

PENDING APPROVAL

OKLAHOMA COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM REQUEST SHEET

FOR THE Wednesday March 31, 2010 AGENDA

DEPARTMENT: Commissioner District No. 3, Ray Vaughn

REQUESTED BY: Gerald L. Wright

REQUISITION NO.: _____ REQUISITION SHEET ATTACHED: _____ YES _____ N/A

NAME OF FUNDS: _____

FUND NUMBERS: _____ / _____ / _____

DOES THE AGENDA ITEM CONTAIN PRIVACY-PROTECTED OR SECURITY INFORMATION? _____ YES _____ NO

AGENDA ITEMS CONTAINING PRIVACY-PROTECTED OR SECURITY INFORMATION WILL NOT BE HYPERLINKED TO THE AGENDA.

NUMBER OF ORIGINAL DOCUMENTS TO BE RETURNED TO YOUR DEPARTMENT: **5 Copies submitted please return 4 Completed Copies to Commissioner Vaughn's Office.**

AGENDA ITEM READS AS FOLLOWS: Discussion and possible action for approval of an Agreement with the Town of Luther and the Board of County Commissioners, Oklahoma County for reconstruction of 2 ½ blocks of SW 5th Street between South Main Street/ Hogback Road and the Booker T. Washington Memorial Park. Upon completion of the work, the Town of Luther will reimburse Oklahoma County the costs for contractors and materials used in completing this project. The Town of Luther applied for and received a \$50,000 Grant from the 2009 Rural Economic Action Plan (REAP) Fund for reconstruction of this section of their roads. After completion of construction Luther shall be responsible for paying the total estimated cost of the project not to exceed \$53,000. All future repair and maintenance of the roadway will be accomplished by the Town of Luther. This agreement will remain in effect until the work is completed.

APPROVED BY DA
(If Applicable)

APPROVED BY ENGINEER
(If Applicable)

APPROVED BY PURCHASING
(If Applicable)

ASSISTANT DISTRICT ATTORNEY

COUNTY ENGINEER

PURCHASING AGENT

Please initial that document has been reviewed for privacy-protected or security information

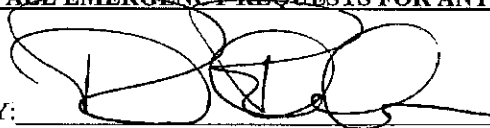
DISTRICT ATTORNEY: X YES _____ N/A

COUNTY CLERK: _____ YES _____ N/A

Indicate any privacy-protected information that exists _____

(NOTE: THE CHAIRMAN/CHIEF DEPUTY MUST APPROVE ALL EMERGENCY REQUESTS FOR ANY ITEM SUBMITTED AFTER THE DEADLINE)

DATE OF REQUEST: _____ APPROVED BY: _____


CHAIRMAN
CHIEF DEPUTY FOR
RAY VAUGHN, CHAIR

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AGREEMENT

BETWEEN

THE TOWN OF LUTHER

AND

THE BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY

This Agreement entered into the 23 day of MARCH, 2010, by and between The Town of Luther, hereafter referred to as the Town and The Board of County Commissioners of Oklahoma County, hereinafter referred to as the County.

WHEREAS, the Town applied for and received a \$50,000 Grant from the Rural Economic Action Plan (REAP) Fund for reconstruction of the 2 ½ blocks of S.W. 5th Street between S.W. Main Street/Hogback Road and the Booker T. Washington Memorial Park is within the town limits of the Town and, is in urgent need of reconstruction and resurfacing; and

WHEREAS, the Town desires to retain the use of the County's equipment and personnel to reconstruct and resurface this section of roadway; and

WHEREAS, the County has historically assisted the Town with maintenance, repair, and reconstruction of the Town's parking areas and roads; and

WHEREAS, it is in the mutual interest of the Town and the County to share in the improvements to this section of road; and

WHEREAS, such contract is authorized and provided for by the provisions in Oklahoma Statutes, Title 69, § 603 and § 1903(B).

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties hereto agree as follows:

The County shall:

1. Furnish supervision, labor, equipment, surveys, materials, traffic control, and subcontractors as required to complete the work.
2. Reconstruct this segment of 5th Street centered on the statutory R-O-W and as near as possible to the existing grades.
 - a. Replace, extend and install culverts where needed.
 - b. Replace existing encroaching fences along the edge of R-O-W.
 - c. Grind the existing gravel surface into the sub-grade, add stabilization, and compact the sub-base.
 - d. Pave the roadway with 2 ½" of "A" mix base course and 1 ½" of "B" mix surface course with asphalt concrete.
 - e. Place a strip of sod (max 42" wide) along the edges of the new surfacing.

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The Town shall:

1. Reimburse the County all costs for materials and contracted work used to reconstruct the roadway and update the drainage.
2. Upon completion of the project and upon proper invoicing by the County, make payment within 15 days. In no case will the cost for materials to complete this project exceed \$53,000.


The parties agree that upon completion of said project and opening of the same to traffic, the Town shall be responsible for all needed maintenance and repairs to keep the project in good and safe condition for the use and benefit of the traveling public.

This Agreement shall commence on the date by which this Agreement is executed by both parties and will continue through December 31, 2010. Either party may sooner terminate this Agreement by prior written notice to the other party.

Each entity shall be liable for its own acts of negligence.

APPROVED by the MAYOR and TOWN COUNCIL of the TOWN of LUTHER

This 23 Day of March, 2010.



MAYOR


ATTEST:



Town Clerk



APPROVED as to form and legality this 23 day of March, 2010.



Town Municipal Counselor

PENDING APPROVAL

APPROVED this _____ day of _____, 2010.

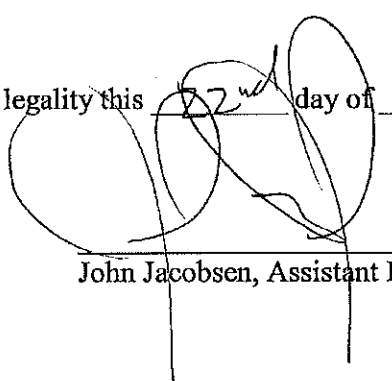
BOARD OF COUNTY COMMISSIONER
OKLAHOMA COUNTY

Ray Vaughn, Chairman

Willa Johnson, Vice Chairman

Brian Maughan, Member

APPROVED as to form and legality this 22nd day of March, 2010.



John Jacobsen, Assistant District Attorney

ATTEST:

Carolynn Caudill, County Clerk

APPROVED

Stacey Trumbo, PE, County Engineer