

Agenda posted on the front door of City Hall and the bulletin board in the lobby of City Hall at 5:00 P.M., Friday, July 21, 2017. The City of Bethany encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48 hour rule if signing is not the necessary accommodation.

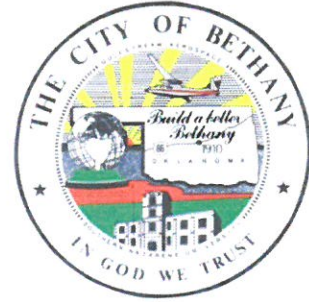
AMENDED AGENDA

SPECIAL CALLED MEETING

BETHANY CITY COUNCIL

TUESDAY, JULY 25, 2017
7:00 A.M.

BETHANY CITY HALL CONFERENCE ROOM
6700 NW 36TH ST, BETHANY, OKLAHOMA



Call to Order

1. Approval of Resolution No. 1452 awarding library complex construction bid to the lowest, responsible bidder, Shiloh Enterprises, Inc. in the amount of \$5,738,000 and authorization for Mayor to execute the contract and related documents.

Adjourn



KP Westmoreland
Mayor

ATTEST:

Susan Tate
Deputy City Clerk

This notice of special meeting was filed with the City Clerk of Bethany, Oklahoma on July 12, 2017 at 11 A.M.

Public Participation Note: The City Council and Staff of the City of Bethany strongly encourages the input and involvement of the citizens to help insure that the City government provides the highest level of services to meet the public needs and desires. If you have any concerns or comments about an agenda item, or any other issue, please contact the Mayor, your Ward Council Members or City Hall Staff. You may also contact the City Manager's office if you would like to have an item placed on a future agenda to address the Council as a whole. (Guidelines are available in the Council Chambers and in City Hall Lobby.)

Other Items of Interest

We are working with MLS to install a live web-camera next week on the police station to record the demolition of the old library, as well as the construction of the new library. A link to this will be added to the Bethany website.



Old Library Photo

With the design of the library complete, the next step for the current committee will be focusing on the groundbreaking on August 12 at 10am, followed by the art. It is anticipated they will work with MLS, the Arts & Culture Board and possibly the Bethany Improvement Foundation to secure art for the library. A possible location for both the interior and the exterior is shown on the plans. Work will soon begin on park design, which may include a partnership with the Children’s Hospital.

We also plan to have a a full-blown dedication and grand opening tentatively targeted for November, 2018.

Brief Timeline

- Aug 7, 2014 ————— Library committee appointed by Mayor Bryan Taylor began work
- May 29, 2015 ————— Ten architectural firms responded to RFQ
- Aug, 2015 ————— City signed agreement with Dewberry Architects, Inc.
- Apr 5, 2016 ————— Voters approve \$8.18 Million bond issue
- Fall 2016 ————— Agreement between City & MLS was signed
- Oct 7, 2016 ————— Schematic Design Complete
- Oct 24, 2016 ————— Employment Agreement with Todd Olberding, Library Consultant signed
- Jan 12, 2017 ————— Design Development Complete
- Apr 25, 2017 ————— Final 100% submittal by Dewberry
- Jun 6, 2017 ————— Council to approve final construction documents
- Jul 13, 2017 ————— Bid Opening
- July 25, 2017 ————— Award Bid
- Aug 12, 2017 @ 10am ————— Groundbreaking
- Nov 19, 2018 (tentative) ————— Grand Opening

RECOMMENDATION:

Approve Resolution No. 1452 to award the library construction to Shiloh Enterprises, Inc.

RESOLUTION NO. 1452

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF BETHANY AWARDING THE CONSTRUCTION BID
FOR THE BETHANY LIBRARY COMPLEX TO SHILOH
ENTERPRISES, INC.**

WHEREAS, The City Council of Bethany, Oklahoma has received sealed bids for the construction of the Bethany Library Complex and Shiloh Enterprises, Inc. was the lowest, responsible bidder for the project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Bethany, Oklahoma, the contract for construction of the Bethany Library complex for base bid plus alternate #1 in the amount of \$5,738,000.00, is hereby awarded to Shiloh Enterprises, Inc. and the Mayor is hereby authorized to execute the contract and related documents upon approval of the City Attorney.

END

This is to certify that the within and foregoing Resolution was duly adopted and approved by the Mayor and City Council of the City of Bethany, Oklahoma, in regular session, this _____ day of _____, 2017, after compliance with notice requirements of the Open Meeting Law (25 OSA, Sections 301, et seq.).

