

PENDING APPROVAL

OKLAHOMA COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM REQUEST SHEET

FOR THE _____ June 30, 2010 _____ AGENDA

(THE DEADLINE IS ONE WEEK PRIOR TO THE DATE THE AGENDA IS TO BE POSTED)

DEPARTMENT: ENGINEERING REQUESTED BY: STACEY TRUMBO

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

NAME OF FUNDS: _____

FUND NUMBERS: _____

PLEASE INITIAL IF PRIVACY/PROTECTED INFORMATION EXISTS: _____ YES N/A

NUMBER OF ORIGINAL DOCUMENTS TO BE RETURNED TO YOUR DEPARTMENT: 2

AGENDA ITEM READS AS FOLLOWS:

Discussion and possible action for approval of Agreement for Right-of-Way Acquisition between Smith-Roberts Land Services and Oklahoma County for Oklahoma County Project No. 3-2007-D-BR, bridge and approaches on Sorghum Mill Road and Western over Chisholm Creek, District 3, and 1-2008-A-BR, bridge and approaches on Reno over Crooked Oak Creek, District 1, not to exceed \$26,200.00. Requisition No. 11008028 has been issued to Smith-Roberts Land Services in the amount of \$7,600.00 from 1110/9300/54454; Requisition No. 11008027 has been issued to Smith-Roberts Land Services in the amount of \$5,000.00 from 1110/9300/54454; Requisition No. 11008034 has been issued to Smith-Roberts Land Services in the amount of \$13,600.00 from 1110/9200/54455. This item is requested by Stacey Trumbo, County Engineer, and has been approved as to form and legality by John Jacobsen, Assistant District Attorney.

APPROVED BY DA
(If Applicable)

APPROVED BY ENGINEER
(If Applicable)

APPROVED BY PURCHASING
(If Applicable)


6/22/2010

ASSISTANT DISTRICT ATTORNEY



COUNTY ENGINEER

PURCHASING AGENT

Please initial if privacy/security protected information exist

DISTRICT ATTORNEY - PRIVACY/SECURITY PROTECTED INFORMATION: _____ YES N/A

COUNTY CLERK - PRIVACY/PROTECTED INFORMATION: RC YES N/A

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

DATE OF REQUEST: _____ APPROVED BY: _____
CHAIRMAN

REQUEST FOR DISTRICT ATTORNEY LEGAL SERVICES

THIS FORM IS TO BE USED TO REQUEST ADVICE AND/OR REPRESENTATION FROM THE DISTRICT ATTORNEY'S OFFICE REGARDING THE COUNTY OF OKLAHOMA, COUNTY OFFICIALS AND EMPLOYEES AS REQUIRED BY SECTIONS 215.4, 215.5, 215.25 AND 215.26 OF TITLE 19 OF THE OKLAHOMA STATUTES.

IF ADVICE IS SOUGHT, THE REQUEST MUST BE SIGNED BY AN ELECTED COUNTY OFFICER. THIS FORM MUST BE FILLED OUT AND SUBMITTED TO THE CIVIL DIVISION OF THE OKLAHOMA COUNTY DISTRICT ATTORNEY'S OFFICE IN A TIMELY MANNER. ALL RESPONSES TO REQUESTS FOR ADVICE WILL BE IN WRITING.

IF THE REQUEST IS FOR LEGAL REPRESENTATION UNDER 19 O. S. SECTION 215.25, THE REQUEST MUST BE SUBMITTED IN WRITING EARLY ENOUGH TO PERMIT THE DISTRICT ATTORNEY'S OFFICE ADEQUATE TIME TO COMPLETE A THOROUGH "GOOD-FAITH-AND-COURSE-OF-EMPLOYMENT" INVESTIGATION AS CONTEMPLATED BY 19 O.S. SECTION 215.26.

