

**RAILROAD FORCE ACCOUNT CONSTRUCTION
FUNDING AGREEMENT**

**BY AND BETWEEN THE CITY OF NORMAN
AND
THE OKLAHOMA DEPARTMENT OF TRANSPORTATION**

JP No.	Project No.	Description	Work Type
29261(05)	STP -214C (021) AG	BNSF FORCE ACCT WORK FOR SIGNAL/SURFACE PROJECT ON CEDAR ROAD IN NORMAN (AARDOT NO. 012 213U, MILE POST 405.4, REDROCK SUBDIVISION)	RAILROAD CROSSING IMPROVEMENT. & R/R SIGNALS

This agreement, made the day and year last written below, by and between the City of NORMAN, Oklahoma, hereinafter referred to as the CITY, and the Department of Transportation of the State of Oklahoma, hereinafter referred to as the DEPARTMENT, is for the following intents and purposes and subject to the following terms and conditions, to wit:

WHEREAS, the Board of Directors of the ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) has authorized the expenditure of allocated federal STP funds toward the construction of the above described eligible improvement for the CITY;

WHEREAS, the CITY requests the Department enter into an agreement with the BNSF Railroad Company to construct the referenced improvements;

NOW, THEREFORE, it is mutually agreed by the CITY and the DEPARTMENT that:

Based on the current estimated cost of \$542,878,
(Five-Hundred-Forty-Two-Thousand-Eight-Hundred-Seventy-Eight Dollars):

- 1) The DEPARTMENT, based on authorization from ACOG, agrees to utilize federal STP funds allocated to ACOG to provide 80% of the federally participating cost, currently estimated at \$434,302 (Four-Hundred-Thirty-Four-Thousand-Three-Hundred-Two Dollars).
- 2) The CITY agrees to provide 20% of the federally participating cost, currently estimated at \$108,576 (One-Hundred-Eight-Thousand-Five-Hundred-Seventy-Six Dollars), which shall be placed on deposit with the DEPARTMENT upon execution of this agreement.
- 3) The DEPARTMENT shall enter into an agreement with the Burlington-Northern Railroad Company to complete all work associated with this contract.
- 4) Progress payments will be made to the Burlington-Northern Railroad Company by the DEPARTMENT utilizing the federal and CITY funding resources defined in this agreement, upon receipt of documented claims associated with this work.
- 5) It is further understood and agreed by the CITY that no State funds have been allocated towards this project. Only the federal and CITY funds as defined above are to be used.

IN WITNESS WHEREOF, the Director of the Department of Transportation or his designee, pursuant to authority vested in him by the Transportation Commission, has hereunto subscribed his name as Director of the Department of Transportation, and the CITY has executed same pursuant to authority prescribed by law.

The City, on this ____ of _____, 20__, and the Department on the ____ day of _____, 20__.

The City of NORMAN, OKLAHOMA
an Oklahoma Municipal Corporation

Mayor

(SEAL)

ATTEST:

City Clerk

Approved as to Form and Legality:

City Attorney

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

Recommended for Approval:

Local Government Division

Director of Capital Programs

APPROVED AS TO FORM
AND LEGALITY

APPROVED

General Counsel

Deputy Director