



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-2021-26

File ID: K-2021-26

Type: Contract

Status: Consent Item

Version: 1

Reference: Item 12

In Control: City Council

Department: Public Works
Department

Cost: \$574,279.00

File Created: 07/17/2020

File Name: Project Agreement with ODOT for Legacy Trail Multi
Modal Path Extension Project - 24th Ave NW and
36th Ave NW

Final Action:

Title: CONTRACT K-2021-26: A PROJECT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) IN THE AMOUNT OF \$574,279 FOR FEDERAL-AID PROJECT STP-114E(300)EH, STATE JOB 28811(04), THE LEGACY TRAIL MULTI MODAL PATH EXTENSION PROJECT ALONG 24TH AVENUE N.W. AND 36TH AVENUE N.W., ADOPTION OF RESOLUTION R-2021-17, BUDGET APPROPRIATION FROM THE CAPITAL FUND BALANCE, AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Notes: ACTION NEEDED: Motion to approve or reject Contract K-2021-26 with the Oklahoma Department of Transportation in the amount of \$574,279 for the City's share of the project; and, if approved, adopt Resolution r-2021-17, authorize the execution of the contract and resolution, and appropriate \$22,598 from the Capital Fund Balance and transfer \$191,781 from Project TR0055, Pavement Overlay Citywide (Lindsey Street, Constitution Street, and Imhoff Road), Construction, (50595511-46101) to Project TR0082, Legacy Trail Multi-Modal Path Extension, Construction (50596688-46101) to pay for the City's share of the construction cost.

ACTION TAKEN: _____

Agenda Date: 07/28/2020

Agenda Number: 12

Attachments: Contract K-2021-26, Resolution R-2021-17, Location
Map

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-2021-26

Body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates Federal funds for the implementation of eligible transportation enhancement projects in the state of Oklahoma.

Growing concerns about air quality, open space, and traffic congestion led Congress to create several programs through legislation in the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA). These programs broaden the federal focus on Transportation from building highways to funding projects tied to smarter planning requirements that help ensure communities are more livable. At the center of new focus about transportation, growth, and quality of life is the Transportation Enhancement Program.

With the passage of the Transportation Equity Act for the 21st Century (TEA-21), and its successors, the Safe, Efficient, Flexible, Effective Transportation Equity Act: a Legacy for the User (SAFETEA-LU) and the current 2012 - Moving Ahead for Progress in the 21st Century (MAP-21), Congress continues to reaffirm its commitment to the original concepts established under ISTEA. Like its predecessors, the new legislation continues to provide a catalyst for stimulating activities that go beyond traditional transportation projects.

Transportation Enhancements (TE) activities offer communities funding opportunities to help expand transportation choices, such as safe bicycle and pedestrian facilities, scenic routes, beautification, and other investments that increase recreation opportunity and access. Communities may also use TE funds to contribute toward the revitalization of local and regional economies by restoring historic buildings, renovating streetscapes, or providing transportation museums and visitors centers.

Federal funds available under the Enhancement Program may be used for a maximum of eighty percent (80%) of the eligible project costs, capped at \$600,000 per project. Successful applicants must agree to provide a minimum of twenty percent (20%) of the total project costs. Federal and State Agencies, along with Tribal, County, and Local Governments, are eligible and can apply for the funds.

On September 28, 2010, City Council adopted Resolution R-1011-36 supporting the use of federal surface transportation enhancement program funds for the extension of the Legacy Trail along 24th Avenue NW (between Robinson Street and Rock Creek Road) and 36th Avenue NW (between Rock Creek Road and Tecumseh Road). A formal application was prepared by staff and submitted to the Oklahoma Department Transportation (ODOT) on September 29, 2010 for consideration.

The project consists of four gaps of ten-foot wide paved path for pedestrians and bicyclists that will ultimately connect the Downtown area and University of Oklahoma Main Campus with the

Ruby Grant Park in northwest Norman. Attachment No. 1 shows the location of the project.

On September 9, 2014, ODOT informed the City of Norman that the Legacy Trail Extension along 24th Avenue NW and 36th Avenue NW project was among the statewide projects selected for inclusion in the State Transportation Enhancement Program plan.

On October 13, 2015, City Council approved contract K-1516-22 with Cabbiness Engineering for design of the Legacy Trail Extension project.

DISCUSSION: ODOT requires the City to execute a project agreement and to adopt it by resolution before spending any federal funds. The agreement addresses the responsibilities of the City and the Department during and after the construction of the project. The execution of four original documents is required. Both the resolution and agreement have been reviewed by staff and approved by the City Attorney.

The final engineer's estimate for the project is \$1,174,279, which includes a 10% fee for construction management and inspection services. This cost is to be funded with the previously mentioned \$600,000 Federal Transportation Enhancement Program Grant supplemented by City of Norman Capital funds. At this time ODOT is also asking that the local share of the project cost, estimated at \$574,279, be paid in advance of the bid opening, which has been scheduled for November 19, 2020. Most of the funds (\$359,900) are budgeted in the FYE 2021 Capital Improvement Plan (Account No. 50596688-46101 - Construction / Project TR-0082). A \$22,598 appropriation from the Capital Fund Balance and a \$191,781 transfer of left over funds from an already completed project (Pavement Overlays on Lindsey Street, Constitution Street and Imhoff Road), will be necessary to make up the difference.

Construction of the project is anticipated to begin in March of 2021 with completion of the work in early summer of the same year.

RECOMMENDATIONS:

1. Staff recommends approval of Contract K-2021-26 and Resolution R-2021-17 with ODOT for the Legacy Trail Multi Modal Path Extension Project along 24th Avenue NW and 36th Avenue NW.
2. Staff also recommends a budget appropriation from the Capital Fund Balance in the amount of \$22,598 and a budget transfer from Project TR0055, Pavement Overlay Citywide (Lindsey Street, Constitution Street, and Imhoff Road), Construction, (50595511-46101) in the amount of \$191,781 to Project TR0082, Legacy Trail Multi-Modal Path Extension, Construction (50596688-46101) to pay for the City's share of the construction cost.
3. Staff further recommends that Council authorize payment in the amount of \$574,279 to the Oklahoma Department of Transportation for the local share of the project cost.