



City of Enid
401 W. Owen K Garriott
P.O. Box 1768
Enid, Oklahoma 73702
580-234-0400

BOARD OF COMMISSIONERS

NOTICE OF SPECIAL MEETING

Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, and the Trustees of the Enid Economic Development Authority, a Public Trust

Notice is hereby given that the Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, and the Trustees of the Enid Economic Development Authority, a Public Trust, will meet in special session at 12:00 p.m. on the 11th day of October 2011, in the Council Chambers of the City Administration Building, located at 401 W. Owen K. Garriott Road in said city, and the agenda for said meeting is as follows:

- AGENDA -

MAYOR AND BOARD OF COMMISSIONERS SPECIAL MEETING

1. CALL TO ORDER/ROLL CALL.
2. TERMINATE THE CONSTRUCTION MANAGER AT RISK CONTRACT (AIA A133-2009 AND AIA A201-2007) AND THE GUARANTEED MAXIMUM PRICE AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK CONTRACT BETWEEN FLINTCO, LLC, AND THE CITY OF ENID, IN THE AMOUNT OF \$20,000,000.00 FOR THE ENID RENAISSANCE PROJECT, M-1109.

BACKGROUND: Garfield County District Court Judge Woodward issued a preliminary injunction prohibiting the use of Construction Manager at Risk delivery method. Based on this directive, the City of Enid must terminate its contract with Flintco, LLC.

Pursuant the terms of the contract, the City of Enid owes Flintco, LLC the following amounts:

Preconstruction Phase Services	\$25,000.00
3.25% of \$280,780.00 for site utilities	\$ 9,125.35
3.25% of \$368,500.00 for earthwork/site clearing	\$11,976.25
<hr/> Total amount owed	<hr/> \$46,101.60

PRESENTER: Chris Bauer, Planning Administrator.

ATTACHMENTS: Purchase orders for site utilities and earthwork/site clearing.

RECOMMENDATION: Terminate the Construction Manager at Risk Contract (AIA A133-2009 and AIA A201-2007) and the Guaranteed Maximum Price Amendment to the Construction Manager at Risk Contract between Flintco, LLC and the City of Enid.

3. **A RESOLUTION TO AMEND THE 2011-2012 CAPITAL IMPROVEMENT FUND BUDGET BY DECREASING THE APPROPRIATED FUNDS IN THE AMOUNT OF \$20,628,898.40 FOR THE CAPITAL IMPROVEMENT DEPARTMENT.**

BACKGROUND: The City of Enid originally entered into agreements with Flintco for the Renaissance project in downtown Enid to act as the construction manager at risk. Subsequently, the City of Enid changed to the traditional design, bid, and build method. The original encumbrances with Flintco, totaling \$20,675,000, were continued at the September 20, 2011 Commission Meeting. This increased the current budget. A total of \$46,101.60 is owed to Flintco. The contract with Flintco has been terminated, and the remainder of the \$20,628,898.40 will be cancelled and the current budget decreased.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

4. **A RESOLUTION AMENDING THE 2011-2012 CAPITAL IMPROVEMENT FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$9,026,444.00 TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS FOR THE CAPITAL IMPROVEMENT DEPARTMENT.**

BACKGROUND: The City of Enid originally budgeted \$15,500,000.00 in the current budget for the Renaissance project in downtown Enid. The bids for both the Event Center and Convention Hall renovation total \$24,526,444.00. The difference of \$9,026,444.00 must be appropriated to allow for the award of the bids to proceed with the project.

The additional funds are available to appropriate from the Enid Municipal Authority Fund.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

5. **AWARD A CONTRACT TO W. L. MCNATT & COMPANY FOR BID PACKAGE NO. 2 (RENOVATION OF CONVENTION HALL AND CONVENTION HALL ALTERNATE NO. 1) OF THE ENID RENAISSANCE PROJECT, M-1109F, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

BACKGROUND: Plans and specifications were furnished to thirteen (13) contractors and seven (7) bids were received ranging from \$7,082,000.00 to \$7,696,500.00. This represents an 8% difference between the low and high bids.

The lowest and best bidder is W. L. McNatt & Company in the following amounts:

Convention Hall	\$5,962,000.00
Convention Hall Alt. No. 1	\$1,120,000.00
TOTAL	\$7,082,000.00

The contract time is 275 calendar days.

Funding for this project is from the Capital Improvement Fund.

PRESENTER: Chris Bauer, Planning Administrator.

ATTACHMENT: Bid Tabulation. The contract is on file in the Office of the City Clerk.

RECOMMENDATION: Award a contract to W. L. McNatt & Company in the amount of \$7,082,000.00 for the renovation of Convention Hall and Convention Hall Alternate No. 1 to be completed in 275 calendar days.

6. **AWARD A CONTRACT TO KEY CONSTRUCTION FOR BID PACKAGE NO. 2 (CONSTRUCTION OF ENID EVENT CENTER) OF THE ENID RENAISSANCE PROJECT, M-1109E, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

BACKGROUND: Plans and specifications were furnished to thirteen (13) contractors, and eight (8) bids were received ranging from \$17,444,444.00 to \$18,000,000.00. This represents a 3% difference between the low and high bids.

The lowest and best bidder is Key Construction in the amount of \$17,444,444.00. The contract time is 444 calendar days.

Funding for this project is from the Capital Improvement Fund.

PRESENTER: Chris Bauer, Planning Administrator.

ATTACHMENT: Bid Tabulation. The contract is on file in the Office of the City Clerk.

RECOMMENDATION: Award a contract to Key Construction in the amount of \$17,444,444.00 for the Enid Event Center to be completed in 444 calendar days.

7. ADJOURN TO CONVENE AS THE ENID MUNICIPAL AUTHORITY.
8. TRUSTEES OF THE ENID MUNICIPAL AUTHORITY REGULAR MEETING.
9. ENID MUNICIPAL AUTHORITY REGULAR MEETING.
 - 9.1 A RESOLUTION TO INCREASE THE 2011-2012 FISCAL FINANCIAL PLAN FOR THE ENID MUNICIPAL AUTHORITY IN THE AMOUNT OF \$4,526,444.00.

BACKGROUND: The Enid Municipal Authority planned to transfer \$20,000,000.00 to the Capital Improvement Fund for the Renaissance downtown improvement project in the current financial plan. The total bid cost is \$24,526,444.00. An additional \$4,526,444 needs to be provided. This Item will increase the Enid Municipal Authority financial plan by \$4,526,444.00 and transfer it to the Capital Improvement Fund.

The funds are available to increase the fiscal financial plan from the Enid Municipal Authority Fund.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

10. ADJOURN.