



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1314-129

File ID: K-1314-129

Type: Contract

Status: Consent Item

Version: 1

Reference: Item No. 23

In Control: City Council

Department: Public Works
Department

Cost: \$108,576.00

File Created: 03/18/2014

File Name: Contract No. K-1314-129 with ODOT for the BNSF
Force Account Funding Agreement

Final Action:

Title: CONTRACT NO. K-1314-129: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR THE BURLINGTON NORTHERN SANTA FE RAILROAD COMPANY (BNSF) FORCE ACCOUNT FUNDING AGREEMENT IN THE AMOUNT OF \$108,576 AS A PART OF THE CEDAR LANE ROAD WIDENING PROJECT.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-129 with ODOT in the amount of \$108,576; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 04/08/2014

Agenda Number: 23

Attachments: Cedar Lane Location Map, Railroad Force Account
Funding Agreement

Project Manager: Josh Malwick, Capital Projects Engineer

Entered by: mallory.scott@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-1314-129

Body

BACKGROUND: On February 8, 2011, City Council approved engineering services Contract No. K-1011-135 with Cardinal Engineering Inc. for the design of the Cedar Lane Road Widening Project for \$350,630, or 3.5% of the total estimated project cost. The Cedar Lane Road Widening Project involves the construction of a new four-lane roadway that will include five foot bike lines on each side of the road. The project will also include improvements to 12th Avenue SE and 24th Avenue SE as they approach Cedar Lane Road, improvements to the Burlington Northern Santa Fe (BNSF) railroad crossing, and resurfacing of U.S. Highway 77 on the north and south sides of Cedar Lane Road. New traffic signalization of the 12th Avenue SE and Cedar Lane Road intersection will also help relieve traffic congestion at peak travel times during the day.

On November 22, 2011, the Norman City Council approved programming Resolution No. R-1112-60 requesting federal funds to widen Cedar Lane Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project including engineering design, acquisition of all necessary

rights-of-way and relocation of utilities and encroachments at 100% the City's cost. In return, the Association of Central Oklahoma Governments (ACOG), through ODOT, agrees to provide 80% of the construction cost estimated at \$6,231,280, and administration of the construction with the matching share from the City of Norman.

On August 28, 2012, the citizens of Norman voted in favor of a Bond Issue to finance the local share of eight transportation/storm water improvement projects. One of the eight 2012 bond projects is the Cedar Lane Road Widening Project (see the attached location map showing the project boundaries).

On April 23, 2013, City Council approved Contract No. K-1213-183, a Right-of-Way and Utility Agreement with ODOT for the construction of the Cedar Lane Road Widening Project. This agreement requires the City to acquire right-of-way and relocate utilities for this project. All necessary right-of-way has been acquired and all of the existing utility systems have been relocated.

On February 11, 2014, City Council approved Contract No. K-1314-113, a contract with ODOT and Contract No. K-1314-117, a 3-party agreement between the City, ODOT, and BNSF Railroad Company. The approval of both contracts allowed bids to be taken for the project.

DISCUSSION: The BNSF Railroad Crossing will be improved as a part of the Cedar Lane Road Widening Project. The proposed improvements will fulfill the requirements of a Quiet Zone at Grade Crossing which will include:

- A center median on both sides of the railroad
- Safety gates with signals for each driving lane
- Concrete crossing panels
- Elevated roadway approach grade

All work related to the railroad crossing will be completed by a BNSF workforce except for the elevated roadway approach grade which will be constructed by the roadway contractor.

The three-party agreement between the City of Norman, ODOT and BNSF Railroad was approved by City Council on February 11, 2014, describing the responsibilities of each entity involved in the Cedar Lane Road Widening Project. While the three-party agreement did include the estimated cost of the railroad improvements, it did not define the 80/20 funding split between ODOT and the City of Norman. The attached Railroad Force Account Construction Funding Agreement between the City of Norman and ODOT addresses the funding distribution.

Similar to the ODOT Construction Agreement, the railroad work to be completed as a part of this project is funded 80% by ODOT and 20% by local funds. ODOT has billed the City for the local matching share. BNSF has estimated the total cost of improving their facilities at \$542,878. ODOT's estimated share is \$434,302 and the local match is \$108,576.

Funds are available to cover the City of Norman's portion of the railroad crossing costs in the project Construction account (account 050-9079-431.61-01; project BP0196).

RECOMMENDATION: Staff recommends approval of Contract No. K-1314-129 between the City of Norman and ODOT for the BNSF Force Account Agreement on the Cedar Lane Road Widening Project.