



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, ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2122-137: A PROJECT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR PROJECT J3-5321(004) AG, JOB 35321(04), PORTER AVENUE STREETScape 2019 BOND PROJECT AND RESOLUTION R-2122-131.

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 No. 2 to contract K-1213-165 with Garver Engineers, 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, the Norman City Council approved Amendment No. 3 to Contract K-1213-165 with Garver Engineers, 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, the Norman 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 October 26, 2021, City Council approved Authorization for Expenditure No. 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 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.

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.

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 Porter Avenue Streetscape 2019 Bond Project is estimated to be \$3,600,000. ODOT's estimated share is capped at a maximum of \$2,855,610; therefore, the local match is estimated to be \$744,390. 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 Porter Avenue Streetscape 2019 Bond Project BP0418, Construction (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 September 2022. If that target date is met, construction of the project will begin around November or December 2022. Construction of the project should be completed by December 2023.

RECOMMENDATION No. 1:

Staff recommends approval of Contract K-2122-137 with the Oklahoma Department of Transportation.

RECOMMENDATION No. 2:

Staff further recommends approval of Resolution R-2122-131 adopting Contract K-2122-137, a Project Agreement with ODOT for Project J3-5321(004) AG, JOB 35321(04).