

Roe 2020 Steps to Construction



Current Schedule

Date	Task
September 1, 2019	Utility Certification - Relocations substantially underway, or preferably complete. KDOT will hold the City responsible for any delay claims by the contractor during construction related to utility conflicts. KDOT may delay bidding if they feel utilities are not addressed adequately.
September 30, 2019	Final Engineering Plans – necessary for KDOT to generate contracts and specifications for bid
October 1, 2019	Easement Acquisition Complete (or ability to conditionally certify) – Normally easements must be acquired or bid date is delayed. KDOT may allow bidding if eminent domain action is a) a small number of tracts, b) is past the initial hearing. This is entirely KDOT’s decision.
October 9, 2019	Advertise for bids
November 13, 2019	Bid Letting
February 2020	Open House Public Informational meeting with contractor
March 1, 2020	Construction Begins

Construction Phasing

GBA developed a general traffic control/phasing plan (50 pages). However, we cannot dictate the means and methods to which the contractor constructs the project. Once a contractor is on board, they may change our phasing plan to increase their efficiency.

-In general, GBA’s phasing plan is as follows

1. Remove Existing Center Medians (Inside Lanes Closed, Outside Lanes Open)
2. Construct Proposed Center Medians & Full Depth Pavement where medians were removed but not replaced. (Inside Lanes Closed, Outside Lanes Open)
3. Remove & Reconstruct Curbs/Curb Inlets/Sidewalks/Driveways/Entrances/Sideroads (Outside Lanes Closed/Inside Lanes Open)
4. Mill and Overlay Pavement, construct street lighting and traffic signals, restoration. (Various lane closures)

Phasing Considerations:

- Sideroad and Commercial Entrance construction phasing has been detailed to maximize accessibility while keeping in mind public safety.
- Residential Driveway Closure: There will be two instances in which homeowners will not have access to their driveways. This will be during the construction and cure-time of the driveway curb as well as the reconstruction and cure-time of their driveway. We anticipate the closure of each driveway to be limited to about 2 weeks total (depending on weather). Special accommodations will be made for the elderly and handicapped as noted in the plans.

Typical Issues raised by property owners during the acquisition process:

- Loss of property value – Concern that the loss of property, or project construction, will negatively affect property value. This project doesn’t add driving lanes, widen the street, or permanently take any properties except a few small permanent easements at some corners.

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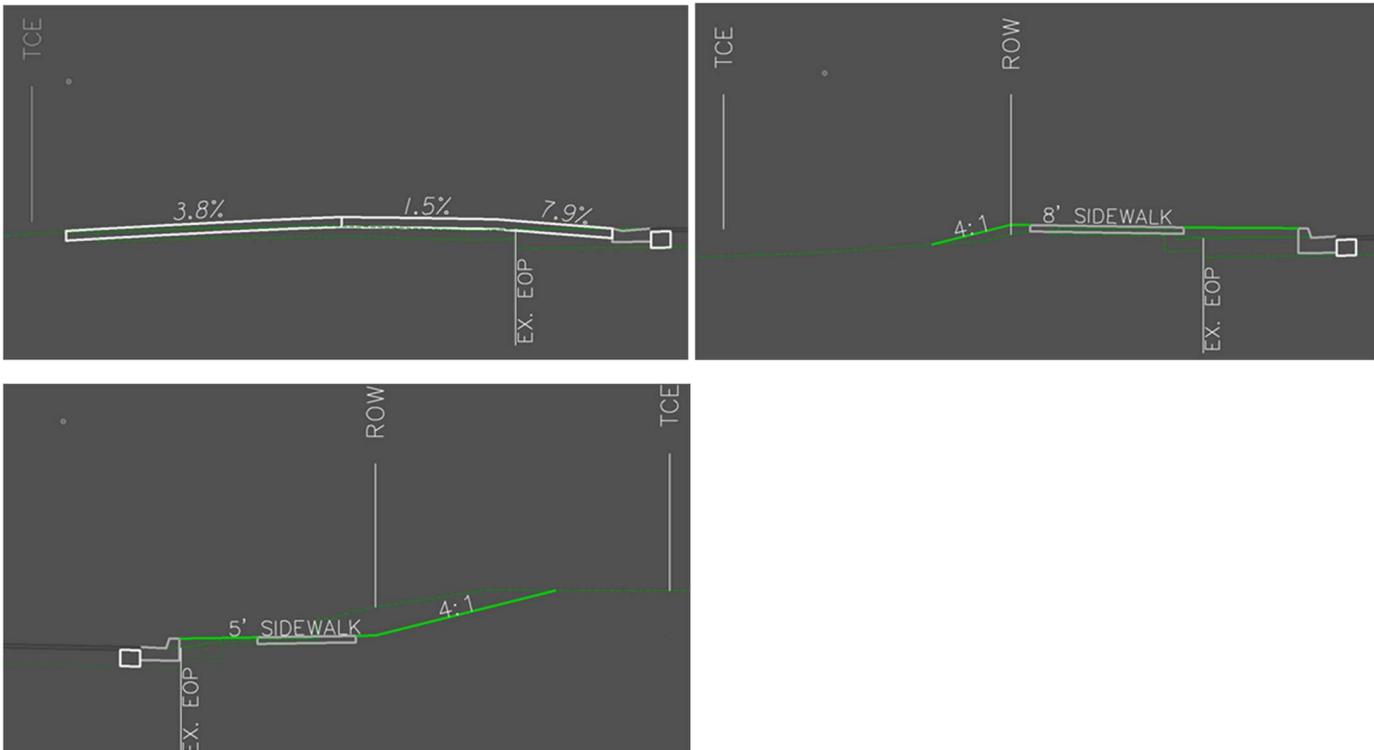
- Access to the property – Property owners, rightfully, desire vehicular access during construction. On the other hand, the construction has some time periods when that is not possible. The acquisition agents are familiar with the issue and communicate it well.
- Construction duration in their area – Construction takes time, and the serial nature of it means that there will be some disturbance along all the roadway until final restoration. We reserve (and pay for) the right to use the TCE during any period of construction.
- Changes in the grades/perceived damages to yards – There will be some grade changes, but all properties will be restored to acceptable slopes. Generally, there are not dramatic changes due to the nature of the project.
- Restoration – Concern about lawns, flowers, edging, etc... We will be using a tall turf Fescue for restoration of lawns. Most other items are being paid for through the acquisition process.
- Loss of trees – Tree loss can be a significant hurdle to gaining property owner support. However, we are only taking 4 residential trees, and 7 commercial trees, on the project. This should not be a major issue.
- Driveway replacement – Concerns about the type of concrete, jointing, how much we will replace, and slopes. The acquisition agent/engineer can address these items.
- Easement document indemnification/technical objections - Some owners want to make changes to the documents. We accommodate them in two ways 1) Use of an acquisition agreement to make changes that both the City and owner agree upon, and 2) Occasionally there is language in the easement document that can be altered to each party's satisfaction. We do not make wholesale changes to the standard documents.

