



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1617-71**

**File ID:** K-1617-71

**Type:** Contract

**Status:** Consent Item

**Version:** 1

**Reference:** Item 24

**In Control:** City Council

**Department:** Public Works  
Department

**Cost:**

**File Created:** 10/10/2016

**File Name:** Right-of-Way and Utility Agreement with ODOT for  
Main Street Streetscape Project

**Final Action:**

**Title:** CONTRACT K-1617-71: 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-114A(141)AG, STATE JOBS 22139(04)(INTERSECTION MODIFICATIONS & TRAFFIC SIGNALS) AND STP-114E(299)EH, 28810(04) (ENHANCEMENT) FOR THE MAIN STREET STREETSCAPE PROJECT FROM PARK DRIVE TO JAMES GARNER AVENUE AND ADOPTION OF RESOLUTION R-1617-42

**Notes:** ACTION NEEDED: Motion to approve or reject Contract K-1617-71 with ODOT; and, if approved, adopt Resolution R-1617-42, and authorize the execution of the contract and resolution.

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

**Agenda Date:** 10/25/2016

**Agenda Number:** 24

**Attachments:** K-1617-71

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

**Entered by:** rachel.warila@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File K-1617-71

body

**BACKGROUND:** The 2015 - Fixing America's Surface Transportation Act (FAST) federal transportation funding bill allocates federal funds for the implementation of eligible transportation enhancement projects in the State of Oklahoma.

Growing concerns about air quality, open space, and traffic congestion led Congress to create several programs through legislation in the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA). These programs broaden the federal focus on transportation from building highways to funding projects tied to smarter planning requirements that help ensure communities are more "livable". At the center of that focus about transportation, growth, and quality of life is the Transportation Enhancement Program.

With the passage of the Transportation Equity Act for the 21st Century (TEA-21), and its successors, the Safe,

Efficient, Flexible, Effective Transportation Equity Act: a Legacy for the User (SAFETEA-LU), the 2012 - Moving Ahead for Progress in the 21st Century (MAP-21), and the current 2015 - FAST Act, Congress continues to reaffirm its commitment to the original concepts established under ISTEA. Like its predecessors, the new legislation continues to provide a catalyst for stimulating activities which go beyond traditional transportation projects.

Transportation Enhancements (TE) activities offer communities funding opportunities to help expand transportation choices, such as safe bicycle and pedestrian facilities, scenic routes, beautification, and other investments that increase recreation opportunity and access. Communities may also use TE funds to contribute toward the revitalization of local and regional economies by restoring historic buildings, renovating streetscapes, or providing transportation museums and visitors centers.

Federal funds available under the Enhancement Program may be used for a maximum of eighty percent (80%) of the eligible project costs, capped at \$600,000 per project. Successful applicants must agree to provide a minimum of twenty percent (20%) of the total project costs. Federal and State Agencies, along with Tribal, County, and Local Governments, are eligible and can apply for the funds.

On August 26, 2010, Council's Planning and Transportation Committee was briefed on the program's 11th Biennial Application Cycle that is administered by the Oklahoma Department of Transportation (ODOT), and recommended that the following two projects be pursued:

1. Downtown Main Street Streetscape Improvement Project (West End) from University Boulevard to James Garner Avenue, which consists of streetscape, cobblestone paving bands, street furniture, decorative lighting upgrade, stamp and colored asphalt, sidewalks and accessible ramps.
2. Legacy Trail Extension along 24th Avenue NW and 36th Avenue NW, which consists of a ten-foot wide paved path for pedestrians and bicyclists that will ultimately connect the Downtown area and University of Oklahoma Main Campus to the Ruby Grant Park in NW Norman.

On September 7, 2010, City Council met in Study Session and accepted the recommendations of the Planning and Transportation Committee, directing staff to proceed with the formal application process.

On September 28, 2010, City Council adopted Resolution R-1011-36 supporting the use of federal surface transportation enhancement program funds for the Downtown Main Street Improvement (West End) and the Legacy Trail Extension along 24th Avenue NW and 36th Avenue NW projects, and directed staff to submit formal applications to ODOT.

On September 9, 2014, ODOT informed the City of Norman that the Downtown Main Street Streetscape Improvement (West End) and the Legacy Trail Extension along 24th Avenue NW and 36th Avenue NW projects were among the statewide projects selected for inclusion in their latest Transportation Enhancement Program plan.

In July 2015, the Public Works Department evaluated the qualifications of the thirty-two ODOT pre-qualified engineering firms available for the design of transportation enhancement projects and selected three for further consideration (Cabbiness Engineering, LLC, R. L. Shears Company, PC, and Landplan Consultants, Inc.).

On July 30, 2015, interviews were conducted and R. L. Shears Company, P.C of Tulsa was selected as the most suited firm to design the Main Street Streetscape project.

On November 24, 2015, City Council approved Contract K-1516-75 with R. L. Shears Company in the amount of \$190,715.50 for design services on the Main Street Streetscape Project.

On September 27, 2016, City Council met in Study Session to discuss the final design, budget, and schedule for the Main Street Streetscape Project.

Proposed improvements for the Main Street Streetscape Project include:

1. Landscaping with irrigation system;

2. Sidewalks with cobblestone paving band;
3. Curb replacements;
4. Street furniture installation;
5. Decorative LED lighting upgrade;
6. Traffic signal fiber optic interconnect upgrade;
7. Illuminated street signs;
8. Pavement mill and overlay with pavement markings;
9. Stamped and colored asphalt at intersections;
10. ADA ramps and landings;
11. Stepped curbs;
12. Water line main upgrade from 12" to 16" and service connections;
13. Minor drainage improvements.

This project is anticipated to begin in March 2017 and to be completed in November 2017. The estimated cost of the project is \$3,477,859, of which \$2,208,823 will be paid with City Capital funds, \$1,194,036 with federal transportation grants and \$75,000 with local private contributions.

**DISCUSSION:** Prior to purchasing right-of-way and relocating utilities, ODOT requires the City of Norman to enter into the above mentioned agreement. The agreement stipulates that the City will acquire all rights-of-way required for the project, grant ODOT access to and the use of the right-of-way for this project, remove all encroachments and to indemnify and hold ODOT harmless.

Five (5) easements are needed from four parcels along Main Street between Park Drive and University Boulevard for the construction of sidewalks and driveways for the proposed project. Right-of-way plans have been approved by ODOT and they have requested the City approve the attached agreement. The resolution and agreement have been prepared by ODOT and four (4) approved copies are needed for their execution. Both the resolution and the agreement have been reviewed by staff. This agreement is being completed concurrently with the right-of-way and easement procurement process. The easements are separate items on the agenda.

**RECOMMENDATION:** Staff recommends approval of Contract K-1617-71 with the Oklahoma Department of Transportation and approval of Resolution R-1617-42 adopting Contract K-1617-71.