

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN,
OKLAHOMA ASSIGNING CONTRACT K-1213-160 AND K-1213-165
WITH CABBINESS ENGINEERING, L.L.C., TO GARVER, L.L.C.,
AND ASSIGNING ALL RIGHTS AND DUTIES AS “CONSULTANT”
UNDER THE CONTRACTS TO GARVER, LLC.

- § 1. WHEREAS, Contract K-1213-160 concerns the City’s retention of Cabbiness Engineering, LLC (hereafter “Cabbiness”) to provide professional survey, design and analysis and engineering services for the City’s construction of roadway safety improvements to East Alameda Street from Ridge Lake Boulevard to 48th Avenue East; and
- § 2. WHEREAS, the Norman City Council approved Contract K-1213-160 on February 26, 2013; and
- § 3. WHEREAS, Contract K-1213-165 concerns the City’s retention of Cabbiness to provide professional survey, design, analysis and engineering services in connection with the City’s evaluation and development of a conceptual plan for the Porter Avenue and Acres Street Intersection Conceptual Study; and
- § 4. WHEREAS, The Norman City Council approved Contract K-1213-165 on February 26, 2013; and
- § 5. WHEREAS, the City Council voted to amend Contract K-1213-165 on July 11, 2017, and the City retained Cabbiness to provide general civil engineering services providing an Offset Centerline Design for the Porter/Acres intersection, including the development of drainage systems, utility corridors, required right-of-way and preparation of all necessary construction documents related to the same (“Amendment No. 1”); and
- § 6. WHEREAS, the City Council voted to amend Contract K-1213-165 again on September 10, 2019 and Cabbiness was retained to provide general civil engineering services for the Porter Avenue Streetscape – Phase I from the south side of Robinson Street to the north side of Hughbert Street (“Amendment No. 2”); and
- § 7. WHEREAS, the City Council voted to amend Contract K-1213-165 a third time on April 28, 2020, and the scope of Cabbiness’ retention to provide general civil engineering for the Porter Avenue Streetscape was expanded to include the remaining portion of the project from the southern limit of the Porter and Acres Intersection Bond Project, at approximately Gray Street, to Alameda Street (“Amendment No. 3”);



- § 8. WHEREAS, on December 18, 2020, Garver, LLC (“Garver”) purchased certain assets of Cabbiness, including but not limited to Contract K-1213-160 and K-1213-165 (including Amendment Nos. 1, 2, and 3, collectively “The Contracts”);
- § 9. WHEREAS, Cabbiness must obtain the City of Norman’s permission for an assignment of The Contracts to Garver; and
- § 10. 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 CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AS FOLLOWS:

- § 11. 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 a Request for Proposal, and ensures the timely and competent completion of necessary City projects.
- § 12. Written approval is hereby given for the substitution of Garver for Cabbiness as “CONSULTANT” in The Contracts.

PASSED AND ADOPTED this _____ day of _____, 2021.

Mayor

ATTEST:

City Clerk