



McAlester City Council

NOTICE OF MEETING

Special Meeting of the City Council Agenda

Thursday, July 10, 2014 - 5:30 pm
McAlester City Hall – Council Chambers
28 E. Washington

Steve Harrison Mayor
Weldon Smith Ward One
John Titsworth Ward Two
Travis Read Vice Mayor, Ward Three
Robert Karr Ward Four
Buddy Garvin Ward Five
Jason Barnett Ward Six

Peter J. Stasiak City Manager
William J. Ervin City Attorney
Cora M. Middleton City Clerk

This agenda has been posted at the McAlester City Hall, distributed to the appropriate news media, and posted on the City website: www.cityofmcalester.com within the required time frame.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.

The McAlester City Hall is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 918.423.9300, Extension 4956.

CALL TO ORDER

Announce the presence of a Quorum.

ROLL CALL

PUBLIC HEARING

All persons interested in any ordinance listed under Scheduled Business shall have an opportunity to be heard in accordance with Article 2, Section 2.12(b) of the City Charter.

AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2501 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2014-15; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Consider, and act upon, an Ordinance amending Ordinance No. 2501 which established the budget for fiscal year 2014-2015; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency.

Executive Summary

To appropriate funds for the South Main Water Main Replacement Project.

2. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and W. Brown Enterprises, Inc. for the construction of approximately 2,900 linear feet of new 12-inch PVC C900 water main and necessary appurtenances along the east side of South Main Street from T.H. Rogers to Oklahoma Avenue.

Executive Summary

Award construction contract to W. Brown Enterprises, Inc. for water main on South Main.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2014 at _____ a.m./p.m. as required by law in accordance with Section 303 of the Oklahoma Statutes and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of McAlester website: www.cityofmcalester.com.

Cora M. Middleton, City Clerk



McAlester City Council

AGENDA REPORT

Meeting Date:	<u>July 10, 2014</u>	Item Number:	<u>1</u>
Department:	<u>Finance</u>		
Prepared By:	<u>Toni Ervin</u>	Account Code:	<u></u>
Date Prepared:	<u>July 3, 2014</u>	Budgeted Amount:	<u></u>
		Exhibits:	<u>1</u>

Subject

Consider, and act upon, an Ordinance amending Ordinance No. 2501 which established the budget for fiscal year 2014-2015; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency.

Recommendation

Motion to approve the budget amendment ordinance.

Discussion

The budget amendment ordinance is necessary to cover proposed revenue and/or expenditures not included in the budget for this fiscal year.

See attached.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>T. Ervin</u>	<u>07/03/2014</u>
City Manager	<u>P. Stasiak</u>	<u>07/03/2014</u>

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2501 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2014-15; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council heretofore adopted Ordinance No. 2501 setting forth the Budget for Fiscal Year 2014-2015 beginning July 1, 2014 and ending June 30, 2015; and

WHEREAS, the City Departments and Divisions routinely review their budget appropriations to determine if any changes are necessary; and

WHEREAS, based upon said review the City staff now recommends that certain amendments to the Budget be considered by the City Council; and

WHEREAS, the City Council has the authority to make amendments to the City Budget under Article 5, Section 5.07 (b) of the new City Charter as well as State law; and

WHEREAS, the City Council has determined that the proposed amendment to the FY 2014-2015 Budget, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF McALESTER, OKLAHOMA:

SECTION 1: The proposed amendment to the FY 2014-2015 Budget of the City of McAlester, Oklahoma, as heretofore adopted by Ordinance, as summarized in Exhibit A-1, which is attached hereto and fully incorporated herein by reference, be, and the same hereby are, completely adopted and approved as an amendment to the said FY 2014-2015 Budget.

SECTION 2: All portions of the existing FY 2014-2015 Budget, Ordinance No. 2501 except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

SECTION 3: That all other ordinances in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other ordinances not in conflict herewith shall remain in full force and effect.

SECTION 4: Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

SECTION 5: That an emergency is hereby declared to exist, and for the provision of the public peace, health and safety, by reason whereof it is necessary that all acts take effect immediately and be in full force and effect from, and after the passage and approval.

PASSED and the EMERGENCY CLAUSE ruled on separately this _____ day of _____, 2014.

**CITY OF MCALESTER, OKLAHOMA
A Municipal Corporation**

By _____
Steve Harrison, Mayor

ATTEST:

Cora Middleton, City Clerk

Approved as to form and legality this _____ day of _____, 2014.

William J. Ervin, City Attorney



McAlester City Council

AGENDA REPORT

Meeting Date: July 10, 2014 **Item Number:** 2
Department: Public Works - UTM
Prepared By: John C. Modzelewski, PE **Account Code:** _____
Date Prepared: July 8, 2014 **Budgeted Amount:** _____
Exhibits: 3

Subject

Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and W. Brown Enterprises, Inc. for the construction of approximately 2,900 linear feet of new 12-inch PVC C900 water main and necessary appurtenances along the east side of South Main Street from T.H. Rogers to Oklahoma Avenue.