Properties with specific issues

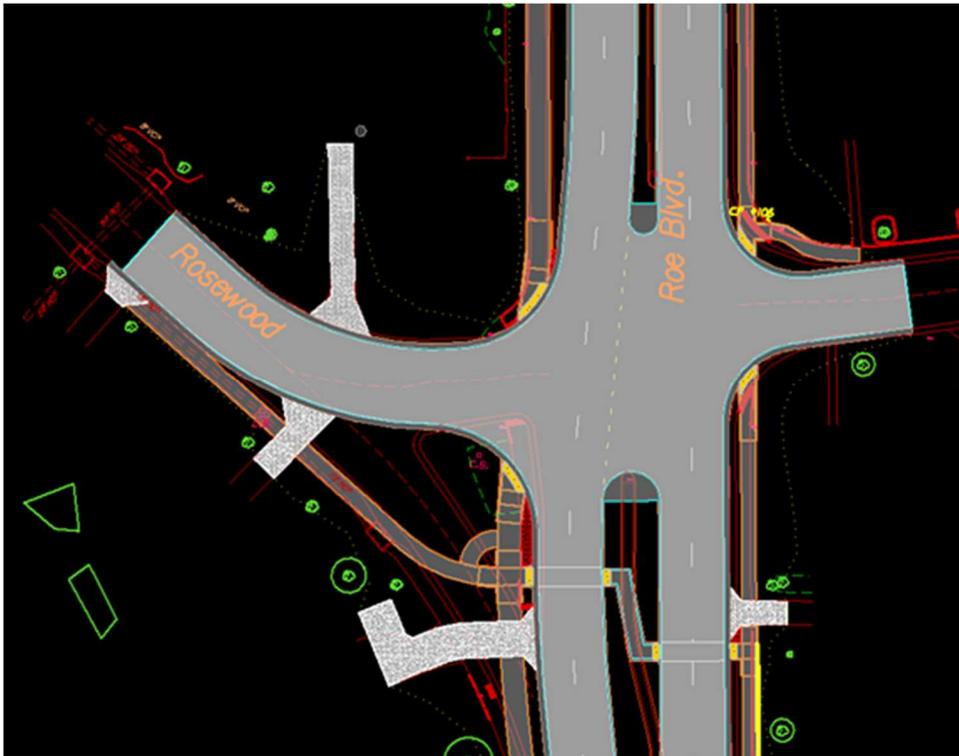
There are some owners from which we may not be able to negotiate easements. These may include:

- Owner opposes project
- Owner cannot be found/absentee
- Multiple owner with issues (divorce etc...)
- Property in ownership change (foreclosure)

Shifting Edge of Pavement



Simplified Rosewood Layout



Acquisition Steps

Prior to Eminent Domain:

- City hires certified appraiser to appraise property before and after acquisition (complete)
- Complicated/over \$10k acquisitions are reviewed by an independent appraiser (complete)
- Acquisition agent provides offer to property owner (complete)
- City exhibits good faith effort to acquire property, usually at least 30 days allowance for negotiation

Eminent Domain:

- Governed by:
 - Kansas Statutes 26-501
 - Uniform Relocation Assistance and Real Property Acquisition Act of 1970 – Purpose is to ensure fair compensation and assistance and assistance for those whose property was compulsorily acquired for public use under " eminent domain " law.
- City authorizes need for Eminent Domain thru resolutions/ordinances
- City files petition with District Court and notifies property owners, parties in possession, and parties with an interest in the property (mortgage holder, easement holders, etc...)
- Court assigns judge, holds hearing on validity of petition (i.e. does the City have the right to condemn for the stated purpose).
- Court appoints appraisal panel, 2 MAI appraisers, 1 attorney (Johnson County residents)
- Appraisal panel performs another before and after appraisal, establishes awards, files report with District Court.
- City pays cost of awards and cost of panel's work to District Court and immediately has possession of the easements.
- Owners can appeal the appraisal to a trial, but the only issue at this point is money.