



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 06/14/2022

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 CONTRACT K-2122-136:
A PROJECT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR PROJECT J3-5956(004)AG, JOB 35956(04), GRAY STREET TWO-WAY 2019 BOND PROJECT AND RESOLUTION R-2122-130

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 transportation grant funds being leveraged for these projects, approximately \$139 million is budgeted for the nineteen (19) projects.

The scope of this project, the Gray Street Two-Way 2019 Bond Project, includes:

- Conversion of Gray Street from one-way to two-way from University Boulevard to Porter Avenue
- Milling and resurfacing Gray street
- New traffic signals at signalized intersections to accommodate two-way traffic
- New improvements at the BNSF Railroad crossing on Gray to meet safety and railroad quiet zone requirements for two-way traffic
- Reconstruction of the intersection of Gray Street and James Garner Avenue to accommodate the upcoming James Garner Phase III project
- Conversion of on-street parking to reverse angle parking
- Miscellaneous sidewalk, landscaping, and streetscape improvements.

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. This RFP was written to select a group of consultants to complete the design on the remaining 2019 Transportation Bond Projects that will be completed over the next ten (10) years. Twenty-two (22) proposals were received by the 4:00 pm deadline on September 12, 2019. The selection committee consisting of three (3) City staff (Scott Sturtz- City Engineer, Tim Miles-Capital

Projects Engineer and Paul D'Andrea- Capital Projects Engineer) and two (2) citizens (Luis Malave- ODOT Purcell Resident Engineer and Brent Everett- OU Assistant Director of Architectural & Engineering Services) shortlisted nine (9) consultant teams for interviews held on October 2, 2019. Five (5) consultant teams were selected after interviews to complete the design on the first set of projects:

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

These consultants were 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. An additional selection process for professional services may be needed in the future if these five firms are not able to complete the program to the City's expectations.

On April 28, 2020, the City Council approved Contract K-1920-124, with MacArthur Associated Consultants, LLC, in the amount of \$287,000.00 for design of the Gray Street Two-Way 2019 Bond Project.

On October 12, 2021, the City Council approved Amendment No. 1 to Contract No. K-1920-124, with MacArthur Associated Consultants, LLC, in the amount of \$15,000.00 for design of the Gray Street Two Way 2019 Bond Project.

DISCUSSION:

The next milestone for this project is for ODOT to place the project on their bid schedule. Prior to submitting for placement on the schedule, ODOT requires the City of Norman to enter into a project agreement and to adopt it by Resolution. 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

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 with a maximum cap for the ODOT federal funds.

Based on the latest engineer's estimate, the total construction and construction management cost for the Gray Street Two-Way 2019 Bond project is estimated to be \$3,093,049. ODOT's estimated share is capped at a maximum of \$1,765,853; therefore, the local match is estimated to be \$1,327,196. The City's share is funded by 2019 Transportation Bond funds available within the project account. ODOT will bill the City for the local matching share based on the final engineer's estimate and at the time of submission of the final plans and estimate for placement on the ODOT bid schedule. Should 80% of the total construction cost exceed the ODOT cap, the City will be responsible for the additional costs. If the final construction costs underrun the estimated amount, the City's share will be adjusted to 20% of the final cost and any excess funds paid by the City will be refunded.

The funds for this ODOT agreement will be paid from the Gray Street Two-Way 2019 Bond Project No. BP0424, Construction Account No. 50594019-46101.

If this agreement is approved by Council, final plans, specifications, and estimate will be submitted to ODOT and a bid date will be set. The current target for bid opening is November 2022. If that target date is met, construction of the project will begin around February or March 2023. Construction should be completed by March 2024.

RECOMMENDATION No. 1:

Staff recommends approval of Contract K-2122-136 with the Oklahoma Department of Transportation.

RECOMMENDATION No. 2:

Staff further recommends approval of Resolution R-2122-130 adopting Contract K-2122-136, a Project Agreement with ODOT for Project J3-59569004)AG, JOB 35956(04).