



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1516-109

File ID: K-1516-109 **Type:** Contract **Status:** Consent Item

Version: 1 **Reference:** Item No. 20 **In Control:** City Council

Department: Public Works Department **Cost:** \$1,778,254.00 **File Created:** 02/08/2016

File Name: ODOT Contract for Lindsey Street Pickard to Berry **Final Action:**

Title: CONTRACT K-1516-109: A PROJECT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE LINDSEY STREET IMPROVEMENTS PROJECT, PHASE 4, FROM BERRY ROAD TO PICKARD AVENUE, STATE JOB 31507(04) AND ADOPTION OF RESOLUTION R-1516-82.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1516-109 with ODOT; and, if approved, adopt Resolution No. R-1516-82 and authorize the execution of the contract and resolution and payment to ODOT in the amount of \$1,778,254 for the City's share.

ACTION TAKEN: _____

Agenda Date: 02/23/2016

Agenda Number: 20

Attachments: Text File, Lindsey Street Construction Cost Estimate, Location Map, Contract-K-1516-109, R-1516-82 Agreement resolution, Requisition-Phase 4

Project Manager: John Clink, Capital Projects Engineer

Entered by: rachel.warila@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1516-109

body

BACKGROUND: On August 28, 2012, the citizens of Norman voted in favor of a Bond Election to finance the local share of eight transportation/storm water improvement projects. One of the eight 2012 bond projects is West Lindsey Street from 24th Avenue S.W. to Berry Road.

The roadway portion of the project includes transportation and aesthetic improvements to Lindsey Street. The West Lindsey Street corridor between Interstate 35 and Berry Road is the most congested corridor in the Oklahoma City metropolitan area. This section of West Lindsey Street has a traffic accident rate three (3) times the national average.

Proposed improvements for the roadway project include:

1. Widening West Lindsey Street from 3 lanes to 4 lanes with additional lanes at intersections
2. New bridge over Imhoff Creek
3. Continuous sidewalks on both sides of the street
4. Access management to adjacent properties
5. Multi-modal improvements including bicycle lanes
6. Aesthetic enhancements including decorative pavement, landscaping, and roadway lighting
7. Underground utilities
8. Accessibility for disabled individuals

Proposed improvements for the drainage are also included this project. These projects are to reduce the impacts of flooding at Lindsey and McGee Drive and areas north of Lindsey Street along McGee Drive and Wylie Road. These improvements include:

1. Construction of an underground 8 foot by 7 foot box culvert from the intersection of Lindsey Street and McGee Drive to the Canadian River
2. Construction of an underground 8 foot by 4 foot box culvert from Lindsey Street and Wylie Road to Imhoff Creek
3. Construction of a storm water pipe system north of Lindsey Street along McGee Drive
4. Construction of a storm water pipe system north of Lindsey Street along Wylie Road
5. Replace the bridge at Imhoff Creek

There have been numerous City Council Actions on this project and they are listed below:

1. November 22, 2011, the Norman City Council approved Programming Resolution No. R-1112-63 requesting federal funds for the West Lindsey Street Improvements. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG,) the Oklahoma Department of Transportation (ODOT) agrees to provide 80% of the cost, up to \$11.5 million, and administer the construction with the matching share from the City of Norman. In order to receive the federal funding, the City of Norman is required to enter into an agreement with ODOT to complete the design, acquire all necessary rights-of-way and relocate utilities and encroachments at 100% the City's cost.
2. December 18, 2012, City Council approved Contract No. K-1213-126 with Leidos (formerly known as SAIC), Inc. for the engineering design services needed to prepare the West Lindsey Street Corridor Project for construction in 2016.
3. April 23, 2013, Council approved Contract No. K-1213-184 with the Oklahoma Department of Transportation (ODOT) to construct Phase I of the storm water system from the Canadian River to the north side of the new SH-9E bridge over I-35.
4. May 28, 2013, Council approved Contract No. K-1213-199 with Gateway Planning Group to provide place making and corridor planning services with a focus on economic development within the commercial corridor.
5. September 10, 2013, Council approved Amendment No. 1 modifying the contract with Leidos to add a raised center median with landscaping to the project.
6. October 22, 2013 Council approved Amendment No. 2 modifying the contract with Leidos to include the review of design alternatives proposed by the University of Oklahoma Institute for Quality Communities (IQC). Other elements of Amendment No. 2 included installing monitoring wells to monitor groundwater elevations for the design of the drainage box and the design of the relocation of the City's water and sewer lines.
7. October 14, 2014, Council approved Contract K-1415-33 with the Oklahoma Department of Transportation (ODOT) to construct Phase 2 of the storm water system from the north side of the new SH-9E bridge over I-35 to Briggs Street on the east side of 24th Avenue SW.
8. November 25, 2014, Council approved Resolution No. R-1415-53 splitting the Lindsey Street Project into two projects (Phases 3 and 4) for the purpose of accessing additional federal funding. Phase 3 extends from 24th Avenue SW to west of Berry Road and Phase 4 extends from west of Berry Road to Pickard Avenue.
9. October 13, 2015, Council approved Amendment No. 3 modifying the contract with Leidos to include a geotechnical study for retaining walls for the proposed bridge over Imhoff Creek, design of the common utility trench between 24th Avenue SW and Berry Road, the design for relocating the 12-inch water line along Lindsey Street, various modifications to the storm water drainage box, project aesthetics and splitting the plan set into two projects.