Recommendation

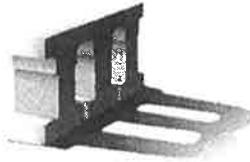
The recommendation is to enter into an agreement with W. Brown Enterprises, Inc. for the construction of approximately 2,900 linear feet of new 12-inch PVC C900 water main and necessary appurtenances along the east side of South Main Street from T.H. Rogers to Oklahoma Avenue for a total bid equal to \$440,006.00.

Discussion

The area in question experienced more than a dozen water breaks in a three week period. These breaks impacted the health, safety and welfare of the residents and businesses in the area. This project was presented as new business at the City Council Meeting on June 24, 2014. The City Council agreed to declare the situation an emergency and allowing the project to move forward without the standard competitive bidding requirements. A Pre-Bid Meeting, held on June 30, 2014, was attended by three construction companies. Two of these companies submitted Bid Documents that were received and opened on July 3, 2014. After reviewing the Bid Documents, the City of McAlester's design engineer, Mehlburger Brawley determined that W. Brown Enterprises, Inc. was the lowest, responsible, qualified bidder.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>JCM</u>	<u>07/08/14</u>
City Manager	<u>PJS</u>	<u>07/08/14</u>



MEHLBURGER BRAWLEY

July 3, 2014

John Modzelewski, P.E., City Manager
City of McAlester/McAlester PWA
PO Box 578
28 E. Washington
McAlester, Ok 74502-0578

Re: 12-Inch Water Main Replacement South Main Replacement
Letter of Recommendation; Notice of Award

Dear Mr. Modzelewski:

The above referenced project was bid at 2:00 p.m., on July 3, 2014 at the McAlester City Hall. Three (3) contractors had received plans and specifications for this project and two (2) elected to submit a bid. Enclosed for your information please find a copy of the Bid Tabulation. W. Brown Enterprises, Inc. was the apparent low bidder with a bid of \$440,006.00.

We have firsthand experience with W. Brown Enterprises and are confident in their abilities to perform the work in a timely manner. They are ready to mobilize a crew mid July as soon as the contracts are executed. We recommend that the City of McAlester award the contract to W. Brown Enterprises in the amount of \$440,006.00.

Enclosed please find two (2) copies of the Notice of Award. Please review and sign both copies of the Notice of Award and return to our offices for further processing. We will get the required bonds and insurance from the contractor and will coordinate a Pre-Construction Conference, where the Notice to Proceed will be issued.

Thank you and if you have any questions concerning any of the above, please do not hesitate to call us at (918) 420-5500.

Sincerely,
Mehlburger Brawley

Robert Vaughan P.E.
Project Manager

RV/mj
Enclosure

Project No. MC-14-02

**CITY OF MCALESTER / MCALESTER PUBLIC WORKS AUTHORITY
12-INCH WATER MAIN REPLACEMENT SOUTH MAIN STREET**

THURSDAY, JULY 3, 2014 @ 2:00 P.M.

BID TABULATION

BASE BID				W. Brown Enterprise, Inc. 2805 N. 1st Ave. Durant, OK 74701		McKee Excavating, Inc. 10489 S. Highway 99 Prague, OK 74864	
ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Locate Existing Water Main	1	LS	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00
2	12-Inch PVC C-900 Water Main	2,275	LF	\$75.00	\$170,625.00	\$90.00	\$204,750.00
3	14-Inch HDPE Water Main, Directionally Bored	640	LF	\$145.00	\$92,800.00	\$160.00	\$102,400.00
4	12-Inch Gate Valve	3	EA	\$3,200.00	\$9,600.00	\$4,000.00	\$12,000.00
5	8-Inch Gate Valve	2	EA	\$2,200.00	\$4,400.00	\$2,000.00	\$4,000.00
6	6-Inch Gate Valve	1	EA	\$2,000.00	\$2,000.00	\$1,500.00	\$1,500.00
7	Connect Proposed 12-Inch to Existing 12-Inch Water Main (North end of project)	1	EA	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00
8	Connect Proposed 12-Inch to Existing 12-Inch Water Main (South end of project)	1	EA	\$5,558.00	\$5,558.00	\$8,000.00	\$8,000.00
9	Connect Proposed 12-Inch to Existing 8-Inch Water Main (Fire Lines Serving Walls and Shared Blessings)	2	EA	\$3,200.00	\$6,400.00	\$5,000.00	\$10,000.00
10	Connect Proposed 12-Inch to Existing 6-Inch Water Main (Oklahoma Ave)	1	EA	\$4,800.00	\$4,800.00	\$5,000.00	\$5,000.00
11	New Fire Hydrant Assembly	3	EA	\$4,500.00	\$13,500.00	\$5,000.00	\$15,000.00
12	Water Service Reconnection (Short)	16	EA	\$1,700.00	\$27,200.00	\$3,500.00	\$56,000.00
13	Water Service Reconnection (Long)	1	EA	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00
14	Water Service Reconnection (2-Inch Meter)	2	EA	\$4,000.00	\$8,000.00	\$4,000.00	\$8,000.00
15	Concrete Surface Repair	440	LF	\$100.00	\$44,000.00	\$50.00	\$22,000.00
16	Asphalt Surface Repair	290	LF	\$50.00	\$14,500.00	\$50.00	\$14,500.00
17	Gravel Surface Repair	25	LF	\$25.00	\$625.00	\$50.00	\$1,250.00
18	Emergency Repair of Existing Water Main	4	EA	\$3,500.00	\$14,000.00	\$8,000.00	\$24,000.00
TOTAL AMOUNT OF BASE BID					\$440,006.00		\$503,900.00