ATTEST:

MAYOR

CITY CLERK

Approved as to form and legality on _____, 2017

City Attorney



July 20, 2017

Mr. JD Cox, City Manager
 City of Bethany Oklahoma
 6700 NW 36th Street
 Bethany, Oklahoma 73008

Re: Bethany Library
 Dewberry Architects Inc. Project # 50085544

Dear Mr. Cox;

On July 13, 2017, thirteen (13) bids were received for construction of the above referenced project. Dewberry has reviewed the bid packets submitted by each contractor and found all bids to be in apparent compliance of instruction. All bids were below the design estimate and project budget. Our Bid Tab Summary is enclosed for your review and consideration.

The three lowest total base bids submitted for the Project were:

1) Shiloh Enterprises, Inc.	\$5,680,000.00
2) Hoey Construction Company	\$5,738,000.00
3) Anderson & House, Inc.	\$5,745,000.00

The bid form included spaces for each contractor to provide pricing for two (2) perceived add alternates and two (2) perceived deduct alternates. Our instruction from the City of Bethany is to accept Alternate #1 with the choice to accept Alternate #4 up to 60 days after Notice to Proceed. With the additional costs of add alternate 1 and 4 the proposed contract value are:

	<u>Base + Alt. 1 & 4</u>
1) Shiloh Enterprises, Inc.	\$5,744,500.00
2) Anderson & House, Inc.	\$5,802,000.00
3) Hoey Construction Company	\$5,806,800.00

As a part of the due diligence effort to identify the Title 61, "lowest responsible bidder", each of the Bid Packets were checked for conformance with the qualification's established for the project, which includes the AIA A310 Bid Bond Form, AIA A305 Contractor Qualification Statement, AIA G705 Subcontractor List, Resume's for the Superintendent and Project Manager. We requested 3 client references from each contractor, which we have contacted for opinion of past performance. We have also confirmed the material certification of Subcontractors and reviewed bids and resumes with the contractors themselves to gain confidence that all items are reflected in their bids for this project.

After our review of the information provided and requested, we find the apparent "lowest responsible bidder" to be Shiloh Enterprises, Inc.

- Base Bid of Five Million Six Hundred Eighty Thousand Dollars and No Cents (\$5,680,000.00),
- Add Alternate #1 for the amount of Fifty Eight Thousand Dollars and No Cents (\$58,000.00)
- Initial Contract Value - Five Million Seven Hundred Thirty-Eight Thousand Dollars and No Cents (\$5,738,000.00).
- If within 60 Days after the Notice to Proceed, the City of Bethany chooses to add Alternate #4, a change order in the amount of Six Thousand Five Hundred Dollars and No Cents (\$6,500.00) will

Mr. JD Cox
Bethany Library
July 20, 2017

be included making the new total contract value Five Million Seven Hundred Forty-Four Thousand Five Hundred Dollars and No Cents (\$5,744,500.00).

We look forward to the next step in this project process and ultimately the opening of the new Bethany Library. Please let us know if you have any questions regarding this information we have provided.

Sincerely,
Dewberry Architects Inc.



Nathan Sauber, RA, DBIA, LEED AP BD+C, CDT

Encl.

cc: Todd Olberding, City of Bethany
David Davis, City Attorney
D. Bruce Henley, AIA, Dewberry
W. Roger Ridgeway, AIA Dewberry
Denelle Wrightson, Dewberry

