



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1617-105 AMD#2**

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<b>File ID:</b> K-1617-105 AMD#2	<b>Type:</b> Contract	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item 30	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b> \$5,675.00	<b>File Created:</b> 03/05/2021
<b>File Name:</b> Amendment No. 2 to Contract for James Garner Avenue Project from Acres to Flood		<b>Final Action:</b>

**Title:** AMENDMENT NO. TWO TO CONTRACT K-1617-105: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, AND GARVER ENGINEERING, AS SUCCESSOR TO CABBINESS ENGINEERING, L.L.C.; INCREASING THE CONTRACT AMOUNT BY \$5,675 FOR A REVISED CONTRACT AMOUNT OF \$434,950 TO PROVIDE ADDITIONAL PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE JAMES GARNER AVENUE PROJECT FROM ACRES STREET TO FLOOD AVENUE.

**Notes:** ACTION NEEDED: Acting as the City Council and Norman Municipal Authority, motion to approve or reject Amendment No. Two to Contract K-1617-105 with Garver, L.L.C., as successor to Cabbiness Engineering, L.L.C., increasing the contract amount by \$5,675 for a revised contract amount of \$434,950; and, if approved, authorize the execution thereof.

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

**Agenda Date:** 03/23/2021

**Agenda Number:** 30

**Attachments:** Amendment, Location Map

**Project Manager:** Paul D'Andrea, Capital Project

**Entered by:** cydney.karstens@normanok.gov

**Effective Date:**

### History of Legislative File

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Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File K-1617-105 AMD#2

Body

**BACKGROUND:** On November 8, 2016, the Norman City Council approved programming Resolution R-1617-49 requesting federal funds to widen James Garner Avenue from Acres

Street to Flood Avenue. This Resolution states the City's commitment to adhere to the terms and conditions of a federally funded project. Through the Association of Central Oklahoma Governments (ACOG), the Oklahoma Department of Transportation (ODOT) agrees to provide 80% of the cost of construction with a 20% matching share from the City of Norman. In order to receive the federal funding, the City of Norman is required to enter in an agreement with ODOT to complete the design, acquire all rights-of-way and relocate existing utilities/encroachments at City's cost.

This Norman Forward street improvement project will create a new entry into downtown and will help alleviate traffic on both Flood Avenue and Porter Avenue.

On March 14, 2017, the Norman City Council approved the design contract (K-1617-105) with Cabbiness Engineering, for the James Garner Avenue project from Acres Street to Flood Avenue, and Cabbiness began preliminary design for the project.

On August 27, 2019 the Norman City Council approved Contract Amendment No. One for contract K-1617-105 in the amount of \$2,275 for the design of the James Garner Avenue Project from Acres Street to Flood Avenue.

**DISCUSSION:** Upon completion of preliminary plans, it was determined that the City of Norman is in ownership of all required rights-of-way for the James Garner Phase 2-Acres Street to Flood Avenue project, except for a single parcel located along the BNSF Railroad right-of-way. A portion of this parcel is required to accommodate the new James Garner Extension.

Since beginning design on this project, the NMA has been informed that Cabbiness Engineering has merged with Garver, LLC, and therefore that Cabbiness requests that the NMA approve the transfer of this contract to Garver, LLC for completion of the project. Garver, LLC has in-house right-of-way acquisition services. By amending this particular design contract to include right-of-way acquisition services, the City gains the advantage of having a single contractor handling both the design and acquisition of the remaining required parcel.

The NMA's approval of assignment of this contract from Cabbiness to Garver is brought by separate resolution, Resolution No. R-2021-109, for consideration concurrently with this Amendment No. 2. If this Amendment No. 2 is approved, it will be made effective by and assigned to Garver along with the original contract, and Amendment No. 1 to the original contract pursuant to approval of Resolution No. R-2021-109.

This requested action is to amend the current contract (K-1617-105), increasing the contract amount to accommodate changes in scope of the engineering design from the original contract.

The changes to the design scope of services include:

- Right of Way Acquisition Services for required parcels associated with the James Garner Phase 2 - Acres Street to Flood Avenue Project.

Garver, LLC has proposed a design fee of \$5,675 (see Contract Amendment #2) to provide right-of-way acquisition services for the James Garner Extension project (NFB004). The previous contract and amendments with Cabiness Engineering for the design totaled \$429,275. Funds for the contract amendment are currently available within the Norman Forward Sales Tax Fund, James Garner Avenue Extension, Land (Account 51594405-46001; Project NFB004).

**RECOMMENDATION:** Staff recommends approval of Contract Amendment Two for Contract K-1617-105, between the City of Norman, the Norman Municipal Authority and Garver, LLC, in the amount of \$5,675 for the design of the James Garner Avenue Project from Acres Street to Flood Avenue.