



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 08/13/2024

REQUESTER: Paul D'Andrea, Capital Projects Engineer

PRESENTER: Scott Sturtz, Interim Public Works Director

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT ONE TO CONTRACT K-2122-137: A PROJECT AGREEMENT WITH THE STATE OF OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE CONSTRUCTION OF THE PORTER AVENUE STREETScape PROJECT – ALAMEDA STREET TO ROBINSON STREET, FEDERAL AID PROJECT STP-214B(129)AG, JOB NO. 35321(04).

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 September 10, 2019, the Norman City Council approved Amendment 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 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 June 14, 2022, the City of Norman entered into a funding agreement with the Oklahoma Department of Transportation (ODOT; Contract K-2122-137 & Resolution 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 based on the engineer's estimate at the time of the agreement.

On August 2, 2022, the City received and paid Invoice Number 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, resulting in a new local match amount of \$1,702,947. 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:

The original ODOT Project Agreement for the Porter Avenue Streetscape Project was approved by City Council on June 14, 2022. Recently, ACOG received an additional \$10 million that needed to be authorized to construction projects by October of this year. They went to work evaluating projects going to bid by October as well as projects that are currently under construction. One of the main factors in selecting which projects would receive additional funds was the percentage of matching funds that the cities had contributed. City staff were excited to hear that the City of Norman received additional funds on three (3) of the six (6) projects selected, which totaled \$6,269,209 of the \$10 million available. The additional federal funds received by the City of Norman are as follows:

- Jenkins Avenue Widening Project - \$2,750,000
 - Gray Street 2-Way Project - \$2,700,000
 - Porter Avenue Streetscape - \$819,209
- Total \$6,269,209

In preparing the revised funding agreement for the Porter Streetscape project to add these additional federal funds, ODOT discovered an error in the original funding agreement. The federal funding for the original project should have included an additional \$30,000. Therefore, this revision increases the amount of federal funding for the project by a total of \$849,209 to account for the additional funds as well as the error from the original agreement.

With the previously “locked” ACOG funds on the Porter Avenue Streetscape Project in the amount of \$2,855,610, this project will now receive \$3,704,819.00 in federal funds. The proposed Amendment 1 to Contract K-2122-137, ODOT Project Agreement, revises **SECTION 4: FUNDING AGREEMENT** to address the additional federal funds being allocated to the project.

This project is nearly complete with construction estimated to be complete in mid-August. The final ODOT estimate for the project is \$4,791,325 including Construction and Construction Management (6%) for the roadway, streetscape project and waterline improvements, with the City’s portion being \$1,086,506.

RECOMMENDATION:

Staff recommends approval of Amendment 1 to Contract K-2122-137 with the Oklahoma Department of Transportation.