



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1920-13

File ID: K-1920-13

Type: Contract

Status: Consent Item

Version: 1

Reference: Item 36

In Control: City Council

Department: Public Works
Department

Cost: \$325,520.00

File Created: 07/30/2019

File Name: Award of Bid for the FYE 2020 Sidewalk Projects

Final Action:

Title: CONSIDERATION OF AWARDING BID 1920-7; CONTRACT K-1920-13 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND EMC SERVICES, L.L.C., IN THE AMOUNT OF \$325,520; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$13,221.50 FOR A REVISED CONTRACT AMOUNT OF \$338,720.50; PERFORMANCE BOND B-1920-17; STATUTORY BOND B-1920-18, AND MAINTENANCE BOND MB-1920-17 FOR THE FYE 2020 SIDEWALK CONCRETE PROJECTS; AND ADOPTION OF RESOLUTION R-1920-6 GRANTING TAX EXEMPT STATUS.

Notes: ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of \$325,520 to EMC Services, L.L.C., as the lowest and best bidder meeting specifications; approve Contract K-1920-12, Change Order No. One increasing the contract amount by \$13,221.50 for a revised contract amount of \$338,741.50 and the performance, statutory, and maintenance bonds; authorize execution of the contract and bonds; direct the filing of the bonds; and adopt Resolution R-1920-6.

ACTION TAKEN: _____

Agenda Date: 08/27/2019

Agenda Number: 36

Attachments: Bid Tabulation, FYE 2020 Sidewalk Concrete Projects, Contract, Change Order, Bonds, R-1920-6, Requisition

Project Manager: David Miller, Engineering Assistant

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-1920-13

Body

BACKGROUND: Pursuant to State Law (Title 11, Section 36-104), the construction and maintenance of sidewalks are the responsibility of the adjacent property owner. In 1997, City Council recognized the need to create sidewalk programs to reduce this burden to property owners. Funds were allocated for four (4) separate capital project accounts each year thereafter. The fiscal year ending June 30, 2020 (FYE 2020) Capital Improvement Program Budget includes these four (4) concrete sidewalk programs and one (1) additional program "Sidewalks and Trails". The projects are similar in nature, so more competitive bids have historically been obtained by bidding them together. Therefore, staff has combined these projects into one project entitled the FYE 2020 Sidewalk Concrete Projects. These five (5) programs are described in detail below and outlined in a table 1 attached.

The **Citywide Sidewalk Reconstruction Program** is intended to assist property owners in repairing existing sidewalks and constructing new sidewalks along an entire city block. Property owners who wish to participate in the Citywide Sidewalk Reconstruction Project will pay fifty percent (50%) of the estimated cost, with the City paying the remaining fifty- percent (50%) from funds allocated to this project.

The **Sidewalk Accessibility Program** provides sidewalk ramps where none exist and rebuilds existing ramps that do not comply with the current Americans with Disabilities Act (ADA) standards. This project will construct approximately sixteen (16) curb ramps. Locations are determined at the request of citizens and along arterial and collector streets that do not currently have ramps at street-sidewalk intersections. The location in this year's program will include intersections along Cherry Creek Drive from Knob Hill Court to Durango Circle.

The **Sidewalk Program for Schools and Arterials Program** is used to construct new sidewalks adjacent to elementary schools that have no sidewalks and along walking routes to the schools. This year's project has one (1) location. This year's project will concentrate on the sidewalk along High Meadows Drive from 12th Avenue Northeast to Northcliff Drive near Eisenhower Elementary School.

The **Downtown Area Sidewalks and Curbs Program** will repair hazardous or deteriorated sidewalks, ramps and curbs in the downtown area. The location will be concentrated along Crawford Avenue south of Main Street to Apache Street.

The **Sidewalks and Trails Project** constructs new sidewalk and trails throughout the city, in conformance with adopted plans; including the Greenbelt Master Plan, Bikeway & Transportation Master Plan and Parks Master Plan. The location this fiscal year is concentrated along the south side of Main Street from 24th Avenue West to Park Drive to close sidewalk gaps and provide sidewalk and ramp improvements at intersections.

