



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1314-137**

**File ID:** K-1314-137

**Type:** Contract

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 26

**In Control:** City Council

**Department:** Public Works  
Department

**Cost:**

**File Created:** 03/27/2014

**File Name:** Contract with ODOT for Main Street Bridge over  
Brookhaven Creek Project

**Final Action:**

**Title:** CONTRACT K-1314-137: A RIGHT-OF-WAY, PUBLIC UTILITY, AND ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR FEDERAL AID PROJECT STP-114C(255)AG, STATE JOB NO. 26836(04), FOR THE MAIN STREET BRIDGE OVER BROOKHAVEN CREEK CONSTRUCTION PROJECT AND ADOPTION OF RESOLUTION R-1314-119.

**Notes:** ACTION NEEDED: Motion to approve or reject Contract No. K-1314-147 with ODOT; and, if approved, adopt Resolution No. R-1314-119 and authorize execution of the contract and resolution.

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

**Agenda Date:** 04/22/2014

**Agenda Number:** 26

**Attachments:** Text File K-1314-137.pdf, K-1314-137 Right-of-Way and Utility Agreement with ODOT Main St. Bridge over Brookhaven Creek

**Project Manager:** John Clink, Capital Projects Engineer

**Entered by:** mallory.scott@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

### Text of Legislative File K-1314-137

Body

**BACKGROUND:** The existing West Main Street Bridge over Brookhaven Creek was constructed in 1972. The bridge is located between 36th Avenue S.W. and 48th Avenue S.W. This bridge is identified in the City's Storm Water Master Plan as being "hydraulically deficient" because the storm drainage facilities under the bridge are unable to convey the storm runoff produced by a ten-year (10%) storm, causing frequent flooding to the roadway and adjacent properties. This condition caused the bridge to sustain serious damage in the flood events on August 19, 2007 and July 26, 2013. Following both flood events, City crews made temporary emergency repairs to keep the bridge in service.

On January 27, 2009, the Norman City Council approved programming Resolution R-0809-96 requesting federal funds to replace the bridge and roadway approaches on West Main Street over Brookhaven Creek, located ½ mile west of 36th Avenue West. On August 11, 2009, City Council approved contract K-0910-56 with Garver, LLC for the preliminary design of this project. On June 11, 2010, Council approved Amendment No. 1 to the Garver contract for the final design of this project. On December 31, 2012, Council approved Amendment No. 2 to the Garver contract modifying the design of the creek improvements which reduced the number of mobile home relocations from nine to two.

On August 28, 2012, Norman voters approved a General Obligation Bond issue for eight major transportation/storm water projects throughout Norman in the amount of \$42.5 million. The West Main Street Bridge Project is one of those eight infrastructure projects. The total estimated cost of the project is \$4,138,407 of which federal transportation funds will pay \$1,585,000 or 38.3%. The remaining costs of \$2,553,407 of 61.7% will be paid with City bond funds.

**DISCUSSION:** Prior to purchasing right-of-way and relocating utilities, the Oklahoma Department of Transportation (ODOT) requires the City of Norman to enter into a Right of Way, Public Utility and Encroachment Agreement. The agreement stipulates that the City, at their own expense, will acquire all rights-of-way required for the project, grant ODOT access to and the use of the rights-of-way for this project, remove all encroachments and to indemnify and hold ODOT harmless.

Right-of-way will be required along West Main Street for the bridge and roadway improvements. Drainage easements will be required along Brookhaven Creek north and south of the bridge. Right-of-way plans for the roadway easements and the drainage easements have been approved, and ODOT has requested the City approve the attached agreement. The resolution and agreement have been prepared by ODOT and four (4) approved copies are needed for execution. Both the resolution and the agreement have been reviewed and approved by staff.

This Agreement initiates the right-of-way and easement procurement process. The City will evaluate the properties and make fair market value offers to the property owners to acquire all necessary rights-of-way and easements.

The West Main Street Bridge is currently scheduled to begin construction in the fall of 2015. Completion of the project is expected in the summer of 2016. The project will increase the traffic capacity of the bridge and reduce the potential for future flooding of the roadway and adjacent properties. In addition, a portion of West Main Street will be improved. Finally, improvements to Brookhaven Creek upstream and downstream of the bridge will protect neighborhoods from further erosion and flooding.

**RECOMMENDATION NO.1:** Staff recommends approval of Contract K-1314-137 with the Oklahoma Department of Transportation.

**RECOMMENDATION NO. 2:** Staff further recommends approval of Resolution R-1314-119 adopting Contract K-1314-137, and if approved, authorize the execution thereof.