File

Bids Opening Date: July 13, 2017 - 2:00 p.m.																	
Bidder	Submissions	Base Bid	SF cost based on Base Bid	Alt. 1: Park Lighting (Add)	Base Bid + Alt. 1	SF cost based on Base Bid + Alt. 1	Alt. 2: Operable Partition (Deduct)	Alt. 3: Standing Seam Roof Warranty (Deduct)	Alt. 4: Radio Tower (Add)	Base Bid + Alt. 1 and Alt. 4	SF cost based on Base Bid + Alt. 1 and Alt. 4	Days to Complete	Unit Price: 1 CY Remove & Replace Soil Material	% of OH & Profit on Net Cost of Own Work	% on Cost of Sub-Contracted Work	Value of Park	
1 Shloh Enterprises, Inc. 5720 N Industrial Blvd Edmond, OK 73034 Phone 405.341.5500	AIA A310-2010 Bid Bond Form	\$5,680,000.00	\$236.67	\$58,000.00	\$5,738,000.00	\$239.08	\$0.00	(\$2,000.00)	\$6,500.00	\$5,744,500.00	\$239.35	430	\$24.00	10%	10%	\$555,000.00	
	AIA A305-1986 Contractors Qualification Statement																
	Affidavits: Business Relationship / Non-Collusion																
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6																
	AIA G705 Subcontractor List																
Project Manager Resume																	
Superintendent Resume																	
2 Anderson & House, Inc. 1627 W. Main Street Oklahoma City, OK 73106 Phone 405.232.1188	AIA A310-2010 Bid Bond Form	\$5,745,000.00	\$239.38	\$44,000.00	\$5,789,000.00	\$241.21	(\$63,000.00)	(\$1,600.00)	\$13,000.00	\$5,802,000.00	\$241.75	330	\$35.00	15%	15%	\$200,000.00	
	AIA A305-1986 Contractors Qualification Statement																
	Affidavits: Business Relationship / Non-Collusion																
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6																
	AIA G705 Subcontractor List																
Project Manager Resume																	
Superintendent Resume																	
3 Hoey Construction Company 3310 Southwest Boulevard Tulsa, OK 74107 Phone 918.665.2624	AIA A310-2010 Bid Bond Form	\$5,738,000.00	\$239.08	\$63,000.00	\$5,801,000.00	\$241.71	(\$6,000.00)	(\$2,000.00)	\$5,800.00	\$5,806,800.00	\$241.95	270	\$36.50	10%	10%	\$307,000.00	
	AIA A305-1986 Contractors Qualification Statement																
	Affidavits: Business Relationship / Non-Collusion																
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6																
	AIA G705 Subcontractor List																
Project Manager Resume																	
Superintendent Resume																	
4 W.L. McNatt & Company 217 East Sheridan Oklahoma City, OK 73104 Phone 405.232.7245	AIA A310-2010 Bid Bond Form	\$5,801,000.00	\$241.71	\$80,000.00	\$5,881,000.00	\$245.04	(\$76,000.00)	(\$2,000.00)	\$13,500.00			420	\$30.00	15%	15%	\$125,000.00	
	AIA A305-1986 Contractors Qualification Statement																
	Affidavits: Business Relationship / Non-Collusion																
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6																
	AIA G705 Subcontractor List																
Project Manager Resume																	
Superintendent Resume																	
5 Jim Cooley Construction, LLC 1900 NE 36th Street, Suite 106 Oklahoma City, OK 73111 Phone 405.528.8093	AIA A310-2010 Bid Bond Form	\$5,829,000.00	\$242.88	\$57,000.00	\$5,886,000.00	\$245.25	(\$70,000.00)	(\$17,900.00)	\$4,500.00			365	Add \$32.00 Deduct \$27.00	18%	12%	\$216,000.00	
	AIA A305-1986 Contractors Qualification Statement																
	Affidavits: Business Relationship / Non-Collusion																
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6																
	AIA G705 Subcontractor List																
Project Manager Resume																	
Superintendent Resume																	
6 Pillar Contracting, Inc. 7408 NW 85th Street Oklahoma City, OK 73132 Phone 405.721.9992	AIA A310-2010 Bid Bond Form	\$5,922,000.00	\$246.75	\$35,000.00	\$5,957,000.00	\$248.21	\$24,000.00	(\$1,600.00)	\$2,000.00			365	\$50.00	15%	15%	\$185,000.00	
	AIA A305-1986 Contractors Qualification Statement																
	Affidavits: Business Relationship / Non-Collusion																
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6																
	AIA G705 Subcontractor List																
Project Manager Resume																	
Superintendent Resume																	
7 Fenix Constructors, Inc PO Box 2480 Ardmore, OK 73402 Phone 580.223.4313	AIA A310-2010 Bid Bond Form	\$5,925,000.00	\$246.88	\$35,000.00	\$5,960,000.00	\$248.33	(\$5,000.00)	\$0.00	\$11,000.00			511	\$28.00	8%	5%	\$108,000.00	
	AIA A305-1986 Contractors Qualification Statement																
	Affidavits: Business Relationship / Non-Collusion																
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6																
	AIA G705 Subcontractor List																
Project Manager Resume																	
Superintendent Resume																	
8 Wynn Construction Co., Inc. 11901 N. Eastern Ave. Oklahoma City, OK 73131 Phone 405.753.1120	AIA A310-2010 Bid Bond Form	\$5,976,000.00	\$249.00	\$62,000.00	\$6,038,000.00	\$251.58	(\$69,000.00)	\$0.00	\$10,000.00			365	\$29.00	15%	15%	\$370,000.00	
	AIA A305-1986 Contractors Qualification Statement																
	Affidavits: Business Relationship / Non-Collusion																
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6																
	AIA G705 Subcontractor List																
Project Manager Resume																	
Superintendent Resume																	
9 Key Construction P.O. Box 20291 Oklahoma City, OK 73156 Phone 405.606.2040	AIA A310-2010 Bid Bond Form	\$5,985,000.00	\$249.38	\$56,500.00	\$6,041,500.00	\$251.73	(\$69,500.00)	(\$1,000.00)	\$4,200.00			395	\$29.00	10%	10%	\$300,000.00	
	AIA A305-1986 Contractors Qualification Statement																
	Affidavits: Business Relationship / Non-Collusion																
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6																
	AIA G705 Subcontractor List																
Project Manager Resume																	
Superintendent Resume																	

