

# Mayor and Council Communication

**DATE:** 12/15/20

**M&C FILE NUMBER:** M&C 20-0928

**LOG NAME:** 06OAK GROVE ROAD JOEL EAST TO ENON

## **SUBJECT**

(CD 8) Authorize the Revision to the 2018 Bond Program Project Scope for Oak Grove Road Between Joel East Road and Everman Parkway from Asphalt Pulverization and Overlay to Construction of a Concrete, Four-Lane Divided Roadway with Two-Way Turn Lane and Ten-Foot Shared Paths and Authorize the Execution of a Community Facilities Agreement with Rob Riner Companies GP, LLC, with City Participation in an Amount Not to Exceed \$1,200,000.00 for Construction of Oak Grove Road from Joel East Road to Enon Road and \$200,000.00 for Preliminary Design of Oak Grove Road from Enon Road to Everman Parkway, Adopt Appropriation Ordinances, and Amend the FY2021-2025 Capital Improvement Program (2018 Bond Program)

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## **RECOMMENDATION:**

It is recommended that the City Council:

1. Revise the scope of the Oak Grove Road project as described in the 2018 Bond Program from an asphalt pulverization and overlay to construction of a concrete, four-lane divided roadway with a two-way turn lane and two ten-foot shared paths, consistent with the City's Master Thoroughfare Plan for Oak Grove Road from Joel East Road to Enon Road;
2. Authorize the execution of a community facilities agreement with Rob Riner Companies GP, LLC, with City participation in an amount not to exceed \$1,200,000.00 to construct Oak Grove Road from Joel East Road to Enon Road and City participation in an amount not to exceed \$200,000.00 for preliminary design of Oak Grove Road from Enon Road to Everman Parkway;
3. Adopt the attached appropriation ordinance adjusting appropriations in the 2018 Bond Program Fund by increasing appropriations in the Community Facilities Agreement-Oak Grove Road South project, in the amount of \$1,200,000.00 and decreasing appropriations in the Street Construction/Reconstruction/Rehabilitation programmable project (City Project No. PB0001) by the same amount;
4. Adopt the attached appropriation ordinance adjusting receipts and appropriations in the Transportation Impact Fee Capital Fund by increasing receipts and appropriations in the Community Facilities Agreement - Oak Grove Road South project (City Project No. 102802) in the amount of \$200,000.00 and by decreasing receipts in the REVENUE - Service Area X - Transportation Impact Fees project (City Project No. UN9926) by the same amount; and
5. Amend the FY2021-2025 Capital Improvement Program.

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## **DISCUSSION:**

Oak Grove Road between Joel East Road and Everman Parkway was planned as a Technique 2 maintenance project to improvement the pavement condition index for the road in the 2018 Bond Program. The project would pulverize the existing, two-lane, undivided asphalt road and replace it with a new, two-lane, undivided asphalt road as part of the 2018 CIP Year 2, Contract 16 (City Project No. 101476). The project estimate for Oak Grove Road as a Technique 2 project was \$1,200,000.00.

Oak Grove Road is classified as a Commercial Connector with two-lanes in each direction, a two-way turn lane, and ten-foot shared paths on each side of the street on the adopted 2016 Master Thoroughfare Plan (MTP) update. Additionally, Oak Grove Road from Joel East to Everman Parkway is identified as project X-18 in the adopted 2018 Traffic Impact Fee Study.

In 2019, Rob Riner Companies GP, LLC, a developer, approached the Transportation and Public Works (TPW) and Development Services departments for a partnership with the City to construct the full MTP roadway section from Joel East to Enon Road. These improvements will be an extension of the concrete improvements of Oak Grove that have been constructed by the developer from Wichita to Joel East Road. The developer requested the opportunity to utilize the bond funds previously allocated to the maintenance project to fund a portion of the full MTP street cross-section in lieu of the City installing asphalt to increase the available capacity of the road as well as provide a long-term, much needed improvement to the roadway. This revises the scope of the Oak Grove Road project in the 2018 Bond Program from a Technique 2 to a Technique 1 reconstruction project for the same estimate of 1,200,000.00.

In addition to constructing the full section of Oak Grove Road from Joel East Road to Enon Road, the City and the developer acknowledge Oak Grove between Enon Road and Everman Parkway will require drainage improvements that require additional cost analysis through preliminary design. The developer has agreed to provide the preliminary design for this portion of the roadway. The City will evaluate the costs based on the preliminary design and explore additional opportunities to fund the section of the road at a later date. The cost of the preliminary design will be paid by the City through the use of Transportation Impact Fees. Through this partnership, the City receives increased capacity with the additional two lanes, an increased pavement index rating, and increased roadway lifespan with concrete, for the cost of the asphalt maintenance project.

The purpose of this Mayor and Council Communication (M&C) is to authorize the execution of a Community Facilities Agreement (CFA) with Rob Riner Companies GP, LLC (Developer), for the construction of the full, four-lane, concrete roadway with a two-way turn lane and ten-foot shared paths for Oak Grove Road from Joel East Road to Enon Road and the preliminary design of Oak Grove Road from Enon Road to Everman Parkway.

This project is included in the 2018 Bond Program. Available resources within the General Fund will be used to provide interim financing until debt

is issued. Once debt associated with the project is sold, bond proceeds will reimburse the General Fund in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance No. 23209-05-2018) and subsequent actions taken by the Mayor and Council.

Funding for this project was not included in the FY2021-2025 Capital Improvement Program due to a changing the scope of a 2018 Bond Program project and using Transportation Impact Fees to cover additional City costs associated with a CFA project. The action in this M&C will amend the FY2021-2025 Capital Improvement Program as approved in connection with Ordinance No. 24446-09-2020.

The table below reflects the delineation of construction costs and related fees between the developer and the City. The estimated costs provided were based upon the engineer's estimate included as an exhibit and are consistent with the City Council adopted Unit Price Ordinance. The project will be publicly bid, and a 10% MBE goal has been established for the construction project.

**Estimated Project Expenditures:**

<b>Project Component</b>	<b>Developer's Cost</b>	<b>City's Cost</b>	<b>Total Cost</b>
Paving and Street Improvements	\$3,404,290.00	\$814,230.00	\$4,218,520.00
Drainage Improvements	\$1,070,732.00	\$256,143.00	\$1,326,875.00
Street Light Improvements	\$541,723.00	\$129,627.00	\$671,350.00
Contingency (20%)	\$1,243,349.00	\$0.00	\$1,243,349.00
Bid Payment, Performance & Maintenance Bonds (10%)	\$746,009.00	\$0.00	\$746,009.00
Joel East to Enon Engineering Design (10%)	\$746,009.00	\$0.00	\$746,009.00
Enon to Everman Preliminary Engineering Design	\$0.00	\$200,000.00	\$200,000.00
<b>TOTAL</b>	<b>\$7,752,112.00</b>	<b>\$1,400,000.00</b>	<b>\$9,152,112.00</b>

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are currently available in the Revenue- SA X -Transp Imp Fees and the Street Construction/Recon/Reha projects within the Transportation Impact Fee Cap and the 2018 Bond Program Funds and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the Transportation Impact Fee Cap and the 2018 Bond Program Funds for the CFA-Oak Grove Rd Joel E – Enon project to support the approval of the above recommendations and execution of the community facilities agreement. Prior to an expenditure being incurred, the Transportation & Public Works Department has the responsibility of verifying the availability of funds.

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