



City of Broken Arrow

Request for Action

File #: 17-2905, Version: 1

**Broken Arrow City Council
Meeting of: 11-21-17**

**To: Mayor and City Council
From: Engineering and Construction Department**

Title: Consideration, discussion, and possible approval of and authorization to execute Change Order C03 for 37th Street: Omaha to Albany and Rural Water District #4 Waterline (Project No. ST1507)

Background:

37th Street (209th east Avenue) from Omaha Street to Albany Street including the Wagoner County Rural Water District No. 4 (RWD4) 209th Waterline relocation is a 2014 General Obligation Bond project. 37th Street between Omaha Street and Albany Street is new roadway construction. The project was advertised with 37th Street as the base bid and RWD4 209th Waterline relocation as Additive Alternate No. 1 (16" Waterline Upgrade) and Additive Alternate No. 2 (10" Waterline Like-in-Kind). The contract was awarded for the base bid and Additive Alternate No.1 in the amount of \$3,415,623.00 (\$3,212,321.00 after RWD4 reimbursement) to Paragon Contractors, L.L.C. on May 5th, 2017. Funding for the improvements are from the 2014 Streets GO Bond.

Construction on the project began in June 2017. Clearing on the roadway alignment and construction of the new water line has been completed. During the construction of the new water line, Oklahoma Natural Gas (ONG) realized that the location of its new high pressure gas line was in conflict with the physical location of the newly constructed water line.

It is important to note that over the course of design, all utility companies both public and private had numerous opportunities to review the proposed alignment of the road and the other utilities and request and/or obtain the necessary right of way required to construct all facilities along this project. Unfortunately, ONG did not recognize over the course of the design that this conflict existed; therefore, the necessary restrictive easement required for its high pressure gas line was not obtain by its staff. This oversight on its part has created a situation in which construction of the road cannot continue until ONG resolves its conflict. Subsequently, the contractor has to cease work on this project at present time. ONG is negotiating its required restrictive easement with the adjacent property owners, but cannot provide an exact time frame at this present time. ONG anticipates at the earliest, it will have obtained the proper easements by the first of the year to early spring 2018.

Due to delays in ONG relocation, a stop work order had to be issued to the contractor, resulting in the following changes to the project:

- Due to demobilization of the contractor, this change order covers the cost of remobilization of construction forces one the relocation efforts are complete.

- Due to the length of time projected to resolve the utility relocations, the contractor is to implement the erosion control measures as laid out in the change order supporting documents.
- Due to demobilization of the contractor, the site is to be secured with barbwire fences and gates as laid out in the change order supporting documents.

Due to the unknown timeline of the ONG relocation efforts, the exact impact time added to the contract will be assessed at a later time with a future change order.

The additional cost associated with these changes is as follows:

Previous Change Orders:	\$101,034.00
This Change Order:	\$35,140.00
Total Cost of Change Orders:	\$136,174.00
Original Contract Amount:	\$3,415,623.00
Revised Contract Amount:	\$3,551,797.00
Percent Change in Contract:	3.99%
Applicable to Comp. Bid Act:	3.99%

Cost: \$35,140.00

Prepared By: Alex Mills, P.E, Engineering and Construction Director

**Reviewed By: Engineering and Construction Department
Finance Department
Assistant City Manager - Operations
Legal Department**

Approved By: Michael L. Spurgeon, City Manager

Attachments: Change Order C03

Recommendation:

Approve Change Order C03 for the 37th Street: Albany to Omaha & RWD#4 Waterline