DISCUSSION: Bid documents and specifications were advertised according to State Law. Eleven (11) contractors received the bid documents and one (1) bid was submitted on July 25, 2019. The bid, in the amount of \$312,298.50, was received from EMC Services, LLC of Oklahoma City, OK. EMC Services, LLC has previously performed work for the Stormwater Division with drainage construction projects for the Public Works Department in Norman. This

is the first time that EMC Services, LLC will contract to perform work for the Sidewalk Concrete Projects around the city. The Engineer's estimate for this EMC Services, LLC work is \$305,000, and the total budget in the Capital Improvement Program is \$330,000.

The bid amount for each of the five (5) projects is shown separately on Table 1. The bids for all the projects and programs are less than the budgeted amount.

For the "Citywide Sidewalk Reconstruction" citizens have the option of using their own contractor, using the City's contractor, or performing the work themselves. Unencumbered funds for this fiscal year will be used in the City's fifty percent (50%) match of this program, in which the property owner chooses to use their own contractor.

The "Sidewalk Accessibility Program" constructing curb ramps along Cherry Creek drive will require no change order to complete this portion of the project.

The "Sidewalk Program for Schools and Arterials" project has one (1) location. This year's project will concentrate on the sidewalk along High Meadows Drive from 12th Avenue Northeast to Northcliff Drive near Eisenhower Elementary School. The project will close sidewalk gaps and create accessible routes with corner ramps and improve existing driveway cross slopes. Additional funding in Change Order No. 1 of \$5,615.50 can provide for additional work along High Meadows Drive for Eisenhower school. This will bring the contract amount to the budgeted amount of \$80,000.

The "Downtown Area Sidewalk and Curbs Program" can benefit from Change Order No. 1 to repair additional sidewalk or curb in the downtown area identified by owners or citizen request during the fiscal year. The amount of \$7,606.00 will bring the contract to the budgeted amount of \$50,000.

The "Sidewalks and Trails" projects will require no change order to complete this portion of the project.

If approved, construction is scheduled to begin in August 2019. The contractor will stage the five (5) programs to complete sidewalk repair reconstruction requests throughout the year, construct school sidewalk during school winter and summer breaks and begin with some school sidewalk immediate needs in early August. The project plan will follow schedule below:

- "Citywide Sidewalk Reconstruction" - August-Sept. 2019, February & May 2020
- "Sidewalk Accessibility" - October 2019
- "Sidewalks and Trails" - January & February, 2020
- "Downtown Sidewalks and Curbs" project - March-April, 2020
- "Sidewalk Program for Schools and Arterials" - November 2019 & June 2020

Resolution R-1920-6 confers upon EMC Services, LLC the limited agent status for the purchase of materials to be incorporated in the project on a sales tax-exempt basis. The bid documents offered tax-exempt status to all bidders.

Due to the favorable unit pricing provide by the contractor, City staff recommends increasing

the encumbered funding to the contractor to complete additional work that may be requested during the fiscal year; as shown on Table 1 for Change Order No. 1, which increases the contract amount by \$13,221.50 for a total contract price of \$325,520.

See attachment "FYE 2020 Sidewalk Concrete Project" for account information.

RECOMMENDATION NO. 1: Staff has reviewed the bids and recommends that Bid No. 1920-7 for the FYE 2019 Concrete Sidewalk Program be awarded to EMC Services, LLC in the amount of \$312,298.50.

RECOMMENDATION NO. 2: Staff further recommends that, upon approval of Bid No. 1920-7, the following contract and bonds be approved:

Contract K-1920-13
Performance Bond B-1920-17
Statutory Bond B-1920-18
Maintenance Bond B-1920-7

RECOMMENDATION NO. 3: Staff further recommends that, upon approval of Bid No. 1920-7, EMC Services, LLC be authorized and appointed as project agent via Resolution R-1920-6.

RECOMMENDATION NO. 4: Staff further recommends that Change Order No. 1, which increases the contract amount by \$13,221.50 with a total contract price of \$325,520, be approved.