Bids Opening Date: July 13, 2017 - 2:00 p.m.																
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10 Daniels & Daniels Construction, Inc.	AIA A310-2010 Bid Bond Form	✓	\$6,005,500.00	\$250.23	\$67,000.00	\$6,072,500.00	\$253.02	(\$64,000.00)	(\$1,600.00)	\$18,000.00		395	\$45.50	10%	10%	\$172,000.00
	3056 North Aspen Ave.	✓														
	Broken Arrow, OK 74012	✓														
	Phone 918.872.6006	✓														
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6	✓														
	AIA G705 Subcontractor List															
	Project Manager Resume	✓														
	Superintendent Resume															
11 Atlas Construction Group, LLC	AIA A310-2010 Bid Bond Form	✓	\$6,150,000.00	\$256.25	\$40,000.00	\$6,190,000.00	\$257.92	\$0.00	(\$2,200.00)	\$4,900.00		360	\$42.00	10%	10%	\$156,000.00
	24 NE 53rd Street	✓														
	Oklahoma City, OK 74105	✓														
	Phone 405.606.6170	✓														
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6	✓														
	AIA G705 Subcontractor List															
	Project Manager Resume															
	Superintendent Resume															
12 Flintco, LLC	AIA A310-2010 Bid Bond Form	✓	\$6,391,000.00	\$266.29	\$65,000.00	\$6,456,000.00	\$269.00	(\$50,000.00)	(\$2,000.00)	\$9,000.00		395	\$31.62	10%	25%	\$150,000.00
	2302 South Prospect Ave.	✓														
	Oklahoma City, OK 73129	✓														
	Phone 405.835.6412	✓														
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6	✓														
	AIA G705 Subcontractor List															
	Project Manager Resume															
	Superintendent Resume															
13 Red Oak Contractors, LLC	AIA A310-2010 Bid Bond Form	✓	\$6,498,000.00	\$270.75	\$50,900.00	\$6,548,900.00	\$272.87	(\$58,000.00)	(\$1,600.00)	\$2,700.00		388	\$33.00	5%	10%	\$625,000.00
	5940 NW 38th	✓														
	Oklahoma City, OK 73122	✓														
	Phone 405.787.7686	✓														
	Addenda Acknowledgement: 1, 2, 3, 4, 5 and 6	✓														
	AIA G705 Subcontractor List															
	Project Manager Resume															
	Superintendent Resume															

July 20, 2017

Mr. Todd Olberding
City of Bethany Oklahoma
6700 NW 36th Street
Bethany, Oklahoma 73008

Re: Bethany Library
Dewberry Architects Inc. Project # 50085544

Dear Mr. Olberding;

The Bethany Library project was well received by Contractors and attracted interest from over twenty-five (25) contractors during the five (5) week bidding period. On July 13, 2017 we received thirteen (13) qualified bids on the above mentioned project which makes this one of the most competitive projects we have seen. All thirteen (13) bids were below the estimate previously prepared, prior to the completion of design, which set the City budget at \$6.9 million. The information used to set early budgets was data from other similar buildings being built in other markets and designed by Dewberry. This value includes contingency values.

The library is designed to be a single story 24,000 SF building. This size and budget fits within the range of small for larger contractors and large for the smaller and traditionally lower overhead contractors, thus we believe created a large response. Being an institutional project makes it desirable for all interested. The majority of the bidders are smaller volume contractors with lower overhead cost and we believe more aggressive in a competitive bidding environment to win the work. The larger contractors, though competitive, have more overhead and historically represent higher cost on bid day. Flintco, for instance, represents this analogy. They are clearly the largest contractor to bid the project and even though under the budget amount, they still remained one of the highest bids.

