



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: R-2021-108**

**File ID:** R-2021-108

**Type:** Resolution

**Status:** Consent Item

**Version:** 1

**Reference:** Item 33

**In Control:** City Council

**Department:** Legal Department

**Cost:**

**File Created:** 03/16/2021

**File Name:** Resolution by City Approving Assignment of Contracts  
by Cabbusiness to Garver

**Final Action:**

**Title:** RESOLUTION R-2021-108: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ASSIGNING CONTRACT K-1213-160 AND K-1213-165 WITH CABBINESS ENGINEERING, L.L.C., TO GARVER, L.L.C., AND ASSIGNING ALL RIGHTS AND DUTIES AS "CONSULTANT" UNDER THE CONTRACTS TO GARVER, LLC.

**Notes:** ACTION NEEDED: Motion to adopt or reject Resolution R-2021-108.

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

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

**Agenda Number:** 33

**Attachments:** R-2021-108, Cabbusiness Notice of Assignment - City of Norman, Garver, LLC Acceptance Letter - City of Norman,

**Project Manager:** Beth Muckala, Assistant City Attorney

**Entered by:** beth.muckala@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	03/23/2021					

### Text of Legislative File R-2021-108

Body

**BACKGROUND:** On February 26, 2013, the Norman City Council approved Contract K-1213-160, pursuant to which the City retained Cabbusiness Engineering, LLC (hereafter "Cabbusiness") to provide professional survey, design and analysis and engineering services for the City's construction of roadway safety improvements to East Alameda Street from Ridge Lake Boulevard to 48th Avenue East.

On February 26, 2013, the Norman City Council also approved Contract K-1213-165, retaining

Cabbiness to provide professional survey, design, analysis and engineering services in connection with the City's evaluation and development of a conceptual plan for the Porter Avenue and Acres Street Intersection Conceptual Study. Contract K-1213-165 was amended on July 11, 2017, to expand the scope of services to include general civil engineering services providing an Offset Centerline Design for the Porter/Acres intersection, including the development of drainage systems, utility corridors, required right-of-way and preparation of all necessary construction documents related to the same ("Amendment No. 1"). The contract was amended again on September 10, 2019 to include general civil engineering services for the Porter Avenue Streetscape - Phase I from the south side of Robinson Street to the north side of Hughbert Street ("Amendment No. 2"). Finally, this contract was amended on April 28, 2020, to include general civil engineering for the remaining portion of the project from the southern limit of the Porter and Acres Intersection Bond Project, at approximately Gray Street, to Alameda Street ("Amendment No. 3").

**DISCUSSION:** The City of Norman has been informed that Cabbiness Engineering has merged with Garver, LLC, and therefore that Cabbiness seeks to transfer its rights and duties under Contract K-1213-160 and K-1213-165 (including Amendment Nos. 1, 2 and 3) as "Consultant" to Garver, LLC for completion of the referenced projects.

Neither Garver nor Cabbiness seek any amendments to Contract K-1617-105 by reason of this requested assignment.

It is City Staff's opinion that substitution of Garver for Cabbiness in Contract K-1213-160 and K-1213-165 (including Amendment Nos. 1, 2 and 3) under these circumstances is consistent with the underlying purpose of these contracts, and for the provision of the services that were retained upon evaluation of submissions pursuant to Requests for Proposal, and ensures the timely and competent completion of necessary City projects.

**RECOMMENDATION:** Staff recommends approval of Resolution R-2021-108, which grants written approval for the assignment of Contract K-1213-160 and Contract K-1213-165 (including Amendments Nos. 1, 2, and 3) from Cabbiness Engineering, LLC to Garver, LLC.