

A RESOLUTION OF THE TRUSTEES OF THE NORMAN UTILITIES AUTHORITY ASSIGNING CONTRACTS K-1819-87 AND K-2021-96 WITH CABBINESS ENGINEERING, L.L.C., TO GARVER, L.L.C., AND TRANSFERRING ASSIGNMENT OF ALL RIGHTS AND DUTIES AS “ENGINEER” UNDER CONTRACTS K-1819-87 AND K-2021-96 TO GARVER, L.L.C.

- § 1. WHEREAS, Contract K-1819-87 concerns the retention of Cabbiness Engineering, L.L.C., (hereafter “Cabbiness”) by the Norman Utilities Authority, a Public Trust having as its sole beneficiary the City of Norman (“NMA”), to provide professional survey, design and engineering services for the City’s replacement of approximately 9,700 feet of existing water line located in the area bounded by Brooks Street to the north, Flood Avenue to the west, Lindsey Street to the south, and Elm Avenue to the east and associated inter-connections and appurtenances; and
- § 2. WHEREAS, the NUA approved Contract K-1819-87 on December 11, 2018; and
- § 3. WHEREAS, Amendment No. One to Contract K-1819-87 was approved by the NUA on November 12, 2019, pursuant to which the scope of Cabbiness’s services under Contract K-1819-87 was expanded to include the design, bidding and construction administration for the Parsons Addition Water Line Replacement Project (“Amendment No. One”); and;
- § 4. WHEREAS, Contract K-2021-96 concerns the NUA’s retention of Cabbiness to provide professional design and engineering services in connection with the NUA’s replacement of water lines along the Porter Avenue Streetscape, Phase II, from Robinson Street to Alameda Street; and
- § 5. WHEREAS, the NUA approved Contract K-2021-96 on February 9, 2021; and
- § 6. WHEREAS, on December 18, 2020, Garver, L.L.C., (“Garver”) purchased certain assets of Cabbiness, including but not limited to Contract K-1819-87 (including Amendment No. One), and later-consummated Contract K-2021-96 (all contracts referenced herein collectively known hereafter as “The Contracts”); and
- § 7. WHEREAS, Cabbiness must obtain the NUA’s permission for an assignment of The Contracts to Garver; and
- § 8. WHEREAS, neither Cabbiness or Garver seek any amendments to the terms of The Contracts by reason of this assignment.



NOW, THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF THE NORMAN UTILITIES AUTHORITY, AS FOLLOWS:

- § 9. A substitution of Garver for Cabbiness in The Contracts under these circumstances is consistent with the underlying purposes of The Contracts and for the provision of the services that were retained upon evaluation of submissions pursuant to Requests for Proposal, and ensures the timely and competent completion of necessary City projects.
- § 10. Written approval is hereby given for the substitution of Garver for Cabbiness as “ENGINEER” in The Contracts.

PASSED AND ADOPTED this _____ day of _____, 2021.

Chair, Norman Utilities Authority

ATTEST:

Secretary, Norman Utilities Authority