



Legislation Text

File #: K-1819-128, **Version:** 1

CONTRACT K-1819-128: A PROJECT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) IN THE AMOUNT OF \$880,000 FOR THE CITY'S SHARE FOR PROJECT STP-214(B)(068)AG, STATE JOB. 29300(04), FOR THE WIDENING OF 24TH AVENUE EAST FROM LINDSEY STREET TO ALAMEDA STREET, AND ADOPTION OF RESOLUTION R-1819-99.

BACKGROUND: On November 22, 2011, the Norman City Council approved Programming Resolution R-1112-62, requesting federal funds for the 24th Avenue East 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 \$7,831,000, and administration of the construction with the matching share from the City of Norman.

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 24th Avenue East Bond Project (please see the attached location map showing the project boundaries). The total estimated project cost including design, utility relocations, right-of-way, construction and construction management is \$15,388,000. The City's share is estimated to be \$7,518,000.

Proposed improvements for the 24th Avenue East Bond Project include:

- Widen two miles of roadway from two lanes to four lanes
- Intersection improvements at 24th Avenue East/Meadowood Boulevard and 24th Avenue East /Robinson Street
- Interconnect traffic signals on 24th Avenue East from Lindsey Street to Robinson Street
- Continuous sidewalks and accessibility
- Stormwater improvements
- On-street bike lanes

On March 12, 2013, City Council approved engineering services Contract K-1213-169 with Atkins North America, Inc., for the design of the 24th Avenue East Bond Project between Lindsey Street and Robinson Street in the amount of \$875,266.50.

On January 23, 2018, City Council approved Contract K-1718-63 in the amount of \$45,413 with Oklahoma Natural Gas (ONG) for Phase 1 (Lindsey to Alameda) utility relocations within private easements.

On January 23, 2018, City Council approved the allocation of \$74,200 for acquisition services under On-Call Contract K-1314-103 with Pinnacle Consulting Management Group.

On February 27, 2018, City Council approved Amendment No. 1 to Contract K-1213-169 with Atkins North America in the amount of \$133,455 for additional engineering design services.

On April 10, 2018, City Council approved Resolution R-1718-102 creating a Recoupment District for the 24th Avenue East Bond Project.

On June 26, 2018, City Council accepted eight (8) easements from six (6) parcels along the 24th Avenue East Project.

On August 28, 2018, City Council approved Contract K-1819-8 in the amount of \$1,583,150.50 for the 24th Avenue East Water Line Relocation Project: Phase 1, with W.E.B. Construction.

On September 11, 2018, City Council accepted one (1) easement from one (1) parcel along the 24th Avenue East Project.

On October 23, 2018, City Council accepted eight (8) easements and two (2) Warranty Deeds from four (4) parcels along the 24th Avenue East Project.

On November 13, 2018, City Council accepted ten (10) easements from three (3) parcels along the 24th Avenue East Project.

On February 12, 2019, City Council approved Contract K-1819-97 in the amount of \$2,330,500 for the 24th Avenue East Water Line Relocation Project: Phase 2 with H & H Plumbing and Utilities, Inc.

On February 26, 2019, City Council accepted three (3) easements from one (1) parcel along the 24th Avenue East Project.

In companion agenda items tonight, City Council is being asked to consider the following items:

- 24th Avenue East Phase 2: ODOT Funding Agreement
- 24th Avenue East Phase 1: ODOT Right-of-Way and Utility Agreement
- 24th Avenue East Phase 2: ODOT Right-of-Way and Utility Agreement
- 24th Avenue East Deferral Fund Appropriations

The anticipated remaining project schedule is as follow:

- ODOT Bid opening for both phases of the Bond Project in June 2019
- Finish Phase 2 Water Line Utility Relocations in July 2019
- Construction on both phases of the Bond Project to begin September 2019

DISCUSSION: The next milestone for this project is for ODOT to bid this project and begin construction. Prior to letting the project for bid, ODOT requires the City of Norman to enter into a project agreement and to adopt it by Resolution. ODOT has requested the City approve the attached agreement that addresses the responsibilities of the City of Norman and ODOT. Staff has reviewed and approved the project agreement and resolution.

In summary, the City's responsibilities are:

- Prepare plans for construction in conformance with ODOT 2009 Standard Specifications
- Provide necessary rights-of-way to construct the project and relocate any utilities
- Maintain the traffic signal equipment after construction
- Certify the project will comply with the Americans with Disabilities Act (ADA)
- Comply with environmental requirements
- Maintain the roadway and all drainage systems and facilities after construction
- Ensure permanent rights-of-way are free of any encroachments
- Maintain lighting and lighting systems

In summary, ODOT's responsibilities are:

- File jointly with the contractor the Notice of Intent (NOI) for a general construction storm water permit with the EPA which authorizes storm water discharges associated with construction activities
- Advertise and let the construction contract for this project
- Construct the project in accordance with the plans
- Provide competent supervision of the construction

The construction and construction management portion of the project is funded 80% by ODOT and 20% by local funds. ODOT has billed the City for the local matching share. Based on the latest engineer's estimate, the total construction and construction management cost for the 24th Avenue East: Phase 1 Bond project is \$4,400,000. ODOT's estimated share is \$3,520,000 and the local match is \$880,000. The City's share will be co-funded by 2012 Bond Funds and Deferral Funds collected for the 24th Avenue East Widening Project. The City's share of these funds must accompany this agreement and be put on account at ODOT. ODOT will use these funds to pay Norman's share on invoices. After the construction is complete any unused funds are returned to the City. Should the City's share exceed \$880,000 additional funds from the City will be required at the same 20% local share rate.

The \$880,000 in funds for this ODOT agreement will be paid from 24th Avenue East Widening, Construction (account 050-9552-431.61-01; project BP0192). Due to shortfalls in the Utility Relocation and Land Acquisition budgets, some of the funds in the Construction account have been utilized to cover these two previous costs. Staff proposes to replenish the Construction account with funds from the following locations:

- \$118,301.50 from 24th Avenue East Deferral Funds
- \$596,327.45 from excess funds in the Cedar Lane Widening Bond Project
- \$304,625.00 from excess funds in the Main Street Bridge Bond Project

These above mentioned funds are proposed to be transferred into the 24th Avenue East Construction account in companion agenda items.

A bid opening for this project has been scheduled by ODOT on June 20, 2019 with an estimated start of construction no later than September 2019. Construction is anticipated to be complete by September 2020.

RECOMMENDATION No. 1: Staff recommends approval of Contract K-1819-128 with the Oklahoma Department of Transportation and payment to ODOT in the amount of \$800,000.

RECOMMENDATION No. 2: Staff further recommends approval of Resolution R-1819-99 adopting Contract K-1819-128, and if approved, authorize the execution thereof.