



Legislation Text

File #: K-1617-83 CO#11, **Version:** 2

CHANGE ORDER NO. ELEVEN TO CONTRACT K-1617-83: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND FLINTCO, L.L.C. INCREASING THE CONTRACT AMOUNT BY \$277,298 FOR A REVISED CONTRACT AMOUNT OF \$26,437,814 FOR FABRICATION AND INSTALLATION OF THE PUBLIC ART PIECE FOR THE NORMAN FORWARD CENTRAL LIBRARY PROJECT AND BUDGET APPROPRIATION FROM THE NORMAN FORWARD FUND BALANCE.

BACKGROUND: The City of Norman and the Norman Arts Council (NAC) have partnered in projects to install art in public places within the City of Norman. Through this partnership, the NAC has purchased art pieces, and the City provides a location for the piece(s) within public spaces owned by the City of Norman. Funding for the public visual art pieces has come from the Art in Public Places Fund, the Capital Fund and more recently from the NORMAN FORWARD Fund.

With the adoption of NORMAN FORWARD, the City committed to expend an amount not to exceed 1% of the aggregate construction costs of major facilities and community parks improvements costs on public art at those major facilities and parks. Because of the City's positive relationship with the NAC and the NAC's commitment to the sense of community fostered by public art, the NAC has agreed to expand the partnership with the City of Norman to assist with the selection, location, and installation of public art purchased with Norman Forward Sales Tax (NFST) revenue. The terms of this partnership were discussed at the City Council Conference of February 9, 2016 and at the Norman Forward Citizen's Financial Oversight Committee meeting of March 28, 2016.

Paul Cocksedge Studio was selected by the Selection Panel to create a piece of sculpture to be installed at the Central Library Project. The piece has also been approved by the Norman Arts Council and Public Arts Board. The permanent location for the work is proposed to be in the plaza area on the south side of the new Norman Public Library Central in Norman, Oklahoma. A copy of the art rendering is attached and depicts a rendering of the piece in its final design.

At the time of the contract approval in June 2018, it was anticipated that a change order to the Central Library construction contract with Flintco Constructive Solutions, Incorporated would be brought forward for Council/NMA consideration to cover manufacturing and installation services for the artwork, after final design and specifications were completed.

DISCUSSION: The City Council and Norman Municipal Authority (NMA) entered into contract K-1718-137 with Kirkpatrick, Forest, Curtis, (KFC) for the design of the art piece and collaboration with the selected artist (Paul Cocksedge Studio) through construction and installation. Additional engineering services and construction administration from KFC (art piece engineer) were required because of the nature of the art piece to ensure the art piece is properly installed and affixed to the Library building superstructure. The total cost of this contract was \$113,500, \$21,500 of which is attributable to KFC's costs. The Artist's cost will be paid over five payments, with final payment upon final acceptance by the City of Norman. The sculpture is proposed to be completed and installed no later than June 15, 2019. In addition, prior to implementing any changes to the sculpture, the Artist is required to obtain approval from the City of Norman. Final acceptance will be determined solely by the City of Norman. The City of Norman retains the right to subsequently remove the work if it presents a safety hazard or cannot be reasonably restored to its original structural or aesthetic integrity.

On April 25, 2017 the NMA/Council entered into Contract K-1617-83 with Flintco Constructive Solutions, LLC for the construction of the new Norman Public Library, Central Branch. Due to the nature of the selected public art piece being a fixture of the building and Flintco's expertise in constructing similar art pieces affixed to building structures, it was determined that the best method for the fabrication and installation of the art piece was through a change order to the Flintco construction contract. The public art portion of the contract will be paid from the public art allocation in the NFST Fund.

Proposed CO#11 will increase the amount of Contract K-1617-83 by \$277,289, from \$26,160,525 to \$26,437,814

(+1.06%). Previous administrative change orders to Contract 1617-89 are briefly described below.

