



Legislation Text

File #: K-1516-76 CO# 1, **Version:** 1

CHANGE ORDER NO. ONE TO CONTRACT K-1516-76: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DOWNEY CONTRACTING, L.L.C., DECREASING THE CONTRACT AMOUNT BY \$11,770 FOR A REVISED CONTRACT AMOUNT OF \$536,381.90 FOR THE SUTTON WILDERNESS LAKE DAM AND SPILLWAY REPAIR PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

BACKGROUND: On March 22, 2016, the Norman City Council approved construction contract K-1516-76 with Downey Contracting, L.L.C., in the amount of \$548,251.90 for the Sutton Wilderness Lake Dam and Spillway Repair Project. Sutton Wilderness Lake Dam is located about 1,500 feet south of Rock Creek Road and 2,200 feet west of 12th Avenue N.E.

This property is owned by the State of Oklahoma Department of Mental Health and leased to the Oklahoma Tourism and Recreation Department. It is subsequently subleased to the City of Norman for the establishment and maintenance of the George M. Sutton Urban Wilderness Area in accordance with the provisions of House Joint Resolution No. 1008 approved by the Honorable Governor George Nigh on February 8, 1979.

The George M. Sutton Urban Wilderness Park is part of the City of Norman Parks System and consists of the 157.7 acres, more or less, under a 99-year sublease between the City and the State of Oklahoma. An additional 53-acre tract immediately adjacent to the west was purchased by the City of Norman in 2008 and is maintained as part of the Park. Guidance and advice regarding rules, regulations and activities for the park as well as a management plan "*to maintain Sutton Urban Wilderness as a healthy ecosystem, representative of the natural ecology of Oklahoma...*" is provided by the Sutton Urban Wilderness Committee created by the City in 1983 as an ad hoc committee to the Norman Parks and Recreation Department.

The Oklahoma Water Resources Board (OWRB) notified the City of Norman that the Sutton Wilderness Lake Dam had been reclassified as a high hazard-potential structure on November 24, 2010. This reclassification was based on the findings in OWRB's hazard-potential reclassification report, which indicates that the failure of the dam would likely cause loss of human life. OWRB stated that the dam must meet certain minimum standards appropriate for the dam's classification and size. Certain requirements set forth in the notification letter from OWRB have been completed, including ongoing dam safety inspections, a dam breach analysis and report, a breach inundation map, and a preliminary emergency action plan.

The Sutton Wilderness Lake Dam and Spillway Inspection Reports conducted since the reclassification have characterized the dam and spillway as "in poor condition" and recommended the following actions to address identified deficiencies:

1. Removal of all trees from the dam and spillway
2. Flattening of the downstream slope to facilitate slope maintenance
3. Grading of the area at the downstream toe of slope to prevent standing water
4. Restoration of the emergency spillway
5. Evaluation of the principal spillway for deterioration
6. Installation of an upstream control valve
7. Restoration and stabilization of the dam face including the additional riprap.

The advertisement for Sutton Wilderness Lake Dam and Spillway Repair Project bids was published in the Norman Transcript, and bids were received from two contractors on February 11, 2016. Downey Contracting, L.L.C., (Downey) was the low bidder at \$548,251.90. City Council approved construction contract K-1516-76 with Downey Contracting, L.L.C., for \$548,251.90 on March 22, 2016.

Construction activities associated with the Sutton Wilderness Lake Dam and Spillway Repair Project were completed in

October 2016. The project was completed \$11,770 under budget. The savings was the result of an underrun of over 2,300 square feet of Concrete Block Reinforcement Mat (CBRM) quantities which was not needed for stabilization of the spillway and the embankment reducing the amount used to stabilize the spillway to 28,938 square feet of CBRM.

DISCUSSION: Contractor bids are determined using estimated plan quantities multiplied by the contractor's unit prices for all bid items. During construction, each quantity was measured in the field and the contractor has been paid based on the actual quantity. This final Change Order No. 1 adjusts the contract based on the actual measured quantity costs. The net contract change is a decrease of \$11,770 or 2.15%. The final contract amount is \$536,481.90.

This project is funded in the FYE 2016 Capital Fund, Project DR0059, Sutton Wilderness Dam, Construction (050-9968-431.61-01). Total project costs included preliminary and final engineering design services, as well as preparation of an updated Emergency Action Plan (EAP) and Operations and Maintenance Manual. Additional costs included construction activities including installation of principal and auxiliary spillways; repair of dam embankments; installation of a toe drain, and walking trails. The total actual project cost of the project is \$740,756.90.

RECOMMENDATION NO. 1: Staff recommends approval of Final Change Order No. 1 with Downey Contracting, L.L.C., decreasing the contract amount by \$11,770 for a final contract amount of \$536,481.90.

RECOMMENDATION NO. 2: Staff further recommends acceptance of the Sutton Wilderness Lake Dam and Spillway Repair Project and authorization of final payment in the amount of \$26,824.09.