

1. Text File K-1617-80, Change Order No. One, dated May 16, 2017, by Tim Miles, Capital Projects Engineer
2. Change Order No. One to Contract K-1617-80

* * * * *

The meeting adjourned at 5:46 p.m.

ATTEST:

City Clerk

Mayor