DATE OF REQUEST: 6/18/10
COUNTY DEPARTMENT MAKING REQUEST: Engineering

STATE WITH SPECIFICITY, WHAT THE REQUEST IS AND WHY THE ASSISTANCE OF THE DISTRICT ATTORNEY'S OFFICE IS NEEDED:
ROW Services Agreement

ATTACH ADDITIONAL DOCUMENTS AS APPROPRIATE. (NOTE: Advice, reviews and approvals as to "form and legality" are based on the documentation and information provided to the District Attorney's Office. Please provide all relevant information when requesting an opinion or review from the District Attorney's Office).

L. Blaine
COUNTY OFFICER

DATE RECEIVED BY DISTRICT ATTORNEY: 6/21/10

REPLY BY DISTRICT ATTORNEY: Received & Reviewed

RECEIVED

JUN 27 2010
CIVIL DIVISION
DISTRICT ATTORNEY

DAVID PRATER
DISTRICT ATTORNEY

By: [Signature]
2010 JUN 22 P 2:50

STATE OF OKLAHOMA
RECORDED OR FILED
OKLAHOMA COUNTY

PENDING APPROVAL

AGREEMENT FOR SERVICES
FOR
Oklahoma County Project No. 3-2007-D
Right-of Way Acquisition Services for Bridge and Approaches
on Sorghum Mill Road and Western Avenue over Chisholm Creek
AND
Oklahoma County Project No. 1-2008-A
Right-of Way Acquisition Services for Bridge and Approaches
on Reno Avenue over Crooked Oak Creek

This Agreement made between **Smith-Roberts Land Services, Inc.** hereinafter referred to as Consultant and the **Board of County Commissioners** of Oklahoma County, hereinafter referred to as County.

DESCRIPTION OF PROJECT

Bridge and Approaches on Sorghum Mill Road and Western Avenue over Chisholm Creek; and Right-of Way Acquisition Services for Bridge and Approaches on Reno Avenue over Crooked Oak Creek.

SCOPE OF SERVICES

The Consultant Services to be provided are described in Attachment "A".

CONSULTANT CHARGES

The total amount of the contract shall not exceed Twenty Six Thousand Two Hundred Dollars (\$26,200.00) as described in Attachment "A". Should the Consultant determine services are needed that will exceed that total amount, the Consultant shall notify the County by Amendment to this Agreement for acceptance by the Board of County Commissioners prior to performing work that would exceed this amount.

ADDITIONAL PROVISIONS

This Agreement and Attachment "A", the Proposal Dated June 1, 2010, constitute the entire agreement between the parties.

Services shall commence upon receipt of Notice to Proceed.

LIABILITY FOR DAMAGES:

County, its officers, agents, or employees, shall not in any manner be answerable or responsible for any loss or damage compensation required to be paid under any present or future law, to any person, whether an employee of consultant or otherwise. Consultant shall indemnify County, its

PENDING APPROVAL

officers, agents and employees, against all such injuries, damages, and compensation arising or resulting from causes other than County's neglect, or that of its officers, agents, or employees.

INSURANCE:

The following insurance shall be required prior to beginning the work and the Consultant shall furnish current copies (certificates) to the County of:

A. Worker's Compensation Insurance in accordance with the laws of the State of Oklahoma.

B. Professional Liability Insurance. The insurance policy coverage must be in an amount sufficient to satisfy any claims arising under The Oklahoma Governmental Tort Claims Act, 51 O.S. Sec. 151, et seq. The insurance policy must contain provisions that Oklahoma County be notified if the insurance carrier intends to cancel or not renew the policy.

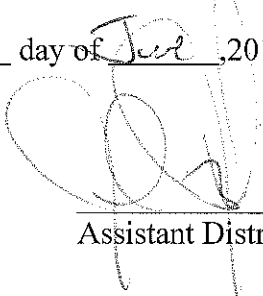
This insurance (A, B and C) shall be maintained in full force and effect during the life of this contract.