The bid, with alternate #1 requested by the City, totals \$5,738,000. When you add the contingency included in the previous \$6.9M estimate the anticipated final construction value is \$6.02M or 87% of the planned budget. The breakdown, using this value is \$251/SF, inclusive of the park amenities. The park breakout ranged from \$108K to \$625K with an average cost of \$294K with 5% contingency. Removing \$294K for the park from the \$6.02M anticipated final value equates to a cost of \$238/SF. Our early budget values were based on programmed square feet and historical project data of \$260 SF that established bond estimates. The outside estimations done during design and document process increased the anticipated cost for actual bids anticipated. There are no definitive ways to predict how many bidders, building material escalations or hunger of the market for work when preparing an estimate. The difference between bid and estimate are potentially related to all factors, as well as cautious estimations.

We see this as a positive reaction to the project mixed with market conditions that have allowed this project to be under budget. Had we known we would have such a positive outcome it would not have increased the program and according to Denelle it would not have significantly changed what was designed. Pricing was vetted and reviewed by all parties through the process.

We appreciate your interest to understand the variance and hope our general information helps to better understand the actual condition, but know that at the same time estimates are educated guesses and fluctuation without full explanation can be expected, while it is rare to see this type of positive outcome we do see it at times. We are thankful we are not faced with the opposite condition.

Mr. Olberding
Bethany Library
July 20, 2017

Sincerely,
Dewberry Architects Inc.

A handwritten signature in black ink, appearing to read 'Nathan Sauber', written in a cursive style.

Nathan Sauber, RA, DBIA, LEED AP BD+C, CDT

cc: D. Bruce Henley, AIA, Dewberry
W. Roger Ridgeway, AIA Dewberry
Denelle Wrightson, Dewberry
File

**Bethany Library Complex
Project Budget - Update**

Data Date: **07/20/2017**

Issue Date: **07/20/2017**

Issued To: **JD**

Purpose: **Shiloh Contract Award**

AREA	6/6/17	7/25/17	COMMENTS
ITEM	BUDGET	BUDGET	
<u>DESIGN COSTS</u>			
MLS A/E Design Fees - Library	\$ 659,277	\$ 659,277	
BE A/E Design Fees - Park	51,925	51,925	
Total Design Cost	\$ 711,202	\$ 711,202	
MLS Reimbursable Costs	10,000	10,000	
BE Reimbursable Costs	700	700	
Total Indirect Cost - Design	\$ 721,902	\$ 721,902	
<u>CONSTRUCTION AND ENVIRONS COSTS</u>			
Building, Park & Site	\$ 6,596,760	\$ 5,738,000	Shiloh's Base Bid + Alt 1
Design Contingency	329,838	-	
Construction Contingency	329,838	573,800	10% of Construction Contract
Total Building and Site Cost	\$ 7,256,436	\$ 6,311,800	
Park - Additional	\$ -	\$ 400,000	Reallocated
Art - 1% of Construction	-	65,000	Reallocated, rounded up
Furniture, Fixtures & Equipment	-	-	By MLS
Misc. Project Costs	150,000	150,000	
Total Construction & Park Budget	\$ 7,406,436	\$ 6,926,800	
<u>INDIRECT COST</u>			
Legal	\$ -	\$ 20,000	Reallocated
Material Testing	72,564	72,564	
BE Staff	134,000	134,000	
BE Staff - FICA & Medicare	10,580	10,580	
MLS Relocation	-	-	
Total Indirect Cost	\$ 217,144	\$ 237,144	
<u>PROJECT CONTINGENCIES</u>			
MLS	-	-	By MLS
BETHANY	\$ 319,954	\$ 779,590	
<u>BOND SALE COSTS</u>			
	\$ 143,841	\$ 143,841	
<u>TOTAL PROJECT COST</u>			
MLS - A/E Design Cost	\$ 669,277	\$ 669,277	
Bethany	8,140,000	8,140,000	
Total Project Cost	\$ 8,140,000	\$ 8,140,000	
<u>FUNDING</u>			
MLS - A/E Design Cost	\$ 669,277	\$ 669,277	
BETHANY - Bond	8,140,000	8,140,000	
	\$ 8,809,277	\$ 8,809,277	