



Legislation Details (With Text)

File #: R-2021-108 **Version:** 1 **Name:** Resolution by City Approving Assignment of Contracts by Cabbiness to Garver
Type: Resolution **Status:** Passed
File created: 3/16/2021 **In control:** City Council
On agenda: 3/23/2021 **Final action:** 3/23/2021
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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. City Council Staff Report, 2. R-2021-108, 3. Cabbiness Notice of Assignment - City of Norman, 4. Garver, LLC Acceptance Letter - City of Norman, 5.

Date	Ver.	Action By	Action	Result
3/23/2021	1	City Council		

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.

BACKGROUND: On February 26, 2013, the Norman City Council approved Contract K-1213-160, pursuant to which the City retained Cabbiness Engineering, LLC (hereafter "Cabbiness") 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.