



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/22/2022

REQUESTER: Paul D'Andrea, Capital Projects Engineer

PRESENTER: Shawn O'Leary, Public Works Director

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-66:
A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$536,000 FROM DEDICATED FUNDING EARMARKED AS 2019 TRANSPORTATION BOND FUNDING FROM THE CAPITAL FUND BALANCE TO BE USED FOR THE PORTER AVENUE STREETScape PROJECT.

BACKGROUND:

The Porter Avenue Corridor from Robinson Street south to Alameda Street along with the intersection of Porter Avenue and Acres Street has been the subject of much discussion and study over the years, due to concerns over traffic and pedestrian safety.

In 2010, Ochsner Hare & Hare prepared a Porter Avenue Corridor Study, which sought to analyze the area and provide a vision for future improvements to the corridor.

An evaluation of traffic control needs revealed that traffic volumes had reached levels that justified the installation of a new traffic signal at Porter Avenue and Acres Street. Approximately 20,000 vehicles pass through the intersection every day. An aerial photograph of the two 2019 Bond projects within the Porter Avenue Corridor is included in the exhibits to this agenda item.

On April 2, 2019, the citizens of Norman voted in favor of a General Obligation Bond Issue to finance the local share of nineteen transportation improvement projects. Two of the nineteen 2019 bond projects are the Porter Avenue and Acres Street Intersection Bond Project, and the Porter Avenue Streetscape Bond Project. The Porter Avenue Streetscape Bond Project consists of design and construction of streetscape elements along the Porter Avenue corridor between Robinson Avenue on the north and Alameda Street on the south. Proposed improvements include:

- New sidewalks
- Driveway consolidation or elimination (access management)
- Decorative roadway and pedestrian lighting
- Landscaping
- New curb and gutter
- Street furniture (e.g., benches, trash receptacles, ash urns, etc.)

The Porter Avenue and Acres Street Intersection Project began construction in November of 2020 and was completed in January of 2022. The Porter Avenue Streetscape project has been approved to receive federal funds to aid in the construction costs and is anticipated to be out for bid in September of 2022 pending right of way and utility relocations and Oklahoma Department of Transportation (ODOT) environmental review.

On September 10, 2019, the City Council approved Amendment No. 2 to contract K-1213-165 with Cabiness Engineering, L.L.C., in the amount of \$185,500 for a total contract amount of \$400,800 for the design of the Porter Avenue Streetscape project including the portion of the project from Robinson Avenue to Hughbert Street, which coincides with the northern boundary of the Porter Avenue and Acres Street Intersection Project.

On April 28, 2020, City Council approved Amendment No. 3 to Contract K-1213-165 with Cabiness Engineering, L.L.C., in the amount of \$175,000 for a total contract amount of \$575,800 for the design of the Porter Avenue Streetscape project, which expands the design scope to encompass the full project, adding the section of Porter Avenue from the southern boundary of the Porter Avenue and Acres Street Intersection Bond Project to Alameda Street.

On July 13 2021, City Council approved Authorization for Expenditure No. Six under on-call Contract K-1314-102 with Smith-Roberts Land Services (SRLS) in the amount of \$89,055 for right-of-way acquisition services.

On November 9, 2021, City Council approved Authorization for Expenditure No. Seven under Contract K-1314-102 with Smith-Roberts Land Services in the amount of \$29,005 to provide property acquisition services under an on-call contract, utilizing funds from the Porter Avenue Streetscape 2019 Bond Project.

On March 8, 2022, City Council accepted easements for parcels 6, 9, 14, and 15 for the Porter Avenue Streetscape 2019 Bond Project, for a total cost of \$44,230.

On March 22, 2022, City Council accepted easements for parcels 1, 2, 3, 5, 10, 11 and 16 for the Porter Avenue Streetscape 2019 Bond Project, for a total cost of \$110,145.

On April 12, 2022, City Council accepted easements for parcels 7, 18, 19, and 21 for the Porter Avenue Streetscape 2019 Bond Project, for a total cost of \$9,830.

On May 24, 2022, City Council accepted easements for parcel 4 for the Porter Avenue Streetscape 2019 Bond Project, for a total cost of \$2,585.

On June 14, 2022, the City of Norman entered into funding agreements (K-2122-137 & R-2122-131) for the Porter Avenue Streetscape 2019 Bond Project. The agreements split the project construction costs between City of Norman funds and federal funds administered by ODOT. The federal share was capped at \$2,855,610, leaving the City to pay \$744,390 based on the engineer's estimate at the time of the agreement.

On August 2, 2022, the City paid ODOT for the City's portion of the construction costs. Due to increases in construction costs, the engineer's estimate had increased to \$4,558,557 resulting in a new local match amount of \$1,702,947. These funds were paid to ODOT from the existing project construction budget.

DISCUSSION:

On October 20, 2022, ODOT opened bids for the Porter Avenue Streetscape 2019 Bond project. There was one bidder. The low bid was from SAC Services, Inc. for a total of \$4,520,118.90.

In addition to the construction contract, the project will also incur construction engineering and testing services estimated to be \$542,515 (12% of construction cost). This brings the total remaining construction cost to \$5,062,533.17.

Since the federal funding portion was capped at \$2,855,610, the required local funding match is estimated at \$2,206,923.17. Deducting the amount already paid to ODOT based on the previous estimates results in a remaining balance of \$503,976.17 to be paid by the City to cover construction costs.

Currently, the project only has \$54,826 available from appropriated funds. This leaves an additional \$449,150.17 in City funds estimated to be required to complete the project.

Upon completion of the Porter Avenue and Acres Street intersection project, the project had a surplus budget of just over \$536,000, which was returned to the 2019 Transportation Bond Fund balance. Since the Porter Avenue Streetscape project connects to and is in many ways a continuation of the intersection project, it seems logical to use the leftover funding from that project to cover the overage on the Porter Avenue Streetscape. Both projects are part of the same 2019 Transportation Bond program, also supporting the appropriateness of this solution for the funding needs of the project.

Appropriating the remaining \$536,000 from the Porter and Acres Intersection project, to the Porter Avenue Streetscape project will provide enough funding to move forward with the Streetscape project with some funding left to cover minor change orders should they arise during construction.

RECOMMENDATION:

Staff recommends approval of Resolution R-2223-66 for the appropriation of \$536,000 of 2019 General Obligation Transportation Bond proceeds from the Capital Fund Balance (50-29000) to the Porter Avenue Streetscape 2019 Bond Project, Construction (Account 50594019-46101; Project BP0418).