



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1617-56 CO#7

File ID: K-1617-56 CO#7 **Type:** Contract **Status:** Consent Item

Version: 1 **Reference:** Item 16 **In Control:** City Council

Department: Parks and Recreation **Cost:** **File Created:** 06/14/2018
Department

File Name: Final Payment Westwood Family Aquatic Center **Final Action:**

Title: CHANGE ORDER NO. SEVEN TO CONTRACT K-1617-56: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND W. L. MCNATT & COMPANY ADDING 14 CALENDAR DAYS TO THE CONTRACT FOR THE NORMAN FORWARD WESTWOOD FAMILY AQUATIC CENTER PROJECT AND FINAL ACCEPTANCE AND FINAL PAYMENT FOR THE PROJECT.

Notes: ACTION NEEDED: Acting as the Norman Municipal Authority, motion to approve Change Order No. Seven to Contract K-1617-56 with W.L. McNatt & Company adding fourteen (14) days to the contract; and, if approved, accept the project and direct final payment in the amount of \$351,361.68.to W.L. McNatt & Company.

ACTION TAKEN: _____

Agenda Date: 07/24/2018

Agenda Number: 16

Attachments: WWFAC 1, WWFAC 2, WWFAC 3, WWFAC 4,
Signed Change Order #7, Final Pay App 16

Project Manager: Jud Foster, Director of Parks and Recreation

Entered by: lisa.griggs@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-1617-56 CO#7

Body

BACKGROUND: On October 13, 2015, Norman citizens passed the NORMAN FORWARD Initiative funding a variety of projects through a ½ % sales tax increase over 15 years. Included in the NORMAN FORWARD Initiative was a project to construct a new Westwood Family Aquatic Center.

The Westwood Family Aquatic Center Project included the demolition of the existing Westwood Swim Complex constructed in 1967 and the construction of a modern, multi-featured facility at the same location.

On September 27, 2016, City Council acting as the Norman Municipal Authority awarded BID-1617-18 to W.L. McNatt and Co. in the amount of \$10,167,000 and approved Contract K-1617-56 for the NORMAN FORWARD Westwood Family Aquatic Center Project. Contract K-1617-56 provided for 270 calendar days to achieve

substantial completion of the project. The Contract included an incentive of \$5,000 per day (up to 20 days) for early completion and a disincentive of \$1,500 per day for late completion. The original completion date was July 1, 2017. Throughout the course of the project there were a number of delays due to inclement weather and other unforeseeable issues which, including Change Order Number 7, have extended the project time line by a total of 87 additional days. Up to this point, there have been six change orders approved throughout the project for a total net deduct of \$35,737.82, decreasing the contract amount to \$10,131,262.18. On December 18, 2017, the project was suspended as a result of winter weather conditions that would not allow the pool to be filled and tested. Substantial completion on the project was accomplished in May 2018 without any further disincentive penalties and the project was issued a certificate of occupancy on May 24, 2018.

DISCUSSION: Change Order Number 7 adds fourteen days to Contract K-1617-56. These days had been requested previously by the Contractor as a result of changes made to the metal roofing design (ten days) and time needed for additional electric ground wire work (four days). These requests were not approved originally because it was felt that the roof work was not part of the critical path time line and the electrical work occurred during the time the project was in suspension. Upon further review, the Consulting Team has agreed that it is appropriate to grant these extension days since the delays were of no fault of the Contractor. The roof design changes resulted in delays for re-ordering materials and the electrical work actually occurred prior to the suspension date. Our Project Management Consultants from ADG, PC have reviewed this change order and agree that it should be approved.

As stated above, the revised contract amount for the project was \$10,131,262.18. Prior to the final pay application, there were a total of 15 pay applications submitted and approved throughout the course of the project which totaled \$9,622,298.50. The final pay application submitted was in the amount of \$508,963.68. Our lead Consultant, Waters Edge Aquatic Design, has calculated the total disincentive and additional consulting service fees (resulting from extra time on the project) that are to be deducted from the final payment to be \$157,600. The disincentive and additional fees were clearly stated in the contract documents. Our Project Managing Consultant, ADG, PC, has reviewed all of this information and is in agreement with the conclusions. Deducting that amount from the final pay application leaves a balance due to W.L. McNatt and Co. of \$351,363.68. City Staff and our Consulting Team have recently met with representatives from W.L. McNatt and Co. to review the details of this final payment request. The representatives from W.L. McNatt and Co. agree that these numbers are correct.

The Westwood Family Aquatic Center Project has been inspected by our Consultants at Waters Edge Aquatic Design and ADG and found to be complete as per specifications. The Grand Opening/Ribbon Cutting Ceremony for the facility was held on May 26, 2018. The facility has been extremely popular throughout the community, operating many days at capacity levels.

RECOMMENDATION: It is recommended that the Norman Municipal Authority/City Council accept the Norman Forward Westwood Family Aquatic Center Project as complete and authorize final payment in the amount of \$351,363.68 to W. L. McNatt and Co. Funding is available in the Norman Forward Westwood Family Aquatic Center Project, Construction (account 051-9404-451.61-01; project NFB018).