



City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Text File

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Title

AMENDMENT NO. TWO TO CONTRACT NO. K-0708-54: A SUPPLEMENTAL AND MODIFICATION AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION ADJUSTING THE BUDGET AMOUNT FOR STATE-AID PROJECT NO. STP-114 E(199)EH, STATE JOB PIECE NO. 24554(04) FOR THE LEGACY TRAIL SOUTH EXTENSION ENHANCEMENT PROJECT.

ACTION NEEDED: Motion to approve or reject Amendment No. Two to Contract No. K-0708-54 with the Oklahoma Department of Transportation; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Body

BACKGROUND: In June, 2007, the Parks and Recreation Department was notified they had been awarded a Transportation Equity Act for the 21st Century (TEA-21) Grant from the Oklahoma Department of Transportation (ODOT) for the Legacy Trail South Extension Project. City Council, in its meeting of August 28, 2007, approved Contract No. K-0708-54 with ODOT accepting grant funding for the design services for the project in the amount of \$40,000 with the City contributing \$10,000 (20% share). The total project estimate was in the amount of \$400,000, which would include both design services and construction costs. Of this total, ODOT will reimburse 80% of the total funding (\$320,000), with the City paying for the 20% match (\$80,000). On December 23, 2008, City Council approved Contract No. K-0809-74 with C.H. Guernsey Company Engineers (Guernsey) for design services for the project. Since the ODOT grant is a reimbursement program, the City of Norman finances 100% of the project; of which 80% is reimbursed as it is requested and approved by the Special Projects Branch.

The preliminary design was completed and presented at a public meeting in March, 2009. After that meeting, there was a petition filed by the residents along Jenkins Avenue protesting the trail width along that section of the project. City Council, in its meeting of August 11, 2009, adopted Resolution No. R-1011-39 requesting permission from ODOT to change the project scope to reduce the size of the Jenkins Avenue portion of the project from 10 feet wide to 8 feet wide and this request was granted in October, 2010. During the Final plan review in 2011, the ODOT Special Projects Branch representatives suggested a final path width of 4 feet (the existing sidewalk width) for the Jenkins Avenue segment, as long as the Duffy Street and Asp Avenue segments remained at 10 feet wide. (See attached map).

DISCUSSION: During this process, additional design services were required from Guernsey. These were approved by ODOT, however they exceeded the amount estimated in the grant

application for Design Services by \$25,260 (\$20,496 of which is to be reimbursed to the City). By changing the width of the Jenkins Avenue segment, it was determined that adequate funding was available from the project's construction budget to pay for these additional design services costs. ODOT required an amendment to the original grant contract (Contract No. K-0708-54) be executed prior to reimbursement of any modified costs for the Design Services. That revision was done via Amendment No. 1 to the ODOT contract, which City Council approved in April, 2011. The original grant amount total of \$400,000 for design services and construction costs did not change.

The project is now in final review at ODOT. All Right-of-Way requirements and design modifications have been approved by ODOT; and they are now awaiting a federal authorization notice in order to release the funds for construction. However, the Construction contract cannot be sent out to bid without execution of Amendment No. Two to Contract No. K-0708-54, a Supplemental And Modification Agreement (attached), which decreases the total amount to be paid for Construction services from \$350,000 to \$324,380 for the project. ODOT's 80% share changes from \$280,000 to \$259,504; and the City's 20% share changes from \$70,000 to \$64,876. This will make the Construction Services budget match-up with the already-modified Design Services budget. The total grant amount for Design and Construction (\$400,000) does not change.

RECOMMENDATION: We are requesting approval of Amendment No. Two to Contract No. K-0708-54, a supplemental and modification agreement, with ODOT.