



## Legislation Details (With Text)

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**Title:** Consider and take action rejecting all bids received for the Lake Ellsworth Spillway Project PU2312 and authorizing staff to re-advertise the contract for award. Only one bid was received, and the cost was 155% over the Engineers Estimate.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bid Tab - Ellsworth Spillway, 2. Rec to Reject, 3.  
PU2312\_Lawton\_Ellsworth\_SpillwayRehabilitation\_RejectionLetter\_February2024\_Rev1

Date	Ver.	Action By	Action	Result
3/12/2024	1	City Council	approve	Pass

### ITEM TITLE:

Consider and take action rejecting all bids received for the Lake Ellsworth Spillway Project PU2312 and authorizing staff to re-advertise the contract for award. Only one bid was received, and the cost was 155% over the Engineers Estimate.

**INITIATOR:** Rusty Whisenhunt, Director of Public Utilities

**STAFF INFORMATION SOURCE:** Rusty Whisenhunt, Director of Public Utilities

**BACKGROUND:** During the months of May and June of 2015 the City of Lawton received unusually heavy rainfall. The heavy rainfall events caused extensive damages to several sections of the Ellsworth Spillway. CH2M Hill/Jacobs Engineering was contracted to investigate and design necessary repairs in order to restore the spillway to pre-damage functionality. On September 13<sup>th</sup> 2016, the City Council approved Amendment No. 5,6,7,8 and 10 with CH2M Hill/Jacobs Engineering for review of standard methods, hydraulic, geotechnical numerical analysis, seismic analysis to determine the maximum credible earthquake motion at the site, perform design of rehabilitation and completion of a Benefit Cost Analysis of the Ellsworth Spillway. Currently the design is at 100% complete and a positive Benefit Cost Analysis has been developed. The estimated current construction cost for repairs to Ellsworth Spillway is ±\$20 million dollars. The Design has been permitted by OWRB for construction. On August 8<sup>th</sup>, City Council accepted funding agreements for the FEMA HHDFY22 Grant in the amount of \$925,251.00, the Oklahoma State Competitive ARPA grant in the amount of \$1,000,000.00, and the Oklahoma State Designated ARPA Grant in the amount of \$10,000,000.00. Remaining funds will come from City match up to \$8 million. On November 11, 2023, City Council Approved the plans, specifications and authorized advertisement for construction. The project advertised January 3<sup>rd</sup> and 10<sup>th</sup>, 2024. A Mandatory prebid conference was held January 16<sup>th</sup>, 2024, at 10:00 am in the Public Utilities Conference Room. Bids were received at the City Clerk's Office and publicly opened at 2 pm on February 20, 2024. A total of one (1) bid was received.

PU2312 Ellsworth Spillway Bid Tab		
Project Number	Engineer's Estimate	Contractor 1 - Shimmick
Total Base Bid	\$24,150,175.00	\$61,585,000.00
Additional time after NTP		

After reviewing the Bid Documents, it was determined that the one bid received was responsive but not responsible due to the unrealistic pricing of the project. It is the Department's and the Engineer's Recommendation that the bid be rejected, and the project be re-advertised to obtain a more reasonable bid. **This project is imperative to continue to provide a Safe Community to our Citizens as Public Utilities and the City of Lawton strive to meet the goals of the True North Culture Statement.**

**EXHIBIT:** Bid Tab, Department Recommendation, Engineer's Recommendation to Reject

**KEY ISSUES:** Does City Council wish to reject all bids received for the Lake Ellsworth Spillway Project PU2312 and authorizing staff to re-advertise the contract for award?

**FUNDING SOURCE:** Grant Funds, CWSRF Loan, and 2019 PROPEL CIP Water/Wastewater funds

**STAFF RECOMMENDED COUNCIL ACTION:** Reject all bids received for the Lake Ellsworth Spillway Project PU2312 and authorizing staff to re-advertise the contract for award.