



Agenda Commentary

Item Title/ Subject: Add Alternate 1 for Chapman Road, Agreement Supplement with ODOT

Staff Source: City Manager, Steve Hewitt

Date: March 14, 2014

Background/Subject Information:

Recap: Bids were opened by ODOT last September for Chapman Road. ODOT only received one bid (Tom Hudson Paving). Additional Funding was provided by ODOT to assist in the Bid (over the ODOT estimate). Council approved the additional funding with ODOT's additional funding to begin this project; base bid only, ODOT stated that was all the funding the time..

Base Bid: Chapman Road: from railroad to Neptune. Alt. 1: railroad to 28th. Alt.: improvements to Red Wheat moving north to bridge. (See Attachment: Bid Sheet)

Project awarded to Tom Hudson Paving. I began conversations with Tom Hudson looking at ways to save money and complete Alt. 1 (bid was \$330,000). I made formal request to ODOT asking them to review some items that would make Alt. 1 feasible and affordable. I received a letter Monday from ODOT that provides more money to the project. The contribution from the City for Alt. 1 is now only \$112,806.

There will never be an opportunity at this price to complete this project.

Recommendation:

Staff recommends funding this Agreement for the Alternate 1 as an economic development improvement item. With the new Hotel, this project and its timing are appropriate. The pricing is the best the City will ever see; let's complete the critical needs of the project while it's affordable.

Price/Cost: \$112,806 (funding from Economic Dev. Funds)



OKLAHOMA DEPARTMENT OF TRANSPORTATION
Local Government Division
200 N.E. 21st Street
Oklahoma City, OK 73105-3204

March 6, 2014

Mr. Steve Hewitt – City Manager
Clinton, Oklahoma

Re: Chapman Road - Change Order for Add Alternate 1

We have reviewed the information you have provided and we propose the following revised funding arrangements to help enable the completion of Add Alternate 1-

This additional work would be implemented as a Change Order to the current contract with Tom Hudson Paving.

We have determined that funds are available to provide an increase in the federal STP cap from \$1,032,734 to \$1,250,000 in order to participate with the City toward the cost of completion of Add Alternate 1. City funding would increase from \$698,725 to \$811,531.

The funding breakouts referenced above and on the following page are based on the bid proposal originally submitted by the contractor. -

At the close of the project and after all adjustments and audits are completed, the Department's Comptroller would compute the participating cost share at 80% federal up to the combined TCSP and STP federal cap **(\$1,627,287)**.

The balance of costs would be the responsibility of the City of Clinton.

These revised funding arrangements are reflected in the attached Supplemental and Modification Agreement #2 submitted for City review and approval. Please return (3) signed original agreements to my attention for Department approvals if you concur.

No additional City funds are due at this time to implement this agreement, although the Comptroller may issue an invoice to the City upon the Change Order approval.

If you have questions or comments, please contact me at (405) 521-2737.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Scott".

Mark Scott
Assistant Division Manager
Local Government Division

Cc: Brent Almquist – Division V Engineer
Will Snipes – Division V Construction Engineer

CUMULATIVE FUNDING BREAKOUT - BASE BID + ALTERNATE 1

TCSP FUNDS	\$377,287	CAPPED
FORMULA STP	\$1,250,000	CAPPED
CITY FUNDS REQUIRED	\$811,531	FLOAT
CITY FUNDS ON DEPOSIT	(\$698,725)	
ADDITIONAL CITY FUNDS	\$112,806	
TOTAL	\$2,438,818	

CLINTON CHAPMAN RD - BASE BID	TOM HUDSON PAVING	6% Estimated Inspection	Total
Roadway	\$1,865,882	\$111,953	\$1,977,835
TRAFFIC	\$21,248	\$1,275	\$22,523
Staking	\$34,762	\$0	\$34,762
Construction	\$69,458	\$4,167	\$73,625
		\$0	\$0
TOTALS	\$1,991,350	\$117,395	\$2,108,746

CLINTON CHAPMAN RD - ADD ALT 1	TOM HUDSON PAVING	6% Estimated Inspection	Total
Roadway	\$307,345	\$18,441	\$325,786
Staking	\$4,287	\$0	\$4,287
TOTALS	\$311,632	\$18,441	\$330,073

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION
SUPPLEMENTAL AND MODIFICATION AGREEMENT NO. 2

PROJECT MAINTENANCE, FINANCING, AND RIGHT-OF-WAY AGREEMENT
BETWEEN
THE OKLAHOMA DEPARTMENT OF TRANSPORTATION
AND
THE CITY OF CLINTON

CHAPMAN AVENUE: FROM 28TH STREET, EXTEND EAST TO NEPTUNE ROAD

**Federal-Aid Project STP -120B (070) TC
State Job Number 19669(04)**

This Supplemental and Modification Agreement, made the day and year last written below, by and between the City of Clinton, hereinafter referred to as the CITY, and the Department of Transportation of the State of Oklahoma, hereinafter referred to as the Department, said parties being the same who executed the original **PROJECT MAINTENANCE, FINANCING, AND RIGHT-OF-WAY AGREEMENT**, for the following intents and purposes and subject to the following terms and conditions, to wit:

WHEREAS, It is deemed necessary by the Department and CITY to revise the terms of the original **PROJECT MAINTENANCE, FINANCING, AND RIGHT-OF-WAY AGREEMENT**; and,

NOW, THEREFORE: the Department and CITY, in consideration of the mutual covenants and stipulations as set forth herein, do mutually promise and agree as follows:

A. The following section is hereby ENTIRELY replaced from the original CITY agreement; and reads as follows:

Section 15:

Based on an estimated construction and contract administration cost of Two-Million-Four-Hundred-Thirty-Eight-Thousand-Eight-Hundred-Eighteen Dollars (\$2,438,818) for the base bid plus add alternate 1, the Department agrees that available Federal Transportation, Community, and System Preservation Program funds (TCSP) in an amount not to exceed \$377,287, and Federal-aid Surface Transportation Program funds (STP) in an amount not to exceed \$1,250,000 shall be requested to provide a maximum of 80% of the participating project costs. Total Federal funds shall not exceed One-Million-Six-Hundred-Twenty-Seven-Thousand-Two-Hundred-Eighty-Seven Dollars (\$1,627,287).

The City shall be responsible for the balance of the project costs, estimated at Eight-Hundred-Eleven-Thousand-Five-Hundred-Thirty-One Dollars (\$811,531).

The City understands and agrees that the federal funds associated with this project are limited to the amounts indicated and that any additional project costs, including, but not limited to change orders, modifications, overruns or adjustments are to be funded with 100% City funds.

B. That the original Agreement is hereby modified as above described, said agreement in all other respects shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Director of the Department of Transportation or his designee, pursuant to authority vested in him by the Transportation Commission, has hereunto subscribed his name as Director of the Department of Transportation, and the CITY has executed same pursuant to authority prescribed by law.

The City, on this ____ of _____, 20__, and the Department on the ____ day of _____, 20__.

The City of CLINTON,
an Oklahoma Municipal Corporation

Mayor

(SEAL)

ATTEST:

City Clerk

Approved as to Form and Legality:

City Attorney

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

Recommended for Approval:

Local Government Division Manager

Director of Capital Programs

APPROVED AS TO FORM
AND LEGALITY

APPROVED

General Counsel

Deputy Director