OWNER IS A GOVERNMENTAL ENTITY OF THE STATE OF OKLAHOMA

It is expressly understood that the County under this agreement is a body corporate and politic of the State of Oklahoma and consequently may only contract within the limitations provided by Oklahoma law. Notwithstanding any other provision to the contrary hereinbefore set forth, the provisions of the Article shall control any other provisions of this agreement.

Any work performed by the Consultant is at risk until the Consultant receives a Purchase Order from the County showing the full amount of the obligation created pursuant to this Agreement for the Project has been encumbered within an unencumbered amount previously appropriated for such purpose within the budget of the County for the County's Fiscal Year 2010-2011. For the purpose of this agreement it is understood and agreed that the full amount of the obligation created pursuant to this Agreement is no more than **Twenty Six Thousand Two Hundred Dollars (\$26,200.00)**. In the event that an Amendment is approved pursuant to terms of this agreement, and terms of said Amendment require payment of any sum in addition to the sum immediately aforesaid, Consultant shall not perform any Services contemplated within the scope of said Amendment until Consultant receives a Purchase Order from County showing that the full amount of the obligation created pursuant to said Amendment has been encumbered within an unencumbered amount previously appropriated for such purpose in the budget of the County for the County's Fiscal Year within which the Amendment is appropriated.

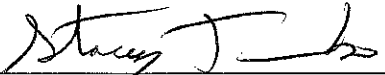
Approved as to form and legality this 22 day of July, 2010.



Assistant District Attorney

PENDING APPROVAL

APPROVED:



Stacey Trumbo, P.E., County Engineer

This Agreement entered this _____ day of _____, 2010.

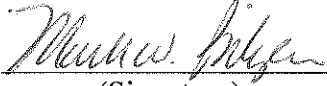
BOARD OF COUNTY COMMISSIONERS
OKLAHOMA COUNTY, OKLAHOMA

Chairman

Member

Member

CONSULTANT
Smith-Roberts Land Services, Inc..



(Signature)

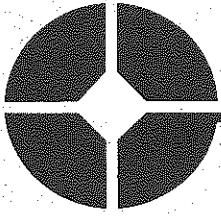
Mark W. Bilgore

(Printed name and title)

ATTEST:

Deputy
Carolynn Caudill, County Clerk

PENDING APPROVAL



SMITH-ROBERTS LAND SERVICES, INC.

4720 Richmond Square • Oklahoma City, OK 73118 • (405) 843-7500 • FAX (405) 840-0242

June 14, 2010

Stacey Trumbo, PE, County Engineer
Oklahoma County Courthouse
320 Robert S. Kerr Ave.
Oklahoma City, Oklahoma 73102

RE: Right of Way Services Proposal
Project No. 25011(04) Chisholm Creek
Sorghum Mill & Western Ave. Oklahoma County
Project No. 261119(04) Crooked Oak Creek
E. Reno & Bryant Ave., Oklahoma County

Dear Mr. Trumbo:

Thank you for the opportunity to submit a proposal for the R/W Services on bridges and approaches over Chisholm & Crooked Oak Creeks. As per your request, the following is our estimate for the R/W Services based on permanent or temporary parcels, to be billed on a per unit bases. To meet ODOT standards a form 6 Title report needs to be prepared for each ownership. R/W plans and documents are required by ODOT and are added to this proposal. All of these functions will be completed to ODOT standards.

Crooked Oak Creek Bridge / JP 26119 (04) Oklahoma County

Table with 4 columns: Item, Quantity, Unit Price, Total Price. Rows include Negotiation, Title Reports (form 6), Project Manager, All R/W plans and documents necessary for completion of the project, and Sub-Total \$13,600.00.

Chisholm Creek Bridge / JP 25011(04) Oklahoma County

Table with 4 columns: Item, Quantity, Unit Price, Total Price. Rows include Negotiations, Title Reports (form 6), Project Manager, Appraisals, and Sub-Total \$12,600.00.

