



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-2021-33 ADD PMT**

**File ID:** K-2021-33 ADD PMT      **Type:** Request for Payment      **Status:** Consent Item

**Version:** 1      **Reference:** Item 34      **In Control:** City Council

**Department:** Public Works Department      **Cost:** \$309,648.68      **File Created:** 12/23/2020

**File Name:** ODOT Funding Agreement: Robinson West of I-35      **Final Action:**

**Title:** AUTHORIZATION FOR ADDITIONAL PAYMENT IN THE AMOUNT OF \$309,648.68 TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) UNDER CONTRACT K-2021-33, A PROJECT AGREEMENT WITH ODOT FOR THE CONSTRUCTION OF ROBINSON STREET WEST OF I-35 PROJECT. ODOT PROJECT NO. STP-214B (104) AG, JOB NO. 31506(04)

**Notes:** ACTION NEEDED: Motion to approve or reject an additional payment in the amount of \$309,648.68 to ODOT under Contract K-2021-33.; and if approved, authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 01/12/2021

**Agenda Number:** 34

**Attachments:** City Council Staff Report, ODOT Concurrence, ODOT Invoice, Preferred Alternative, Project Area Map, Exhibit A

**Project Manager:** Tim Miles, Capital Projects Engineer

**Entered by:** Brenda.Gomez@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-2021-33 ADD PMT

Body

**BACKGROUND:** Robinson Street, immediately west of Interstate 35, has been a concern of the City and Norman drivers for more than two decades. The high traffic volume on this segment of roadway, combined with the two closely-spaced signalized intersections at North Interstate Drive and Crossroads Boulevard / Rambling Oaks Drive, and the commercial driveways in close proximity to the signalized intersections, make this area one of the most congested in the City (see the attached Project Area Map).

Development of the University North Park (UNP) area, which is bordered by Robinson Street on the south, Tecumseh Road on the north, Interstate Highway 35 on the west, and the Max Westheimer Airport on the east has and will continue to add traffic to this already congested segment of roadway.

To help resolve the additional congestion from UNP, on August 22, 2006, City Council approved Contract K-0607-45 by and between the City of Norman and University Town Center L.L.C., regarding Development Agreement No. 1 for Initial Project Activities associated with traffic improvements needed to mitigate the additional traffic generated by the University North Park (UNP) development. The agreement stipulated that the improvements would be funded by the UNP Tax Increment Finance District (TIF). One of the related improvements associated with the projects listed in Exhibit "A" (see attached) of the above-mentioned contract is the modification of the Robinson Street interchange on the west side of Interstate 35.

On November 13, 2012, City Council approved Contract K-1213-50 with Garver Engineers in the amount of \$185,600 for Phase 1 of the interchange improvement project, which analyzed the Robinson Street corridor near Interstate 35 and recommended a preferred alternative that improves traffic flow on the west side of the interchange. This allowed Staff to develop a defined scope of work for the interchange improvements.

On July 22, 2014, City Council approved Amendment No. 1 to Contract K-1213-50 with Garver Engineers in the amount of \$38,450 expanding the analysis of the Robinson Street corridor to include the entire UNP area and surrounding transportation network, in essence, completing a new Traffic Impact Analysis (TIA) that used the latest traffic data and land use scenarios for the undeveloped portions of the UNP. The "I-35 at West Robinson Study" completed by Garver in March 2014 provided six different alternatives to the existing lane configuration to improve traffic flow on the Robinson Street Interchange on the west side of I-35. Upon review of the six alternatives, three were chosen for further refinement. The three were reviewed for operational and safety advantages and disadvantages and project cost. The preferred alternative, which will provide temporary relief until either the Robinson Street interchange is reconstructed or a new interchange at Rock Creek Road is built, relocates the intersection of North Interstate Drive with Robinson Street approximately 225 feet east of the current location and adds more traffic lanes on Robinson Street, between Crossroads Boulevard/Rambling Oaks Drive and North Interstate Drive (see Preferred Alternative drawing).

