



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 08/13/2024

REQUESTER: Tim Miles, Capital Projects Manager

PRESENTER: Scott Sturtz, Interim Public Works Director

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CONTRACT K-2425-13: A PROJECT AGREEMENT WITH THE STATE OF OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE CONSTRUCTION OF THE LINDSEY STREET SPECIAL CORRIDOR PROJECT – ELM AVENUE TO JENKINS AVENUE AND RESOLUTION R-2425-9 ADOPTING ODOT AS THE PROJECT AGENT. ODOT PROJECT STP-214B(172)AG, JOB NO. 36870(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 January 9, 2024, City Council awarded design Contract K-2324-115, for the Lindsey Street Special Corridor Project – Elm Avenue to Jenkins Avenue with MacArthur Associated Consultants in the amount of \$259,825.

On September 12, 2023, the Norman City Council approved Programming Resolution R-2324-58 requesting federal funds for the Lindsey Street Special Corridor Project – Elm Avenue to Jenkins Avenue. 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.

The City's current construction cost estimate for the project is \$5,223,224, including 6% for construction management. Federal funds have been secured for federal fiscal year 2025-2026 (FFY 2026), which means ODOT could conduct a bid opening for the project as early as November 2025. This project was the last one in (lowest-ranking in the ACOG approval list) for the fiscal year. As a result, only \$3,908,965 or 74.8% in federal funds were available instead of the full 80% or \$4,178,579. As a result, the City share based on the current estimate will be \$1,314,259 or 25.2% of the total cost.

The proposed agenda item is to approve an ODOT Project Agreement for the Lindsey Street Special Corridor Project – Elm Avenue to Jenkins Avenue.

DISCUSSION:

Now that ACOG funding is secured for FFY 2026, ODOT is ready to enter into a project agreement with the City of Norman. 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 funds for this ODOT agreement will be paid from the Lindsey Street Special Corridor Project – Elm Avenue to Jenkins Avenue, Construction (Account 50594019-46101; Project BP0428), which will require an appropriation of funds from the Capital Fund Balance (Account No. 50-29000), 2019 General Obligation Bonds, since construction funds have not been allocated to the project account yet. The budgeted City share of the construction cost for this project is \$1,592,915.

RECOMMENDATION 1:

Staff recommends an appropriation of the budgeted construction funds in the amount of \$1,592,915 from the Capital Fund Balance (Account 50-29000), 2019 General Obligation Bonds; to Lindsey Street Special Corridor Project – Elm Avenue to Jenkins Avenue, Construction (Account 50594019-46101, Project BP0428).

RECOMMENDATION 2:

Staff further recommends approval of Contract K-2425-13 with the Oklahoma Department of Transportation.

RECOMMENDATION 3:

Staff further recommends approval of Resolution R-2425-9 adopting Contract K-2425-13, and if approved, authorize the execution thereof.