DISCUSSION: The project design has been completed and the project is ready to be advertised for construction bids. Prior to the project bid opening, ODOT requires the City of Norman to enter into a project agreement and to adopt it by Resolution. Both of these actions require City Council approval. ODOT has requested the City approve the attached agreement that addresses the responsibilities of the City of Norman and ODOT. Staff has reviewed the project agreement and resolution.

In summary, the City's responsibilities are:

- Prepare plans for construction in conformance with ODOT 2009 Standard Specifications
- Provide necessary rights-of-way to construct the project and relocate any utilities
- Maintain the traffic signal equipment after construction
- Certify the project will comply with the Americans with Disabilities Act (ADA)
- Comply with environmental requirements
- Maintain the roadway and all drainage systems and facilities after construction
- Ensure permanent rights-of-way are free of any encroachments
- Maintain lighting and lighting systems

In summary, ODOT's responsibilities are:

- File jointly with the contractor the Notice of Intent (NOI) for a general construction storm water permit with the EPA which authorizes storm water discharges associated with construction activities
- Advertise and bid the construction contract for this project
- Construct the project in accordance with the plans and specifications
- Provide competent supervision of the construction

As discussed above, the remaining work for the Lindsey Street Corridor Project has been separated into two projects. Phase 3 of the Lindsey Street Corridor Project extends from 24th Avenue SW to west of Berry Road and Phase 4 extends from west of Berry Road to Pickard Avenue. The division of the project was made to allow the City to access additional federal funding for the completion of the Lindsey Street Corridor Project. The federal funding for an individual project is capped at \$9,727,200 which is 56% of the total Association of Central Oklahoma Governments (ACOG) funding for that federal fiscal year. This cap is due to the maximum amount of federal funding available to ACOG for any city in a federal fiscal year. By splitting the project the City was able to obtain additional federal funding as shown in the table below. The costs in the table are based on the Engineer's final estimate for the projects.

The City's share includes the cost of items that are not eligible for federal participation such as aesthetics (bus shelters, benches and collegiate columns on the bridge) as well as public/private utilities that could not be relocated prior to construction.

There are two items that are not included in this contract payment; (1) early completion incentive and (2) landscaping. ODOT will bill the City as the contractor earns the incentive. The amount of the early completion incentive is \$500,000 and was included in the project cost estimates for the 2012 bond issue. \$100,000 of the incentive is being set aside for early completion of the portion of Lindsey Street between Berry Road and Pickard Avenue. This portion of Lindsey Street will be closed for construction of the Lindsey Street Bridge over Imhoff Creek. The remainder of the incentive is being set aside for early completion of the entire project.

The final landscaping of the corridor is not included in this contract. Staff's intention is to landscape the project after the roadway construction is complete. There are two reasons this work is not included in the ODOT project. First, the City can usually get better bid prices for the landscaping when it is not included in an ODOT roadway project bid. Second, the City will have more control over the final product if the work is managed by city staff.

The Lindsey Street - 24th Avenue to Berry Road Construction Account (050-9552-431.61-01, BP0189) contains \$11,285,798.46 leaving the project \$1,485,218.54 short of the necessary local funds for the construction contract. The primary reason for the shortfall is the additional cost of the storm water reinforced box culvert (RCB) installed during Phases 1 and 2 of the project. Staff has developed a strategy to bring the remaining six (6) 2012 Bond Projects in under budget which will bring the overall bond program within budget.

A bid opening for this project has been scheduled by ODOT on April 21, 2016. Construction will begin in June 2016 and may be completed by early Fall 2017 if the contractor maximizes the “early completion” incentive.

RECOMMENDATION NO. 1: Staff recommends approval of Contract No. K-1516-109 between the City of Norman and the Oklahoma Department of Transportation for Phase 4 of the Lindsey Street Corridor Project.

RECOMMENDATION NO. 2: Staff further recommends approval of Resolution No. R-1516-82 adopting Contract No. K-1516-109, and if approved, authorize the execution thereof.