On November 25, 2014, City Council adopted resolution R-1415-57, requesting \$3,657,170 in federal transportation funds to fund 80% of the construction cost of the preferred alternative.

On April 14, 2015, City Council approved Amendment No. 1B to Contract K-1213-50 with Garver Engineers in the amount of \$59,800 for Phase B of the University North Park Traffic Impact Assessment.

In November, 2016, Staff submitted an application to the Association of Central Oklahoma Governments (ACOG) for inclusion of the project in the regional Transportation Improvement Plan, which made the project eligible for federal funds.

The preferred alternative was reviewed by the Oklahoma Department of Transportation (ODOT) because it impacts the Interstate 35 interchange at Robinson Street. On January 19, 2017 ODOT gave the City their concurrence with the preferred alternative (see the attached Concurrence Letter).

On March 14, 2017, City Council approved Amendment No. 2 to Contract K-1213-50 in the amount of \$394,225 with Garver Engineers for preliminary and final design services on the Robinson Street West of I-35 Project.

On August 25, 2020, City Council approved the following items for this project:

- ODOT funding agreement for the local share of the construction cost of the project, in the amount of \$1,003,014
- ODOT Right-of-Way and Utility Agreement
- Acceptance of three donated temporary driveway easements E-2021-17, E-2021-18 and E-2021-19.

**DISCUSSION:** On November 19, 2020, ODOT conducted the bid opening for the Robinson Street West of I-35 Project. Three bids were submitted with the low bid from Redlands Contracting, LLC of Warr Acres, Oklahoma, in the amount of \$5,025,867.62. This bid was 3.07%, or \$149,912.82, over ODOT's estimate of \$4,875,954.80. The second and third lowest bids came in at 11.17% and 11.23% or nearly \$400,000 over ODOT's estimate. City staff, Garver Engineers, and ODOT closely reviewed the three bids. In this case, we all believe the ODOT Estimator program used to generate the Engineer's Estimate underestimated the cost to construct this project due to the smaller construction phases of this project compared to most ODOT projects. The smaller phases increase construction costs because it takes more time to complete the same amount of work. On this project, small phases were necessary to minimize delays and keep traffic flowing through the Robinson Street corridor. After the thorough review, all parties determined that Redlands Contracting, LLC submitted a very good bid and recommended awarding the construction contract to the low bidder.

On December 7, 2020, the Oklahoma Transportation Commission awarded the construction contract in the amount of \$5,025,867.62 to Redlands Contracting, LLC.

ODOT submitted an invoice to the City of Norman for the current outstanding balance on this Robinson Street project in the amount of \$309,648.68. This invoice includes the City's share for the actual bid plus ODOT's estimated 6% of construction cost for Construction Management. Once the actual Construction Management fee is known, ODOT may send us another invoice if the fee exceeds the estimated amount. The City's federal fund cap for this project was \$4,012,056. Now that the federal share has been fully expended, all additional construction and construction management related costs will be paid at 100% by the City (UNP TIF). The attached invoice from ODOT shows the breakdown for the amount owed.

The total construction and construction management cost to date for the Robinson Street West of I-35 Project is \$5,324,719.68. ODOT's capped share is \$4,012,056. The City's local match is \$1,312,662.68 or 24.7% of construction and construction management costs. Funds to pay

the \$309,648.68 invoice are proposed to come from the two project construction accounts. \$301,060.77 is available in the University North Park TIF Fund, Street Widening-Intersection Improvements, Construction (Account Org 57595552, Object 46101; Project UT0011) and the remaining \$8,587.91 is proposed to come from the Capital Fund, Street Widening-Intersection Improvements, Construction (Account Org 50595552, Object 46101; Project TR0104). The City's share of these funds will be paid to ODOT, and ODOT will use these funds to pay Norman's share on invoices.

Construction is anticipated to begin on or before March 2021 and be completed in the fall of 2021.

**RECOMMENDATION:** Staff recommends authorization for additional payment in the amount of \$309,648.68 to ODOT under Contract K-2021-33 from the Project Construction Accounts.