

**LETTER OF AGREEMENT BETWEEN
CITY OF OWASSO AND HEARTLAND CONSULTING, INC.**

THIS Agreement is entered into, by and between The City of Owasso ("City") located in Owasso, Oklahoma and Heartland Consulting, Inc. ("Heartland"), a Delaware corporation located in Tulsa, Oklahoma.

1. **Term.** City hereby employs Heartland as City's consultant to provide professional services as may be determined by City, or its authorized representative, through June 30, 2011 unless terminated earlier by either party upon thirty (30) days prior written notice to the other.

2. **Monthly Fee.** City shall pay Heartland a monthly fee in the amount of Ten Thousand, Five Hundred Dollars (\$10,500.00) payable within five (5) days after presentation of an invoice from Heartland to City. These fees shall be inclusive of all expenses and services performed by Heartland.

3. **City Requests.**

A. Heartland shall promptly respond to requests from City and its authorized representatives concerning compliance with the terms of this Agreement, including reasonable requests for data and other relevant information.

B. Heartland shall provide City with monthly status updates regarding the following projects: *Securing federal funding for the widening of Highway 169 between Highway 244 and Highway 20 as well as appropriations for the Environmental Impact Study (EIS) regarding the same.*

C. Heartland shall specifically commit the combined services of Mr. Chad Bradley, Washington D.C. and Mr. Todd W. Singer, Tulsa, Oklahoma in furtherance of securing all City requests.

D. Mr. Bradley shall facilitate and monitor all federal authorizations and/or appropriations attendant to all City requests.

E. Mr. Singer shall also facilitate and monitor all federal authorizations and/or appropriations attendant to all City requests and additionally act as liaison between City and all federal legislative bodies and committees.

4. Laws, Regulations, Code of Business Practices. In performing the responsibilities under this Agreement, Heartland represents and warrants that no part of any consulting fee or other payment received by Heartland from City will be offered or promised to, shared with, or paid to, directly or indirectly, any official, employee or agent of any government, government agency, government-controlled corporation, political party or candidate for public office, or to any client or any officer, employee, agent or owner of any client.

5. Amendments. This Agreement may be amended, modified or altered only in writing, executed by City, acting by said duly authorized officer(s) and by Todd W. Singer, President of Heartland Consulting, Inc.

6. Notice. Any notice required herein shall be by United States Mail, duly posted, or public or private courier with return receipt, the date of notice to be date of delivery.

7. Counterpart Execution. This Agreement may be executed in counterpart and each such duly executed and dated counterpart shall be deemed an original.

EXECUTED this 3rd day of February, 2011, effective upon the latter of the two dates entered below opposite signatures of the parties of this Agreement.

2-3-11
Date

CITY OF OWASSO
By: [Signature]
Rodney J. Ray, City Manager

2/8/11
Date

HEARTLAND CONSULTING, INC.
By: [Signature]
Todd W. Singer, President



APPROVED BY COUNCIL
FEB 03 2011

TO: The Honorable Mayor and City Council
City of Owasso

FROM: Rodney Ray
City Manager

SUBJECT: Agreement with Heartland Consulting

DATE: January 28, 2011

BACKGROUND:

At the meeting on January 18, 2011, the City Council approved a supplemental appropriation to fund the agreement with Heartland Consulting in order to continue our efforts to secure funding for improvements to Highway 169. The staff memorandum included with the meeting agenda of January 18, 2011 addressed the need to extend the current agreement with Heartland Consulting and to appropriate additional funds for that agreement. However the actual wording on the City Council agenda only listed action regarding the budget. Language that would have approved the agreement with Heartland was omitted from the agenda item.

PROPOSED ACTION:

The City Council has approved a supplemental appropriation to fund the Heartland Consulting agreement through June 2011. In order for Heartland to continue working on behalf of the City, extension of the current agreement for professional services would require Council approval.

RECOMMENDATION:

Staff recommends City Council approval of an Agreement for Consulting Services between the City of Owasso and Heartland Consulting, Inc. through June 30, 2011 and authorization for the City Manager to execute the Agreement.

ATTACHMENT:

- A. Proposed Letter of Agreement between the City of Owasso and Heartland Consulting, Inc.
- B. Memorandum of January 14, 2011



APPROVED BY COUNCIL
JAN 18 2011

TO: The Honorable Mayor and City Council
City of Owasso

FROM: Rodney Ray
City Manager

SUBJECT: Agreement with Heartland Consulting
And Budget Amendment

DATE: January 14, 2011

BACKGROUND:

In 2007, the City of Owasso established as a major priority the widening of US Highway 169 from I-244 to E. 116th Street North. At that time, it appeared that without a major initiative by Owasso, such a project would be eight to fifteen years from occurring in the natural course of the Oklahoma Department of Transportation's (ODOT) priority setting. The plan for the initiation and completion of this project included the completion of: 1) the environmental study, 2) the design of the improvements, and 3) the construction of two additional lanes to bring the highway to a six-lane configuration. Efforts have been concentrated in two areas: 1) securing additional annual Federal appropriations in order to complete the Environmental Impact Study and 2) actively advocating for the inclusion of funds in the Federal Highway Reauthorization Bill for the widening project.

As any individual who now commutes north or southbound on Highway 169 can attest, the City's strategy has been extremely successful. Heartland Consulting has worked aggressively for the City of Owasso and is responsible for securing over \$3,200,000 in Federal appropriations, which have enabled the early completion of the eighteen (18) million dollar Phase 1 project to widen Highway 169 from I-244 to E. 56th Street North. In addition to this, Heartland Consulting has been instrumental in securing hundreds of thousands of dollars in order to continue the environmental impact studies and design and engineering phases to extend the widening project between E. 56th Street North and E. 116th Street.

Additionally Heartland worked with the Oklahoma Department of Transportation to obtain an "exception" to the Federal Highway Standards relating to the Pine Street Railroad overpass for the recently completed widening between I-244 and E. 56th Street North. This exception was critical to the speed with which the first phase of the project was completed.

With the past successes in mind, it is important to continue our efforts until Federal funding has been secured for the final phases of the Highway 169 widening project by approval of the Highway Reauthorization Bill. In working to secure these funds, residents and businesses throughout Owasso will undoubtedly benefit from uninhibited traffic flows, thus improving the overall quality of life throughout the city.

PROPOSED ACTION:

The City of Owasso FY 2011 Budget included funding for the Heartland Consulting agreement for only six months, anticipating that the Highway Reauthorization Bill would be approved by Congress in 2010. In order for Heartland to continue working on behalf of the Highway 169 project, extension of the current agreement and supplemental appropriation for professional services would require Council approval.

RECOMMENDATION:

Staff recommends City Council approval of an Agreement for Consulting Services between the City of Owasso and Heartland Consulting, Inc. through June 30, 2011. Staff further recommends approval of a budget amendment increasing the appropriation for expenditures in the General Fund by \$63,000.