TOTAL \$ 26,200.00

Our policy concerning LPA sponsored projects is to begin to solicit donations from each owner. Any tracts not secured by donation, Oklahoma County expect SRLS to acquire the property thru negotiations. SRLS is available to begin the right of way acquisition process almost immediately upon a notice to proceed. Should there be a change in scope, the unit price will be adjusted with written consent by both parties.

If additional information is needed please do not hesitate to call SRLS at (405) 516-5700.

Regards,

Handwritten signature of Mark W. Bilyeu.

Mark W. Bilyeu, SR/WA
President
Smith-Roberts Land Services, Inc.

OKLAHOMA COUNTY INCOMPLETE REQUISITION REPORT

DATE PRINTED--: 06-17-2010

NO. 11008028

Requisition No--: 11008028
Requisition Type--: Purchase Requisition
Creation Date--: 06-17-2010
Description--: ENGINEERING SERVICES FOR BRIDGE #12 OVER CHISHOLM CREEK ON SORGH

Requestor	Qty/Alt	Unit Price	Line Amt	Category
Lemochan, Cheryl Sue	1	\$ 7600.00	\$7,600.00	SERVICE-ARCHITECTURAL
Item Description: ENGINEERING FEES FOR DISTRICT #1				

Vendor: SMITH-ROBERTS LAND SERVICES INC Distribution: 0000.0000.12010.0000

Requisition Total: \$7,600.00

Approval Action (Circle One)

Approve Forward Reject

Forward To :

Note :

Signature:

1110-9300-544574

OKLAHOMA COUNTY INCOMPLETE REQUISITIONS REPORT

DATE PRINTED--: 06-17-2010

NO. 11008027

Requisition No--: C1008027
Requisition Type--: Purchase Requisition
Creation Date--: 05-17-2010

Description--: ENGINEERING SERVICES FOR BRIDGE #12 OVER CHISHOLM CREEK ON SORGH

Requestor	Qty/Amt	Unit Price	Line Amt	Category
Lenochan, Cheryl Sue	1	\$ 5000.00	\$5,000.00	SERVICES ARCHITECTURAL
Item Description: ENGINEERING FEES FOR DISTRICT #3				

Vendor: SMITH-ROBERTS LAND SERVICES INC

Requisition Total: \$5,000.00

Distribution: 1001.9200.54454.2010

Approval Action (Circle One)

Approve Forward Reject

Forward To : _____
Note : _____

Signature: _____

1001-9300-54454

OKLAHOMA COUNTY

Printed Requisitions Report

Report Date: 17-JUN-2010 10:38
Page: 2 of 2

Requisition: 11008034
Requisition Type: Purchase Requisition
Creation Date: 17-JUN-10
Description: NOC - Right of way acquisition Proj 12008A
Note To Approver:
Notes:

Preparer: Kersey, Coy Yates Jr
Approver: Ellis, Becky A
Currency: USD

Line	Line Type	Item	Rev Category	Description	Unit Quantity/Amount	Unit Price	Line Amount
1	Goods	955-35-000		SERVICE,MAINT RIGHT OF WAYS	Each	13600	13,600.00
		Kersey, Coy Yates Jr		Supplier 11008034 - SMITH-ROBERTS LAND SERVICES INC - *REMITT	-	- 16581	
Distributions: 1 Allocated To Account: 1110.9200.54455.2010.00000.00000.0000							

Justification:
Note To Approver:
Notes:

Total: 13,600.00

Previous Approvals:

Sequence Date	Approver	Action	Note
0 17-JUN-10	Kersey, Coy Yates Jr	Reserve	
1 17-JUN-10	Kersey, Coy Yates Jr	Submit	
2 17-JUN-10	Kersey, Coy Yates Jr	Forward	
3 17-JUN-10	Ellis, Becky A	Approve	

21008104

Approval Action (Circle One):
Approve Forward Reject

Forward To:

Note:

Signature: