

PROJECT

MAINTENANCE AGREEMENT

FOR

FEDERAL AID PROJECT NO. IM-NHIY-0035-2(289)109

JOB PIECE NO. 09031(08)

INSTALLATION OF HIGHWAY LIGHTING ALONG I-35 & MAIN STREET

IN

CLEVELAND COUNTY

BY AND BETWEEN

THE CITY OF NORMAN

AND

THE OKLAHOMA DEPARTMENT OF TRANSPORTATION

AGREEMENT

This AGREEMENT, made the day and year last written below, by and between the City of Norman, hereinafter referred to as the CITY, and the Department of Transportation of the State of Oklahoma, hereinafter referred to as the DEPARTMENT, for the following intents and purposes and subject to the following terms and conditions, to wit:

WITNESSETH:

WHEREAS, the receipt of the benefits of this project will require that the CITY assume certain financial obligations; and

WHEREAS, the City is a municipal corporation and charter city created and existing under the constitution and laws of Oklahoma; and

WHEREAS, the laws and constitution of the State of Oklahoma impose fiscal limitations on the City and its ability to agree to financial obligations; and

WHEREAS, the PARTIES hereto recognized those fiscal limitations and agree that the financial obligations assumed by the City by the terms of this Agreement are enforceable only to the extent as may be allowed by law or as may be determined by a court of competent jurisdiction; and

WHEREAS, it is understood that, by virtue of the Oklahoma Constitution Article 10 section 26, the payment of the CITY funds in the future will be limited to appropriations and available revenues in the then-current CITY fiscal year.

NOW THEREFORE, subject to the limitations herein before described, the DEPARTMENT and the CITY do agree as follows:

THAT the DEPARTMENT proposes to make certain traffic improvements as allowed by the Oklahoma Transportation Commission at their meeting of August 2004, authorizing State apportioned Federal Aid Project funds for participation in the project for traffic improvements in the City of Norman designated as Federal-aid Surface Transportation Project IM-NHIY-0035-2(289)109, Job Piece No. 09031(08) consisting of the actual traffic improvements as follows:

1. Highway lighting along I-35 & Main Street.
2. Underpass lighting at Main St. & I-35.

All construction is to be in accordance with the plans and by reference made a part of this AGREEMENT. Such plans are to be in accordance with the Oklahoma Standard Specifications for Highway Construction, Edition of 2009 and current updates.

It is the policy of the Oklahoma Department of Transportation to assure compliance with Title VI of the Civil Rights Act of 1964, and the City hereby agrees it will comply with Title VI of the Civil Rights Act of 1964 which requires that no person in the United States shall on the grounds of race, color, religion, sex, disability, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Federal Financial Assistance is received. NOW, THEREFORE, the parties hereto mutually agree as follows:

1. The DEPARTMENT agrees to provide the design engineering, plans and specifications.
2. The DEPARTMENT shall require the contractor who may be awarded the project to meet all Oklahoma Department of Environmental Quality (ODEQ) requirements for storm water runoff on this project. It is agreed that the project plans and specifications, required schedules for accomplishing the temporary and permanent erosion control work, the storm water management plan (SWMP) sheet, and appropriate USGS topographic map contained in the plans constitute the storm water management plan for the project described previously in this document. Further, if required, the DEPARTMENT shall require the contractor to file a Notice of Intent (NOI) for Storm Water Discharges Associated with CONSTRUCTION ACTIVITY under the OPDES General Permit with the Oklahoma Department of Environmental Quality which authorizes the storm water discharges associated with construction activity from the construction site and to develop if required a Stormwater Pollution Prevention Plan (SWPPP).

3. The CITY shall by resolution, duly authorize the execution of this AGREEMENT by proper officials, and attach copies of such resolution to this AGREEMENT.
4. It is understood and agreed that the roadway improvements and all devices specified herein shall not be altered, removed, or cease to be operative without mutual written consent of the Department and the City.
5. Upon completion of the installation specified herein, the CITY shall, thereafter at its own expense, maintain and operate the following highway lighting equipment:
 - a. Single median lights no. 1-27 (SEE EXHIBIT 'A').
 - b. Underpass lights at Main St. & I-35 (SEE EXHIBIT 'B').
6. The CITY hereby agrees to periodically review the adequacy of the aforesaid project to insure the safety of the traveling public and should the CITY determine that further modification or improvement be required, the CITY shall take such actions as are necessary to make such modification or improvement. When maintenance and/or operational modifications are required which in the opinion of the DEPARTMENT exceed the capabilities of the CITY's staff, the CITY agrees to retain, at the sole expense of the CITY, competent personnel for the purpose of bringing the improvement up to the proper standard of operation.
7. In the event that any hardware installed hereunder is no longer needed for the purposes designated herein, then the hardware installed hereunder shall not be removed by the CITY to any point other than that which is approved by the DEPARTMENT prior to such removal.
8. Upon completion of the aforesaid project, the CITY hereby specifically agrees that the CITY assumes any and all financial obligation for the operation of the aforesaid project.

IN WITNESS WHEREOF, the Deputy Director of the Department of Transportation, pursuant to authority vested in him by the Transportation Commission, has hereunto subscribed his name as Deputy Director of the Department of Transportation, and the CITY has executed same pursuant to authority prescribed by law.

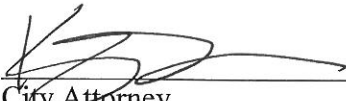
The CITY on the ____ day of _____, 20____ and the STATE on
the ____ day of _____, 20____.

CITY OF NORMAN, OKLAHOMA

BY: _____
Mayor

ATTEST:

REVIEWED FOR FORM AND LEGALITY

BY: _____
City Attorney

City Clerk
Title

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

By: _____
Deputy Director

REVIEWED FOR FORM AND LEGALITY

BY: _____
General Counsel

BY: _____
Division Engineer

LIGHTING LEGEND

NO.	DESCRIPTION	DATE

CONST. 1-1/4" GALV. STL. ELECT. CONDUIT EXPOSED
WITH TWO NO. 4 AWG CONDUCTORS
(UNLESS OTHERWISE SPECIFIED)



CONST. SIZE 1 PULL BOX



EXISTING SERVICE POLE

CONST. 2" ELECT. CONDUIT PUSHED OR BORED
WITH TWO NO. 4 AWG CONDUCTORS
(UNLESS OTHERWISE SPECIFIED)



CIRCUIT IDENTIFICATION

CONST. 2" PVC ELECT. CONDUIT TRENCHED
WITH TWO NO. 4 AWG CONDUCTORS
(UNLESS OTHERWISE SPECIFIED)



ITEM IDENTIFICATION

CONST. 100W HPS LUMINAIRE, 36' MTG. HT. POLE
BREAKAWAY BASE AND FOOTING



HIGH MAST TOWER
ITEM IDENTIFICATION

CONST. TWIN TENON MOUNTED 250W HPS
LUMINAIRE, SPECIAL 36' MTG. HT. BARRIER
MOUNTED OVALIZED POLE WITH FOOTING



END OF ELECTRIC CIRCUIT
(CONDUCTORS TAPED)

8" 8"x 6" JUNCTION BOX



CONST. 100 WATTS UNDERPASS LUMINAIRE

CONST. HIGH MAST TOWER

EXISTING LIGHT
POLE

ITEM NO. ①
STA. 205+00

ITEM NO. ③
STA. 201+00

ITEM NO. ⑤
STA. 197+00

ITEM NO. ⑦
STA. 195+50

ITEM NO. ⑧
STA. 195+00

CONNECT NEW 2" CONDUIT
TO EXISTING CONDUIT.

EXISTING LIGHT
POLE

ITEM NO. ②
STA. 203+00

ITEM NO. ④
STA. 199+00

ITEM NO. ⑥
STA. 195+50

209+00

205+00

200+00

195+00

EXHIBIT 'A'

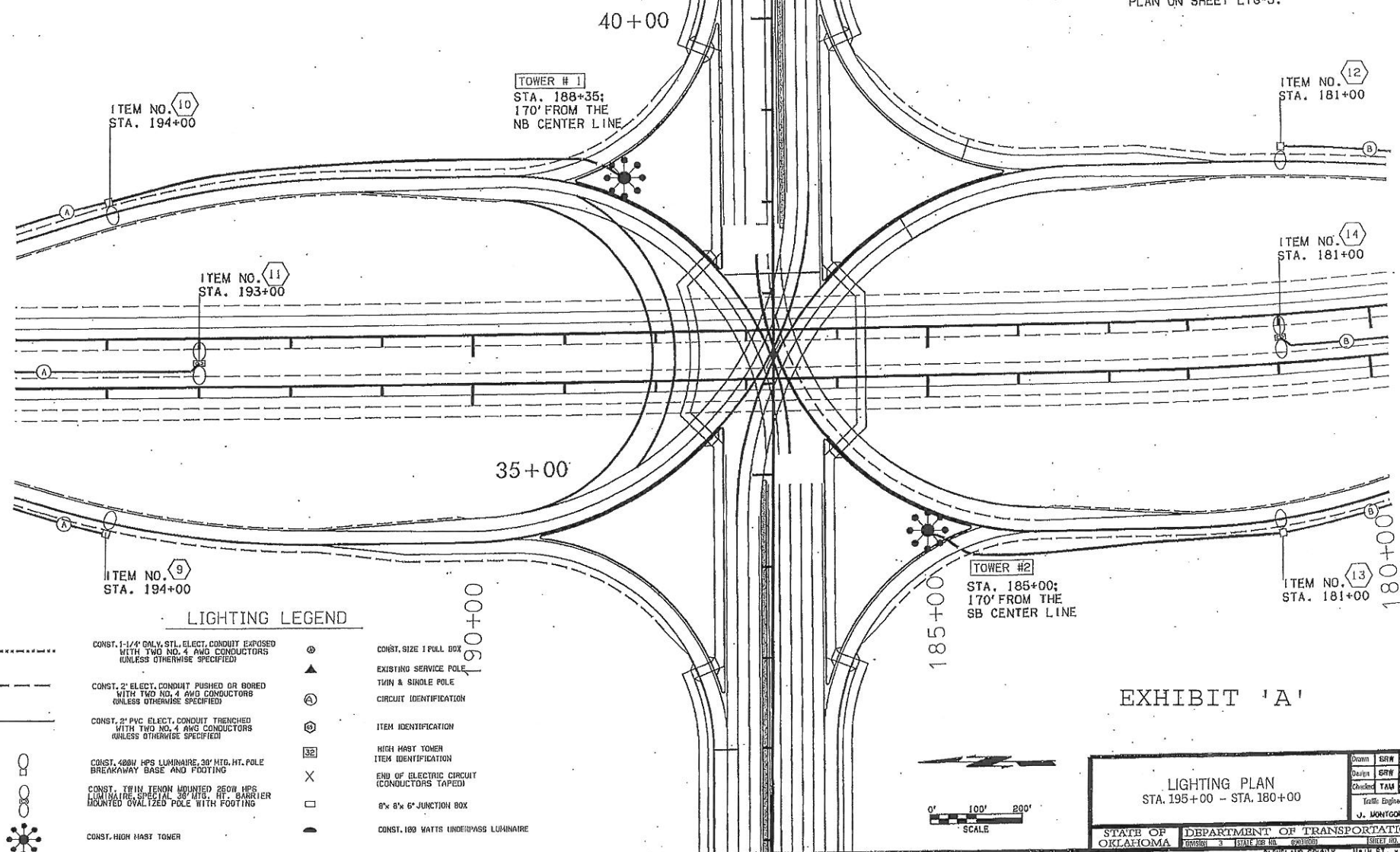
0' 50' 100'
SCALE

LIGHTING PLAN
STA. 209+00 - STA. 195+00

STATE OF OKLAHOMA	DEPARTMENT OF TRANSPORTATION
DESIGN 3	STATE JOB NO. 00000000
CHECKED TAM	DATE 08/18
J. MONTGOMERY	TRAFFIC ENGINEERING
CLEVELAND COUNTY	MAIN BY 1-35

K-1213-156

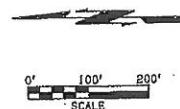
NOTES:
SEE ENLARGE SCALE PLAN
FOR UNDERPASS LIGHTING
PLAN ON SHEET LTG-5.



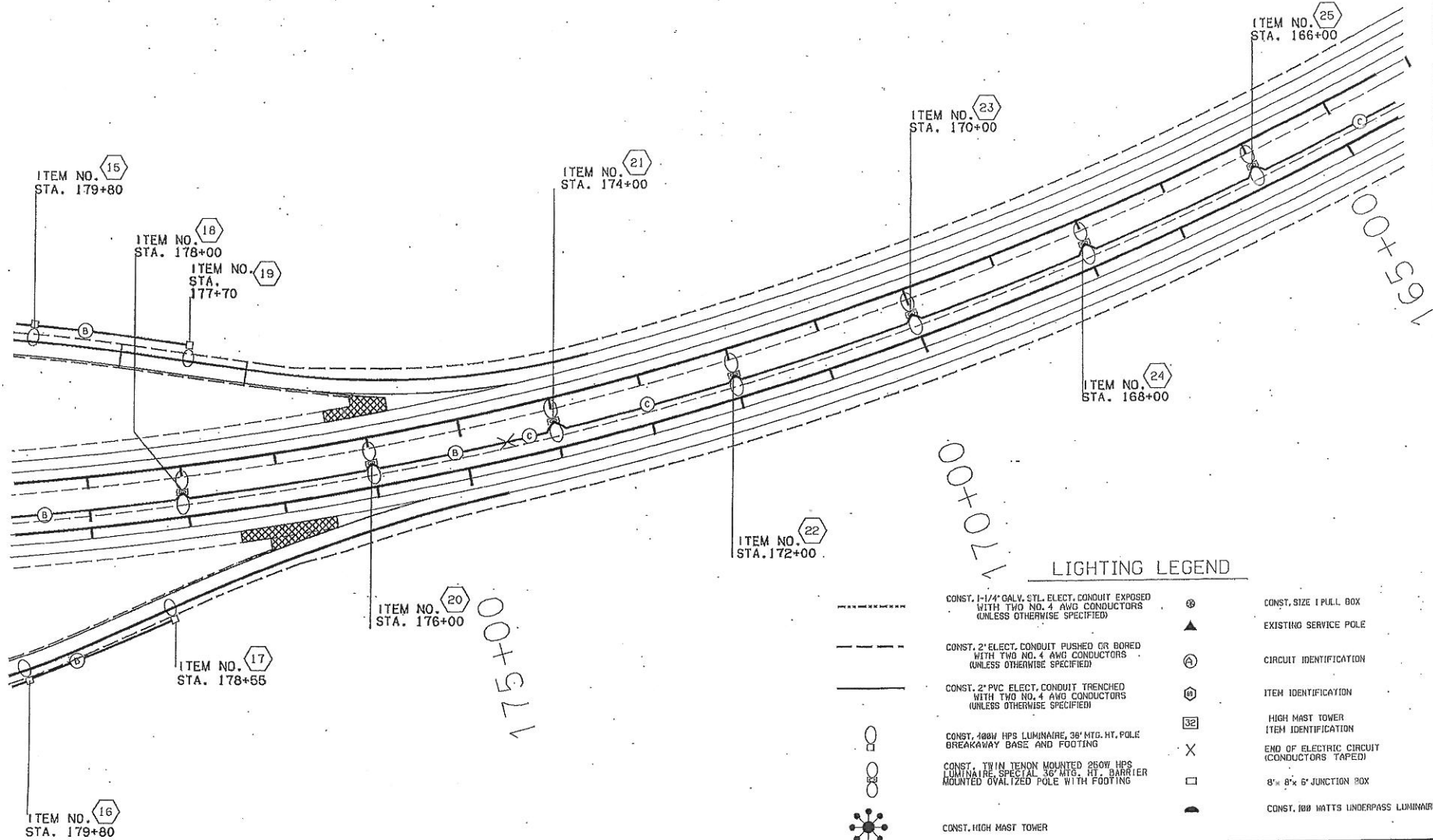
LIGHTING LEGEND

-----	CONST. 1-1/4" GALV. STL. ELECT. CONDUIT EXPOSED WITH TWO NO. 4 AWG CONDUCTORS (UNLESS OTHERWISE SPECIFIED)	⊙	CONST. SIZE 1 PULL BOX
----	CONST. 2" ELECT. CONDUIT PUSHED OR BORED WITH TWO NO. 4 AWG CONDUCTORS (UNLESS OTHERWISE SPECIFIED)	▲	EXISTING SERVICE POLE
---	CONST. 2" PVC ELECT. CONDUIT TRENCHED WITH TWO NO. 4 AWG CONDUCTORS (UNLESS OTHERWISE SPECIFIED)	Ⓐ	TWIN & SINGLE POLE
○	CONST. 480W. HPS LUMINAIRE, 30' HIG. HT. POLE BREAKAWAY BASE AND FOOTING	⊕	CIRCUIT IDENTIFICATION
⊕	CONST. TWIN TEMON MOUNTED 260W. HPS LUMINAIRE, SPECIAL 38' MTG. HT. BARRIER MOUNTED OVALIZED POLE WITH FOOTING	⊞	ITEM IDENTIFICATION
⊞	CONST. HIGH MAST TOWER	32	HIGH MAST TOWER
⊞		X	ITEM IDENTIFICATION
⊞		□	END OF ELECTRIC CIRCUIT (CONDUCTORS TAPED)
⊞		□	8'x 8'x 6" JUNCTION BOX
⊞		⬤	CONST. 100 WATTS UNDERPASS LUMINAIRE

EXHIBIT 'A'

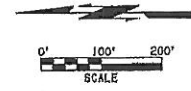


LIGHTING PLAN STA. 195+00 - STA. 180+00		Drawn SRW 04/18
STATE OF OKLAHOMA		Checked SRW 04/18
DEPARTMENT OF TRANSPORTATION		Checked TAM 04/18
DIVISION 3 STATE JOB NO. 0401000		Traffic Engineering J. MONTGOMERY
CLEVELAND COUNTY		SHEET NO. 11-2



LIGHTING LEGEND

- | | | | |
|-------|--|---|--|
| ----- | CONST. 1-1/4" GALV. STL. ELECT. CONDUIT EXPOSED WITH TWO NO. 4 AWG CONDUCTORS (UNLESS OTHERWISE SPECIFIED) | ⊗ | CONST. SIZE 1 PULL BOX |
| ----- | CONST. 2" ELECT. CONDUIT PUSHED OR BORED WITH TWO NO. 4 AWG CONDUCTORS (UNLESS OTHERWISE SPECIFIED) | ▲ | EXISTING SERVICE POLE |
| ----- | CONST. 2" PVC ELECT. CONDUIT TRENCHED WITH TWO NO. 4 AWG CONDUCTORS (UNLESS OTHERWISE SPECIFIED) | Ⓢ | CIRCUIT IDENTIFICATION |
| ○ | CONST. 100W HPS LUMINAIRE, 30' MTG. HT. POLE BREAKAWAY BASE AND FOOTING | Ⓢ | ITEM IDENTIFICATION |
| ○ | CONST. TWIN TENON MOUNTED 250W HPS LUMINAIRE SPECIAL 30' MTG. HT. BARRIER MOUNTED OVALIZED POLE WITH FOOTING | Ⓢ | HIGH MAST TOWER |
| ⊗ | CONST. HIGH MAST TOWER | Ⓢ | ITEM IDENTIFICATION |
| ⊗ | CONST. 100 WATTS UNDERPASS LUMINAIRE | X | END OF ELECTRIC CIRCUIT (CONDUCTORS TAPED) |
| ⊗ | CONST. 100 WATTS UNDERPASS LUMINAIRE | □ | 8" x 8" x 6" JUNCTION BOX |
| ⊗ | CONST. 100 WATTS UNDERPASS LUMINAIRE | ⊗ | CONST. 100 WATTS UNDERPASS LUMINAIRE |



LIGHTING PLAN		Drawn	
STA. 185+00 - STA. 165+95		BRW	06/12
		BRW	06/12
		YAM	06/12
		J. MONTGOMERY	
STATE OF OKLAHOMA		DEPARTMENT OF TRANSPORTATION	
DIVISION 5		CIVIL ENGINEERING	
CLEVELAND COUNTY		SHEET NO. 11-3	

EXHIBIT 'A'

LIGHTING LEGEND

-----	CONST. 1-1/4" GALV. STL. ELECT. CONDUIT EXPOSED WITH TWO NO. 4 AWG CONDUCTORS (UNLESS OTHERWISE SPECIFIED)	⊗	CONST. SIZE 1 PULL BOX
-----	CONST. 2" ELECT. CONDUIT PUSHED OR DORED WITH TWO NO. 4 AWG CONDUCTORS (UNLESS OTHERWISE SPECIFIED)	▲	EXISTING SERVICE POLE
-----	CONST. 2" PVC ELECT. CONDUIT TRENCHED WITH TWO NO. 4 AWG CONDUCTORS (UNLESS OTHERWISE SPECIFIED)	⊕	CIRCUIT IDENTIFICATION
○	CONST. 400W HPS LUMINAIRE, 38' MTG. HT. POLE BREAKAWAY BASE AND FOOTING	⊗	ITEM IDENTIFICATION
○	CONST. TWIN TENON MOUNTED 260W HPS LUMINAIRE, SPECIAL 36' MTG. FT. BARRIER MOUNTED OVALIZED POLE WITH FOOTING	⊗	HIGH MAST TOWER ITEM IDENTIFICATION
⊗	CONST. HIGH MAST TOWER	X	END OF ELECTRIC CIRCUIT (CONDUCTORS TAPED)
		□	6" 8" 6" JUNCTION BOX
		⬤	CONST. 180 WATTS UNDERPASS LUMINAIRE

