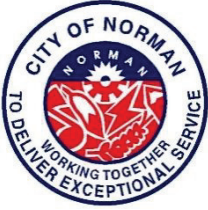


**File Attachments for Item:**

17. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-117: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AND OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) APPROVING THE PAYMENT OF \$1,611,683 FOR THE FLOOD AVENUE MULTIMODAL PATH ALONG TECUMSEH ROAD AND FLOOD AVENUE FROM 24<sup>TH</sup> AVENUE NW EAST TO FLOOD AVENUE AND SOUTH TO ROBINSON STREET AND BUDGET TRANSFER.



## CITY OF NORMAN, OK STAFF REPORT

**MEETING DATE:** 2/13/24

**REQUESTER:** David Riesland, Transportation Engineer

**PRESENTER:** Jason Olsen, Director of Parks and Recreation

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2324-117: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AND OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) APPROVING THE PAYMENT OF \$1,611,683 FOR THE FLOOD AVENUE MULTIMODAL PATH ALONG TECUMSEH ROAD AND FLOOD AVENUE FROM 24<sup>TH</sup> AVENUE NW EAST TO FLOOD AVENUE AND SOUTH TO ROBINSON STREET AND BUDGET TRANSFER.

### BACKGROUND:

Growing concerns about air quality, open space, and traffic congestion led the U.S. Congress to create several programs through legislation in the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA). These programs broaden the federal focus on transportation from building highways to funding projects tied to smarter planning requirements that help ensure communities are more “liveable”. At the center of the new focus on transportation, growth, and quality of life is the Transportation Enhancement Program.

The 2012 - Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) federal transportation funding bill allocates approximately \$21 million in Federal funds per year to implement eligible transportation improvements in the Oklahoma City Metropolitan Area. Recently, the MAP-21 Act has been renamed the MAP-21/Fixing America’s Surface Transportation (FAST) Act, and the Transportation Enhancement Program is now called the Transportation Alternatives Program (TAP). New sidewalks along federal functionally classified roads are eligible for 80% federal funding.

For the Federal Fiscal Years 2015-2020, the Association of Central Oklahoma Governments (ACOG), which handles TAP funding, had a single application period and invited eligible entities to submit projects for federal TAP funding. Requests could not exceed \$600,000 in federal funds for a single project, and the entities had to make a 20% minimum commitment of non-federal funds to the total project cost. The assessment of projects was based on how well they met published criteria. The City of Norman sought five projects, and was selected for three of them, namely:

- Constitution Street Multimodal Path from Jenkins Avenue to Classen Boulevard.
- State Highway 9 Multimodal Path from 36<sup>th</sup> Avenue SE to 48<sup>th</sup> Avenue SE.
- Multimodal Path along Flood Avenue (west side) from Robinson Street to Tecumseh Road and along Tecumseh Road (south side) from Flood Avenue to 24<sup>th</sup> Avenue NW.

The State Highway 9 and Constitution Street Multimodal Paths have already been completed; the Flood Avenue Path qualified only for partial funding as the last (lowest-ranking qualified project in the OKC Metro/ACOG area) project on the list of approved projects. The project was granted an additional portion of funds returned to ACOG as unused TAP funds.

## **DISCUSSION:**

ODOT requires the City to execute a project agreement and to adopt it by resolution before spending any federal funds. This has already taken place through prior Council Actions.

ODOT is now asking that the local share of the project cost, estimated at \$1,611,683, be paid before the bid opening, which will likely be in April 2024. Funds in the amount of \$970,541 are available in the Norman Forward Project, New Trail Development, Construction (Account 51790097-46101; Project NFP107).

Also, funds in the amount of \$529,459 are available in the Capital Fund, Flood Avenue MultiModal Path Project, Construction (Account 50596688-46101; Project TR0112), and the remaining funds of \$111,683 are available in the Norman Forward Fund, Saxon Park Development Project, Construction (Account 51796674-46101; Project NFP106), due to delays in the implementation of the Saxon Park project.

Additional Norman Forward funds may need to be allocated to the Saxon Park Development Project once the Saxon Park project construction is bid out in the future.

## **RECOMMENDATION 1:**

Staff recommends transferring \$970,541 from the Norman Forward New Trail Development Project (51790097-46101; Project NFP107) and transfer \$111,683 from Norman Forward Saxon Park Development Project (51796674-46101; Project NFP106) for a total of \$1,082,224 to the Norman Forward Fund Flood Avenue MultiModal Path Project (51596688-46101; Project NFP112).

## **RECOMMENDATION 2:**

Staff further recommends adopting Resolution R-2324-117 to pay ODOT in the amount of \$1,611,683 for the Flood Avenue Multimodal Path intersection of Tecumseh Road and Flood Avenue South to Robinson Ave with the funds available as outlined in the staff report.

## Resolution

R-2324-117

**A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT), APPROVING THE PAYMENT OF \$1,611,683 FOR THE FLOOD AVENUE MULTIMODAL PATH ALONG TECUMSEH ROAD AND FLOOD AVENUE FROM 24<sup>TH</sup> AVENUE NW EAST TO FLOOD AVENUE AND SOUTH TO ROBINSON STREET AND BUDGET TRANSFER.**

- § 1. WHEREAS, on November 23, 2020, City Council approved Contract K-2223-18 with ODOT for the Flood Avenue Multimodal Path Project along the west side of Flood Avenue between Robinson Street and Tecumseh Road and along the south side of Tecumseh Road between 24<sup>th</sup> Avenue NW and Flood Avenue, Federal-Aid Project TAP3-3735(004)AG, State Job No. 33735(04); and
- § 2. WHEREAS, the engineer's preliminary estimate of total construction cost is \$1,998,167; and
- § 3. WHEREAS, the funding for the project includes two Transportation Alternative Project (TAP) Grants totaling \$386,484; and
- § 4. WHEREAS, the local share calculates to a preliminary total of \$1,611,683; and
- § 5. WHEREAS, the balance in the Flood Avenue Multimodal Path Capital Construction Account (TR0112) is \$529,459; and
- § 6. WHEREAS, the remainder of the local share, \$1,082,224, was to be supported with Norman Forward New Trail Development Projects.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 7. That the following transfers be made for the reasons stated above:

<u>Gaining Account Name</u>	<u>Losing Account Name</u>	<u>Amount</u>
Project TR0112, Flood Avenue Multimodal Path Construction (50596688-46101)	Project NFP107, New Trail Development, Construction (51790097-46101)	\$970,541
Project TR0112, Flood Avenue Multimodal Path Construction (50596688-46101)	Project NFP106, Saxon Park Development Project (51796674-46101)	\$111,683

PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



## OKLAHOMA DEPARTMENT OF TRANSPORTATION

Item 17.

## INVOICE

Make check PAYABLE, and MAIL TO:

Oklahoma Department of Transportation  
 Comptroller Division  
 200 N.E. 21<sup>st</sup> Street  
 Oklahoma City, Oklahoma 73105-3204

To: City of Norman

Department Invoice No 3373504-01  
 1/25/2024

Project Type	Div	County	JP No	Project No.	Work Type	Description
ACOG TAP	3	CLEVELAND	33735(04)	TAP-214E(153)AG	ENHANCEMENT	FLOOD AVENUE MULTIMODAL PATH INTERSECTION OF TECUMSEH RD AND FLOOD AVE SOUTH TO ROBINSON AVE

Construction JP# 33735(04)

Description – Explanation of Charge	Total	Federal	Sponsor
Due Date: Upon Receipt			
Total Estimate for Project Construction, includes estimated 6% Construction Management Deposit	\$1,998,167	\$386,484	\$1,611,683
Accounting Use Only		Invoice Total	\$1,611,683

Distribution:

City

Remit with Payment

Division Project File

Comptroller Division