



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 6/13/2023

**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 AMENDMENT NO. 4 TO CONTRACT K-1213-165: BETWEEN THE CITY OF NORMAN AND GARVER ENGINEERS, IN THE AMOUNT OF \$12,000.00, FOR ADDITIONAL ENGINEERING AND SURVEY SERVICES PERTAINING TO THE VACATION OF RIGHT OF WAY AT THE INTERSECTIONS OF DAWS STREET AND PORTER AVENUE IN CONJUNCTION WITH THE PORTER AVENUE STREETScape 2019 BOND PROJECT, PROJECT BP0418.

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### **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 justify 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 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 ODOT environmental review.

On September 10, 2019, the Norman City Council approved Amendment 2 to contract K-1213-165 with Garver Engineers, in the amount of \$185,500.00, for a total contract amount of \$400,800.00, 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, the Norman City Council approved Amendment 3 to contract K-1213-64 with Garver Engineers, in the amount of \$175,000.00, for a total contract amount of \$575,800.00 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, the Norman City Council approved Authorization for Expenditure number 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 October 26, 2021, City Council approved Authorization for Expenditure number Seven, under Contract K-1314-102 between the City of Norman, OK and Smith-Roberts Land Services, Inc., in an amount not-to-exceed \$10,884.00, to provide acquisition services under an on-call contract utilizing funds from the Porter Avenue Streetscape 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 \$45,425.00.

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 \$110,145.00.

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 \$9,830.00.

On May 24, 2022, City Council accepted easements for parcel 4, for the Porter Avenue Streetscape 2019 Bond Project, for a total cost of \$2,585.00.

On June 14, 2022, the City of Norman entered into funding agreement (K-2122-137 & R-2122-131) for the Porter Avenue Streetscape 2019 Bond Project. The agreement 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 \$744,390.00 based on the engineer's estimate at the time of the agreement.

On August 2, 2022, the City received and paid Invoice 3532104-01 from ODOT for the City's portion of the construction costs. Due to increases in construction costs, the engineer's estimate had increased to \$4,558,557.00, resulting in a new local match amount of \$1,702,947.00. These funds were paid to ODOT from the existing project construction budget.

On November 22, 2022, City Council approved Resolution R-2223-66 for the appropriation of additional funds to cover project bids over the engineer's estimate, using surplus funds from the Porter Avenue and Acres Street Intersection 2019 Bond Project.

#### **DISCUSSION:**

During right of way negotiations for the 2019 Bond Projects along Porter Avenue, the City agreed to support adjacent property owners' petition to vacate street right of way on Daws Street just east of Porter Avenue, within which Daws Street was removed as part of the Porter Avenue and Acres Street Intersection 2019 Bond Project. Vacation of the right of way will result in adjacent property owners retaining ownership of the portion of the vacated right of way adjacent to each owner's frontage.

This contract amendment is to compensate Garver, for additional survey and engineering services, to determine and provide professionally signed and sealed legal descriptions for each parcel generated in conjunction with the proposed vacation of Daws Street, as well as for public utility, drainage, and sidewalks easements necessary to retain on the vacated parcels.

Funds for this amendment are available in the Porter Avenue Streetscape Design Account (BP0418, 50594019-46201)

#### **RECOMMENDATION**

Staff recommends approval of Amendment 4 for design contract K-1213-165 for the Porter Avenue Streetscape 2019 Bond project in the amount of \$12,000.00.