



## Legislation Text

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**File #:** K-1314-102 #EXP 1, **Version:** 1

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AUTHORIZATION FOR EXPENDITURE NO. ONE UNDER CONTRACT K-1314-102 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SMITH ROBERTS LAND SERVICES, INC., IN AN AMOUNT NOT-TO-EXCEED \$54,324 TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES UNDER AN ON-CALL CONTRACT FOR THE 36TH AVENUE NW WIDENING PROJECT, PHASE ONE.

**BACKGROUND:** On August 28, 2012, the citizens of Norman voted in favor of a Bond Issue to finance the local share of eight transportation/stormwater improvement projects. One of the eight 2012 bond projects is the 36th Avenue NW Bond Project between Tecumseh Road and Indian Hills Road. Please see the attached location map showing the project boundaries.

On November 22, 2011, the Norman City Council approved Programming Resolution R-1112-64, requesting federal funds for the 36<sup>th</sup> Avenue NW Bond Project. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project including engineering design, acquisition of all necessary rights-of-way and relocation of utilities and encroachments at 100% the City's cost. In return, the Association of Central Oklahoma Governments (ACOG), through the Oklahoma Department of Transportation (ODOT), agrees to provide 80% of the construction cost, estimated at \$11,500,000, and administration of the construction with the matching share from the City of Norman.

On April 19, 2013, City Council approved engineering services Contract K-1213-170 with the engineering firm of CP&Y in the amount of \$703,878.50 to design 36<sup>th</sup> Avenue NW Bond project from Tecumseh Road to Indian Hills Road.

On August 14, 2018, City Council approved Resolution R-1819-12 declaring the 36<sup>th</sup> Avenue NW Project a recoupment project. Proposed improvements for the 36<sup>th</sup> Avenue NW Bond Project include:

- Widen two miles of roadway from two lanes to four lanes
- New traffic signals at 36<sup>th</sup> Avenue NW and Franklin Road and 36th Avenue NW and Indian Hills Road
- Interconnect signals between Tecumseh Road and Indian Hills Road
- Dedicated left turn lanes at All Saints Catholic School
- Fifth lane north of Indian Hills Road to Market Place
- Storm water improvements
- Continuous sidewalks along both sides of the roadway with the 10 foot wide legacy trail from Tecumseh Road to Franklin Road on the east side
- Bicycling facilities as listed in the Norman Bike Plan

**DISCUSSION:** The 36<sup>th</sup> Avenue NW Bond Project is anticipated to need right-of-way and/or easements from twenty-five (25) different parcels to construct Phase 1 and 2 of the 36<sup>th</sup> Avenue NW Bond Project, located north of Tecumseh Road to north of Indian Hills Road. Of those, nine (9) parcels are necessary to construct Phase 1 of the 36<sup>th</sup> Avenue NW Bond Project, located north of Tecumseh Road to north of Franklin Road.

The City of Norman has three (3) on-call right-of-way consultants to choose from for these services. Staff selected Smith-Roberts Land Services (SRLS) for the 36<sup>th</sup> Avenue NW Bond Project due to their experience on similar projects. On December 7, 2017, the City Manager authorized SRLS's acquisition and appraisal services on four of the parcels, in the amount of \$24,020, near the intersection of 36<sup>th</sup> Avenue NW and Franklin Road. To acquire right-of-way on the remaining five (5) parcels necessary for Phase 1, staff is requesting \$54,324 for a task order to have SRLS perform these services. A future agenda item will address the acquisition of the remaining sixteen (16) parcels necessary to complete Phase 2, once right of way plans for that phase are completed.

With the purchase amount of these services valued above \$25,000, City Council approval of this authorization of expenditure is required. However, no formal bid is required since the City's On-Call contract is being utilized. The City's

On-Call contract and bid amounts are renewed every three years using a qualifications-based selection (QBS) process.

If approved, funding for these land acquisition services will be allocated from the 36<sup>th</sup> Avenue NW Bond Project Right-of-Way account (account 050-9552-431.60-01; project BP0197).

For land acquisition of this nature, City policy requires compliance with the Federal Acquisition and Relocation Act. Property owners are provided ample opportunities to negotiate the sale of land to be used for public right-of-way. Property owners may donate the property or they may be compensated for fair market value. Council must approve and accept all land and easement dedications.

If approved, the land acquisition process will be completed by September, 2019. Utility relocations will take place in fiscal year 2019-2020. Construction of 36th Avenue NW Bond Project, Phase One is anticipated to begin in Summer, 2020.

**RECOMMENDATION NO. 1:** Staff recommends authorization of expenditures in the amount of \$54,324 for On-Call Contract K-1314-102 between the City of Norman and Smith-Roberts Land Services utilizing funds from the 36<sup>th</sup> Avenue NW Bond Project right-of-way account (account 050-9552-431.60-01; Project BP0197).