



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 2/27/2024

**REQUESTER:** Steve Guizzo, Engineering Assistant

**PRESENTER:** Scott Sturtz, Interim Director of Public Works

**TITLE:** CONSIDERATION OF APPROVAL, ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2324-144: A PROJECT MAINTENANCE, FINANCING AND RIGHT-OF-WAY AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR PROJECT J3-6724(0)AG, STATE JOB 36724(04), TO PROVIDE SIDEWALK INSTALLATION ALONG 12<sup>TH</sup> AVENUE NE AND BROOKS STREET AND RESOLUTION R-2324-122.

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### **BACKGROUND:**

In August 2023, the Association of Central Oklahoma Governments (ACOG) sent out a solicitation for a grant application through the ACOG Air Quality Small Grant Program for bicycle/pedestrian projects, transit equipment, and traffic calming projects. The program pays 80% of construction costs up to a maximum of \$800,000 in federal funds, which allows for up to a \$1,000,000 project with the City paying 20% or \$233,286. City staff identified \$1,033,286 in sidewalk improvements at two locations including 12<sup>th</sup> Avenue NE between Robinson Street and Rock Creek Road and Brooks Street between Pickard Avenue and Wylie Road (see the attached location maps and cost estimate for more detailed information).

On September 12, 2023, City Council approved resolution R-2324-50, requesting \$800,000 in federal funds, which would pay 77.42% of the proposed sidewalk construction costs.

On September 15, 2023, City staff submitted the ACOG Air Quality Small grant requesting the maximum \$800,000 in federal funds.

On November 16, 2023, The City of Norman was awarded the \$800,000 ACOG Grant.

### **DISCUSSION:**

Now that ACOG funding is secured for fiscal year 2023-2024 (FYE 2024), ODOT is ready to enter into a project agreement with the City of Norman. ODOT has requested that the City

approve the attached agreement that addresses the responsibilities of the City of Norman and ODOT. Staff has reviewed and recommends approval of the project agreement and resolution.

In summary, the City's responsibilities are:

- Prepare plans for construction in conformance with ODOT 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 77% by ODOT and 23% by local funds, up to the maximum cap of \$800,000 for the ODOT federal funds. After the cap is reached, 100% of the construction and construction management costs will be local funds.

Funds for this ODOT agreement are budgeted and will be paid from ADA Sidewalk Compliance Audit/Repair, Construction (\$33,286; Account 50592206-46101; Project TC0038) and Sidewalks and Trails, Construction (Account 50591179-46101; Project TC0262).

City staff is currently working with Garver and ODOT toward 30% Plans and a fall of 2024 construction time frame.

**RECOMMENDATION:**

Staff recommends approval of Contract K-2324-144 and Resolution R-2324-122 adopting State of Oklahoma Department of Transportation Project Maintenance, Financing, and Right-of-Way Agreement and if approved, authorize the execution thereof.