



## Legislation Details (With Text)

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<b>File #:</b>	K-1718-56	<b>Version:</b>	1	<b>Name:</b>	Maintenance Agreement with ODOT - SH9 Multimodal Path - Phase 1
<b>Type:</b>	Contract	<b>Status:</b>			Passed
<b>File created:</b>	8/29/2017	<b>In control:</b>			City Council
<b>On agenda:</b>	9/12/2017	<b>Final action:</b>			9/12/2017

**Title:** CONTRACT K-1718-56: A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) IN THE AMOUNT OF \$600,000 FOR THE CITY'S 20% SHARE FOR FEDERAL-AID PROJECT STP-114E(258)EH, STATE JOB 26879(04) FOR THE STATE HIGHWAY 9 MULTIMODAL PATH, PHASE 1, THROUGHOUT THE CITY AND ADOPTION OF RESOLUTION R-1718-31

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Text File K-1718-36, 2. K-1718-56, 3. R-1718-31, 4. Location Map - SH 9 Path - Phase 1, 5. NORMAN 26879(04) - Invoice, 6. Requisition

Date	Ver.	Action By	Action	Result
9/12/2017	1	City Council		

CONTRACT K-1718-56: A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) IN THE AMOUNT OF \$600,000 FOR THE CITY'S 20% SHARE FOR FEDERAL-AID PROJECT STP-114E(258)EH, STATE JOB 26879(04) FOR THE STATE HIGHWAY 9 MULTIMODAL PATH, PHASE 1, THROUGHOUT THE CITY AND ADOPTION OF RESOLUTION R-1718-31

**BACKGROUND:** The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocated 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 new 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 successor, the Safe, Efficient, Flexible, Effective Transportation Equity Act: a Legacy for the User (SAFETEA-LU), 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. Project proposals will be accepted from Federal and State Agencies, along with Tribal, County, and Local Governments.

On September 9, 2008, City Council met to discuss the Federal Fiscal Year 2009-2010 Transportation Enhancement project application cycle administered by the Oklahoma Department of Transportation (ODOT). During that meeting, the State Highway 9 Multi-modal path project, which will provide a ten-foot wide paved path along the north side of State Highway 9 between 24th Avenue SE and 72nd Avenue SE, was selected as the City's top priority project.

On September 28, 2008, City Council adopted Resolution R-0809-46 supporting the use of federal surface transportation enhancement program funds for the State Highway 9 Multi-modal Path project, and directed staff to submit a formal application to ODOT.

On June 22, 2009, ODOT informed the City of Norman that the State Highway 9 Multimodal Path - Phase 1 project, between 24<sup>th</sup> Avenue SE and 36<sup>th</sup> Avenue SE, was one of 30 statewide projects selected for inclusion in their latest Transportation Enhancement Program plan.

On October 22, 2012, City Council approved contract K-1213-118 with Cardinal Engineering Company of Norman for the design of the State Highway 9 Multimodal Path - Phase 1 project.

In August of 2017, City staff submitted the final plans and the final cost estimate to ODOT with a request to include the project in their October 19, 2017 bid opening. The final estimate of \$1.2 million is to be funded with \$600,000 from the enhancement grant and \$600,000 from the City's capital budget. Construction is anticipated to begin in early spring of 2018 with completion of the work in the fall of the same year.

**DISCUSSION:** ODOT requires the City to execute a project agreement and to adopt it by resolution before spending any federal funds. The agreement addresses the responsibilities of the City and the Department during and after the construction of the project. The execution of four original documents is required. Both the resolution and agreement have been reviewed by staff and approved by the City Attorney.

ODOT is also asking that the local share of the project cost, estimated at \$600,000, be paid in advance of the bid opening, which again has been scheduled for October 19, 2017. These funds were allocated in the FYE 2018 Capital Budget, Other Special Traffic Projects, Construction (account 050-9688-431.61-01/project TR-0073).

**RECOMMENDATION:** Staff recommends approval of Contract K-1718-56 and Resolution R-1718-31 for the State Highway 9 Multimodal Path - Phase 1 project, between 24<sup>th</sup> Avenue SE and 36<sup>th</sup> Avenue SE. Staff further recommends that Council authorize payment in the amount of \$600,000 to the Oklahoma Department of Transportation for the local share of the project cost.