ITEM NO. 26
STA. 164+00

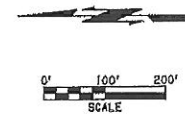
ITEM NO. 27
STA 162+00

150+00

155+00

160+00

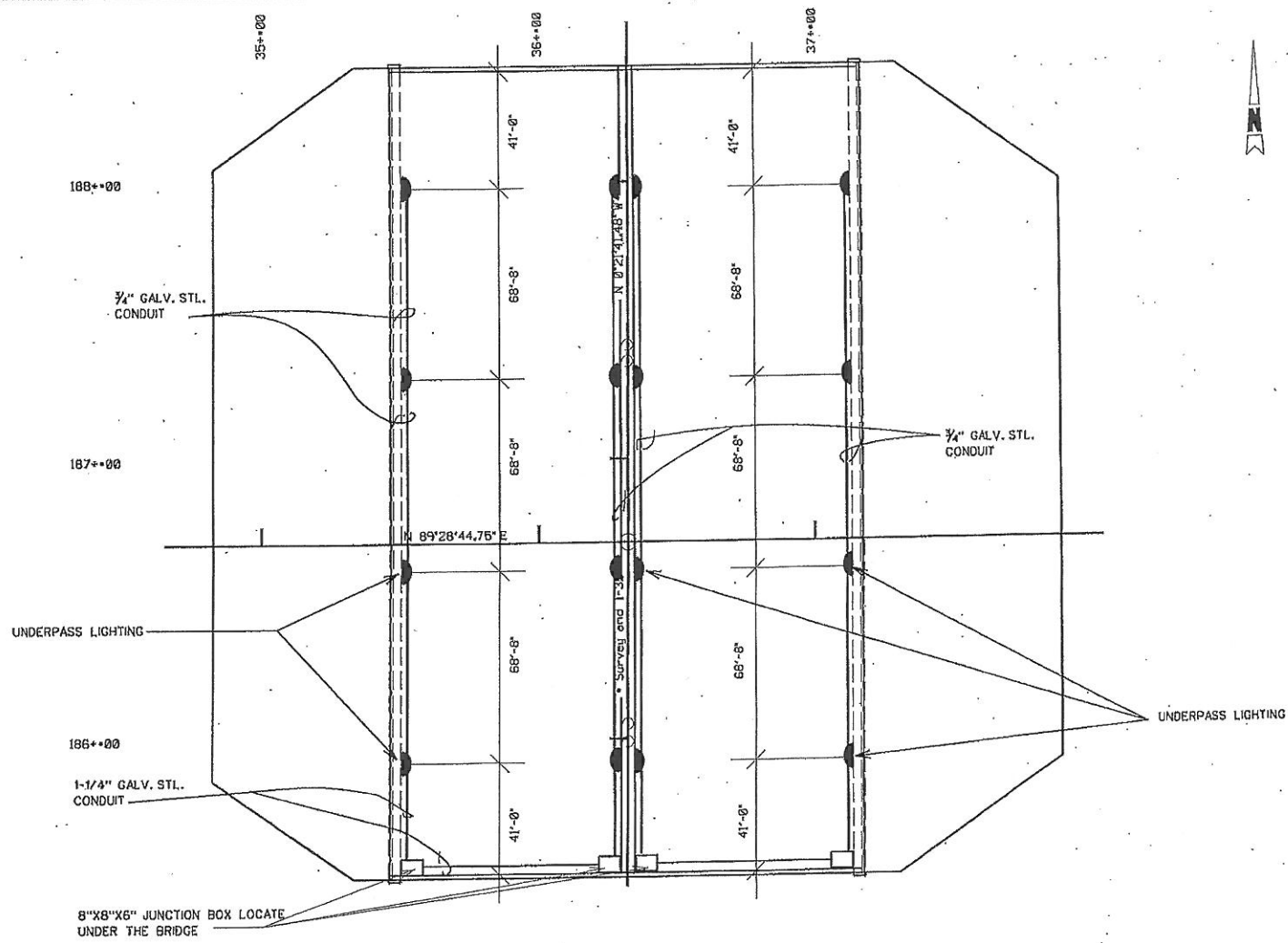
EXHIBIT 'A'



LIGHTING PLAN
STA. 165+95 - STA. 153+00

STATE OF OKLAHOMA	DEPARTMENT OF TRANSPORTATION	Division 3	STATE JOB NO. 1540000	SECTION 11.4
		CLEVELAND COUNTY DATA 611 - 1-35		

K-1213-156



UNDERPASS LIGHTING PLAN

EXHIBIT 'B'

UNDERPASS LIGHTING PLAN (MAIN ST. & I-35)		Drawn: BRW 08/12 Design: BRW 08/12 Checked: TAW 08/12 Traffic Engineering: J. MONTGOMERY
STATE OF OKLAHOMA	DEPARTMENT OF TRANSPORTATION DIVISION 3 (STATE HIGHWAY DESIGN)	SHEET NO. 11-5 CLEVELAND COUNTY MAIN ST. & I-35

RESOLUTION NO. 1213-94

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF NORMAN, OKLAHOMA:

THAT, WHEREAS it is in the best interest of the City of Norman, Oklahoma, to execute that certain Project Agreement for Federal-aid Project No. IM-NHIY-0035-2(289)109, J/P # 09031(08) by and between the City of Norman and the Oklahoma Department of Transportation;

NOW, THEREFORE, it is hereby resolved that the Mayor is hereby authorized and directed to execute the above described agreement on behalf of the City of Norman, and duly signed by the Mayor on this _____ day of _____, _____.

City of Norman

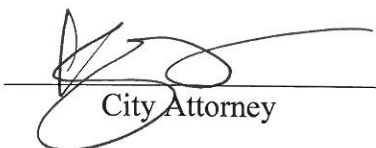
By

Mayor

ATTEST:

City Clerk

Approved as to form and legality this 20 day of February, 2013



City Attorney