



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 01/10/2023

REQUESTER: Tim Miles, Capital Projects Manager

PRESENTER: Shawn O'Leary, Public Works Director

ITEM TITLE: CONSIDERATION OF APPROVAL, ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2223-88: A PROJECT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR PROJECT J3-6148(004)AG, JOB 36148(04) FOR THE CONSTRUCTION OF THE JENKINS AVENUE WIDENING PROJECT FROM IMHOFF ROAD TO LINDSEY STREET AND RESOLUTION NO. R-2223-89.

BACKGROUND:

On April 2, 2019, the citizens of Norman voted in favor of a \$72 million transportation bond issue, which includes nineteen (19) projects. With the anticipated \$67 million in federal dollars being leveraged for these projects, approximately \$139 million is budgeted for the nineteen (19) projects. Please see the attached project list and map showing the approved projects.

On August 19, 2019, City staff advertised Request for Proposal RFP 1920-16 to solicit Consulting Engineering Services for the fourteen (14) bond projects still requiring design. The selection committee consisting of three (3) City staff and two (2) citizens shortlisted nine (9) consultant teams for interviews held on October 2, 2019. The five (5) consultant teams selected after interviews to complete the design on these projects are:

- Garver, Norman
- Cowan Group, Oklahoma City
- Freese and Nichols, Oklahoma City
- MacArthur Associated Consultants, Oklahoma City
- Olsson Associates, Oklahoma City

These consultants are being assigned the various projects by City staff based on capacity, performance on their current projects and capabilities of their firm to complete a specific project.

On November 26, 2019, City Council awarded design contract K-1920-91, for the Jenkins Avenue Widening Project to Freese and Nichols of Oklahoma City in the amount of \$827,005.

On September 8, 2020, the Norman City Council approved Programming Resolution. R-2021-46 requesting federal funds for the Jenkins Avenue Widening 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, up to a project maximum of \$7,500,000 in federal funds, and administration of the construction with the matching share from the City of Norman.

The City's current construction cost estimate for the project is \$9,375,000. Based on this amount, City 2019 Bond Funds will pay \$1,875,000 or 20% and federal funds will pay \$7,500,000 or 80% of construction and construction management costs. Federal funds have been secured for FFY2024, which means ODOT will conduct a bid opening for the project as early as November 2023. City staff, University of Oklahoma and ODOT are all working toward the November 2023 bid date. Construction is anticipated to start in February or March 2024. On June 14, 2022, City Council approved on-call consultant contract K-1314-103 with Pinnacle Consulting Group, Inc. of Oklahoma City for Right-of-Way acquisition services on the Jenkins Avenue Widening Project in the amount of \$74,500.00.

Tonight's agenda item is to approve an ODOT Project Agreement for the Jenkins Avenue Widening Project.

DISCUSSION:

Now that ACOG funding is secured for FFY2024, ODOT is ready to enter into a project agreement with the City of Norman. ODOT has requested 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 2019 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
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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 up to the maximum cap of \$7,500,000 for the ODOT federal funds. After the cap is reached, 100% of the construction and construction management costs will be local funds.

The funds for this ODOT agreement will be paid from the Jenkins Avenue Widening Project (BP0417, Construction Account 50594019-46101).

City staff are working toward a November 2023 ODOT bid opening for this project and are currently working through the right-of-way acquisition process and utility relocation with the University of Oklahoma.

RECOMMENDATION No. 1:

Staff further recommends approval of Contract K-2223-88 with the Oklahoma Department of Transportation.

RECOMMENDATION No. 2:

Staff further recommends approval of Resolution No. R-2223-89 adopting Contract K-2223-88, and if approved, authorize the execution thereof.