



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 9/12/2023

**REQUESTER:** Tim Miles, Capital Projects Manager

**PRESENTER:** Shawn O'Leary, Public Works Director

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF EASEMENT E-2324-11: A TEMPORARY CONSTRUCTION EASEMENT AND DAMAGES IN THE AMOUNT OF \$12,240 TO ERIKA T. MILLER REVOCABLE TRUST FOR THE JENKINS AVENUE WIDENING 2019 BOND PROJECT.

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### **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 the Jenkins Avenue Widening Project to Freese and Nichols of Oklahoma City in the amount of \$827,005.00.

On September 8, 2020, the Norman City Council approved Programming Resolution No. 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.

On June 14, 2022, City Council approved the on-call right-of-way acquisition services contract for the Jenkins Avenue Widening Project to Pinnacle Consulting Group, Inc. (Pinnacle) of Oklahoma City in the amount of \$74,500.00.

On May 23, 2023, City Council accepted the first four (4) easements from two (2) properties on the project in the amount of \$23,746.

On June 13, 2023, City Council accepted a private utility easement for ONG and a public utility easement, both within Reaves Park for the purpose of relocating existing overhead utilities underground.

The City's current construction cost estimate for the project is \$9,755,000 plus 12% Construction Engineering (\$1,170,600) for a total of \$10,925,600. Based on this amount, City 2019 Bond Funds will pay \$3,425,600 or 31% and federal funds will pay \$7,500,000 or 69% of construction and construction management costs. Federal funds have been secured for FFY2024. City staff anticipates a fall 2024 bid opening with construction starting in early of 2025.

#### **DISCUSSION:**

Right-of-way acquisition necessary for the Jenkins Avenue Widening 2019 Bond Project, consists of one hundred five (105) separate easements on thirty (30) parcels, which includes eighty-six (86) easements on twenty-three (23) parcels owned by the University of Oklahoma. Pinnacle Consulting Management Group (Pinnacle) oversaw and reviewed the appraisal of each parcel, and assisted City staff in the preparation of offer letters to each property owner affected, based on the appraised values and damages. These easements vary in size and were designed as small as possible to minimize impacts to the adjacent property. Right-of-way acquisition areas have been minimized on this project by utilizing temporary construction easements where possible to complete grading activities outside of the street and sidewalk improvements.

Eight (8) new easements from three (3) separate parcels for the Jenkins Avenue Widening Project are being brought to City Council tonight for consideration of approval. With the exception of Parcel 15 in the below table, the appraised values were accepted. Parcel 15 had some special circumstances so the damages and easements were negotiated. The various terms setting forth the conditions of acceptance for the damages and easements are set forth in each parcel's Summary of Acquisition form, also attached to each item.

Easement No.	Parcel No.	Grantors	Document	Cost
E-2324-10	15	Erika T. Miller Revocable Trust	Temporary Driveway Easement- 800 sq. ft.	Donated
E-2324-11	15	Erika T. Miller Revocable Trust	Temporary Construction Easement- 234 sq. ft.	\$12,240.00
			Sub-Total	\$12,240.00
E-2324-12	16	Bradley Keith Goodman	Permanent Utility Easement- 9 sq. ft.	\$135.00
E-2324-13	16	Bradley Keith Goodman	Temporary Driveway Easement- 234 sq. ft.	Donated
E-2324-14	16	Bradley Keith Goodman	Temporary Construction Easement- 416 sq.ft.	\$1,664.00
			Sub-Total	\$1,799.00
E-2324-15	17	Bradley Keith Goodman	Permanent Utility Easement- 9 sq. ft.	\$135.00
E-2324-16	17	Bradley Keith Goodman	Temporary Driveway Easement- 260 sq. ft.	Donated
E-2324-17	17	Bradley Keith Goodman	Temporary Construction Easement- 390 sq.ft.	\$1,560.00
			Sub-Total	\$1,695.00
			Total	\$15,734.00

Funds are available to pay for these easements in the Jenkins Avenue Widening Bond Project Land (Account Org. 50594019, Object 46001, Project No. BP0417).

**RECOMMENDATION 1:**

Staff recommends the above described easements be accepted with payments and filing, where applicable, be directed thereof.