ALTERNATE BID

Summary. The Alternate bid is for the installation of 14" HDPE on the entire project and contractor will bore majority of project and open cut in minimal conflict areas. No surface repairs in this alternative.

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1A	Locate Existing Water Main	1	LS	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00
2A	12-Inch PVC C-900 Water Main	0	LF		\$0.00		\$0.00
3A	14-Inch HDPE Water Main, Directionally Bored and Open Cut	2,815	LF	\$145.00	\$422,675.00	\$180.00	\$524,700.00
4A	12-Inch Gate Valve	3	EA	\$5,300.00	\$15,900.00	\$8,000.00	\$18,000.00
5A	8-Inch Gate Valve	2	EA	\$4,200.00	\$8,400.00	\$4,000.00	\$8,000.00
6A	6-Inch Gate Valve	1	EA	\$3,182.00	\$3,182.00	\$2,500.00	\$2,500.00
7A	Connect Proposed 12-Inch to Existing 12-Inch Water Main (North end of project)	1	EA	\$11,000.00	\$11,000.00	\$8,000.00	\$8,000.00
8A	Connect Proposed 12-Inch to Existing 12-Inch Water Main (South end of project)	1	EA	\$10,000.00	\$10,000.00	\$8,000.00	\$8,000.00
9A	Connect Proposed 12-Inch to Existing 8-Inch Water Main (Fire Lines Serving Walls and Shared Blessings)	2	EA	\$5,260.00	\$10,500.00	\$7,000.00	\$14,000.00
10A	Connect Proposed 12-Inch to Existing 6-Inch Water Main (Oklahoma Ave)	1	EA	\$8,077.00	\$8,077.00	\$7,000.00	\$7,000.00
11A	New Fire Hydrant Assembly	3	EA	\$8,500.00	\$25,500.00	\$7,500.00	\$22,500.00
12A	Water Service Reconnection (Short)	16	EA	\$1,700.00	\$27,200.00	\$3,500.00	\$56,000.00
13A	Water Service Reconnection (Long)	1	EA	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00
14A	Water Service Reconnection (2-Inch Meter)	2	EA	\$4,275.00	\$8,550.00	\$8,000.00	\$12,000.00
15A	Concrete Surface Repair	0	LF		\$0.00		\$0.00
16A	Asphalt Surface Repair	1	LF		\$0.00		\$0.00
17A	Gravel Surface Repair	0	LF		\$0.00		\$0.00
18A	Emergency Repair of Existing Water Main	4	EA	\$3,500.00	\$14,000.00	\$8,000.00	\$24,000.00
TOTAL AMOUNT OF BASE BID & ADDITIVE ALTERNATE BID					\$581,484.00		\$714,200.00

Mehrburger Brawley

Robert Vaughn, P.E.
Project Manager
RV/mj - #MC-14-02



NOTICE OF AWARD

TO: W. Brown Enterprises, Inc.
2905 N. 1st Ave.
Durant, OK 74701

Project Description: 12-inch Water Main Replacement, South Main Street
City of McAlester / McAlester Public Works Authority

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated June 30, 2014 and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of: Four Hundred Forty Thousand Six Dollars & 0/100 ----- (\$440,006.00).

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S PERFORMANCE BOND, STATUTORY BOND, MAINTENACE BOND and certificate of insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said Bonds within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of the NOTICE OF AWARD to the OWNER.

Dated this _____ day of _____, 20__.

City of McAlester / McAlester PWA
OWNER

By: _____

Title: Mayor / Chairman

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by W. Brown Enterprises, Inc. this _____ day of _____, 20__.

By: _____

Title: _____