- Change Order No. One in the amount of \$36,033 was approved by the City Manager on August 29, 2017, providing additional pier depth drilling, concrete, reinforcement, and labor and adding three (3) calendar days to the contract.
- Change Order No. Two in the amount of \$33,245 was approved by the City Manager on October 9, 2017 as a result of changes to electrical, fire suppression, steel and geothermal wellfield pump locations due to the relocation of the City's new fiber optic line feed into the east side of the building, adjustment of geothermal well depths and layout, and relocation of the backflow preventer. Seven (7) weather delay days are also requested by the contractor due to wet weather conditions at the site.
- Change Order No. Three in the amount of \$31,302 was approved by the City Manager on November 28, 2017. This change order included the relocation of a generator connection needed for temporary generator service for future emergency power, if needed. Pumping of stormwater from the site was also needed due to the ongoing work still pending for the James Garner Intersection Project. Steel reinforcements for decorative concrete were added to replace fiber mesh in the plaza area. An additional seven (7) weather days were needed due to wet weather conditions at the site.
- Change Order No. Four in the amount of \$36,588 was approved by the City Manager on January 15, 2018. This change order is necessary because of changes incurred related to adjustments in locations, product/construction clarifications, and associated work for structural steel joist adjustments, mechanical system and electrical panel board revisions, and adjustments to landscaping and plumbing fixtures. The total contract amount after all change order is increased to \$25,995,168.
- Change Order No. Five increasing the contract amount by \$22,088 was approved by the City Manager on February 28, 2018. This change order was necessitated by field changes incurred for a number of items related to structural steel column lengths, a change in electrical boxes due to discontinuation of specified model, added light pole elements to accommodate future security camera placement, additional electrical work to accommodate the 24-hour library, additional bracing for the sail shade at the third floor balcony area. One (1) weather delay day was requested by the contractor and approved for this Change Order due to high winds that affected the placement of structural steel and associated work on the 2nd and 3rd stories.
- Change Order No. Six increasing the contract amount by \$21,602 was approved by the City Manager on April 17, 2018. Change Order No. Six included additional work associated for structural steel joist adjustments, mechanical system revisions, electrical panel board revisions, landscape adjustments, and plumbing fixtures.
- Change Order No. Seven in the amount of \$23,717 was approved by the City Manager on June 18, 2018. The change order provided protective metal panels for recessed lights in the north covered walkway, millwork revisions for self-check kiosks, transition strips for air barrier/weather barrier on building exterior; additional bike racks added for LEED certification points; and sheet and brick revisions for exterior and interior elements of the building.
- Change Order No. Eight was approved by the City Manager on July 31, 2018, in the amount of \$25,052. The change order provided protective metal panels for slab cutting for Central Library curtain wall system; roofing work related to the moisture dam for the curtain wall system; work related to the ladder clearance for elevator pit; steel tariff impacts for steel in the underfloor system slab; brick support for transition areas in the staff lounge area to the curtain wall on the third floor to ensure structural integrity; addition of fire-rated fabric in children's area alcoves for fire rating requirements and revision to the add TPO roofing material to the roof parapet area to ensure warranty is maintained.
- Change Order No. Nine in the amount of \$33,554 was approved by the City Manager on August 14, 2018. The change order provided for coordination and work associated with building modifications needed for the building structural elements for the Public Art piece, revisions needed to the steel structure for third-level skylight, stormwater pumping during the project needed due to a lack of stormwater piping during the course of the project (now resolved with the stormwater pipe installed as part of the James Garner Avenue Intersection project), and additional added concrete pedestals to ensure structural stability of restroom elements on Levels 2 & 3.
- Change Order No. Ten in the amount of \$39,344 was approved by the City Manager on October 26, 2018. This change order allowed for modifications to accommodate the building code for lighting on the north covered walkway, provided a credit due to a modification in wall painting, added a sealant addition to ensure air seal for the access floor plenum to increase air distribution and system integrity, provided for inclusion of gyp board to accommodate building code near the elevator ledge, 5) increased amperage for a dryer in the building, made modifications to the roof slope to ensure proper roof drainage to roof drains and scuppers, and provided for a revision to the mezzanine ladder to access the mechanical room

The proposed Change Order No. Eleven, although an increase to the construction contract, will not impact the Central Library (Project NFB016) budget. An appropriation from NORMAN FORWARD Fund balance (account 051-0000-253.20-00) to the Norman Forward Public Arts Project, Construction (account 051-9500-452.61-01; project NFP100) in the amount of \$277,298 is being requested to fund this change order and subsequent fabrication and installation of the art piece. The budgeted public art allocation for the Central Library project is adequate to cover this change order amount.

RECOMMENDATION: It is recommended that the Council/NMA approve Change Order No. Eleven to Contract K-1617-83 with Flintco, LLC, increasing the contract amount by \$277,298 for a revised contract amount of \$26,437,814 and authorizing an appropriation of \$277,298 of NORMAN FORWARD Fund balance (account 051-0000-253.20-00) to Norman Forward Public Art, Construction (account 051-9500-452.61-01) to fund construction of a new Norman Public Library, Central art piece.