

AGENDA



Thursday, August 30, 2007

Public Works

Item No. 28

RECOMMENDATION FOR COUNCIL ACTION

Subject: Authorize negotiation and execution of an amendment to the professional services agreement with BROWN and ROOT, INC / ESPEY PADDEN, INC. JOINT VENTURE, Austin, TX, for Phase 2 (design/bid) and Phase 3 (construction management and warranty assistance) engineering services for the Waller Creek Tunnel Project, in the amount of \$26,900,000 plus a \$1,350,000 contingency, for a maximum contract amount not to exceed \$30,482,675.15.

Amount and Source of Funding: Funding in the amount of \$21,241,947 of unencumbered funds is available in the Capital Budget of the Watershed Protection and Development Review Department. The existing contract amount of \$2,232,675.15 has been encumbered. The balance of \$7,008,053 will be funded by bond interest and certificates of obligation.

Fiscal Note: A fiscal note is attached.

For More Information: Gary Jackson 974-7115; Gary M. Kosut, P.E., 974-3374; Joe Pantalion, P.E., 974-3438; Laura Bohl 974-7064.

MBE/WBE: This contract was awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 17.1% MBE and 14.3% WBE subconsultant participation to date.

Prior Council Action: 01/21/99 - Selection of Brown AND Root, Inc./Espey Padden, Inc. Joint Venture; 05/13/99 - Approval of execution of a professional services agreement with the joint venture.

History

The Waller Creek Tunnel Project will provide flood control, water-quality enhancement and economic development opportunities along the lower Waller Creek which traverses the eastern side of downtown. With the completion of the project, the depth of flow within the existing Waller Creek channel south of 12th Street will not exceed four to five feet for all storms up to the 100-year flow event. The project will provide protection to 40 existing commercial, civic-use and residential structures and prevent the inundation of 12 bridges. By diverting flood waters into the tunnel, the project will allow development to occur in the current floodplain area.

The proposed tunnel will be approximately 22 feet in diameter and 5400 feet in length. The tunnel will originate in Waterloo Park near East 12th Street with discharge to Town Lake. The tunnel alignment is generally beneath Sabine Street (see attached alignment map). Significant inlet and outlet structures are required and because the structures are in parkland, aesthetics of the structures are a major consideration. The inlet structure will include a pond, a morning-glory shaped inlet structure, small dam, access bridge, pump building and significant landscaping enhancements. The inlet will also include mechanical screens to ensure operational reliability and a system to pump small quantities of water from the tunnel to the creek. This pumped water will keep the water in the tunnel fresh as well as augment the base flow in the creek. Approximately four storm water inlets along the lower Waller Creek downstream of the tunnel inlet, and a parallel smaller diameter tunnel originating near East 3rd Street and terminating at the tunnel outlet, will provide for the diversion of storm water entering the lower Waller Creek channel. The outlet structure includes a pond, an outlet shaft, and a de-watering pump system. A floating stage

may be located on the outlet shaft. An outdoor amphitheater may be built on the slopes surrounding the outlet pond. The park facilities to be located at the tunnel inlet and outlet will be finalized following meetings with the public and Parks and Recreation Department Board.

The Waller Creek tunnel project will spur economic development throughout downtown, in particular in an area where development has lagged the rest of the city. The project will enhance the parkland and trail along the creek by providing amenities in Waterloo Park and on Town Lake and by preventing flooding and reducing stream-bank erosion. Further, the project's water re-circulation efforts will supplement stream base flow and enhance the quality of water flowing into Town Lake. The project is also expected to improve the connectivity between east and west Austin, and with its parkland enhancement and anticipated economic development stimulus, promote tourism by convention and other visitors.

The project was approved by Austin voters in the May 2, 1998 bond election. Preliminary engineering studies conducted by the Brown and Root/Espey Padden Joint venture indicated that the cost of the project was significantly greater than the bond funds available. Additional project engineering studies were conducted to determine the feasibility of alternate projects. Economic studies were also conducted to evaluate the feasibility of the project.

On June 21, 2007 City Council approved an ordinance creating Tax Increment Financing Reinvestment Zone No. 17 for the Waller Creek tunnel project and related facilities, establishing a Board of Directors for the zone, and related matters. To finance this project, the City of Austin formed a tax increment financing reinvestment zone (TIF) in accordance with state law. In a TIF, one or more political subdivisions contribute up to 100% of the property tax on the increase in value (tax increment) to TIF purposes. Under the subject TIF, the City of Austin will contribute 100% of its tax increment, and Travis County will contribute 50% of its tax increment. The project will be funded by the issuance of debt that will be repaid primarily from the revenues of this 20-year TIF. At the end of the 20-year TIF, the City will pay all remaining debt and operations and maintenance expenditures.

The Contract Amendment

The subject amendment will provide for the design of the Waller Creek Tunnel project. Services to be provided during the design phase include:

- Economic study updates which may be required by the TIF Board,
- Development of small construction bid packages to enhance MWBE contractor participation,
- Project construction cost estimating and scheduling,
- Surveying and mapping,
- Development of traffic plans,
- Assistance to the City in public relations efforts to facilitate construction in the central business district,
- Utility relocation designs,
- Geotechnical investigations and analysis,
- Assistance to the City in the acquisition of easements and properties,
- The construction and testing of physical and computer hydraulic models of the tunnel inlets and outlet,
- Coordination with FEMA to obtain conditional approval of a plan to change the boundaries of the floodplain,
- Coordination with other consultants preparing a plan for the development of downtown,
- Engineering analysis and design and additional hydrologic and hydraulic modeling using GIS technologies.
- Permit acquisition assistance,
- Development of detailed operation and maintenance requirements and costs, and
- Assistance in obtaining bids including early contractor community notifications and analyzing bids for the several anticipated project bid packages.

The amendment will also include engineering efforts required for the management of the project construction contracts and for warranty phase assistance. The construction/warranty phase services will include the following:

- Construction contract management including responding to contractor inquiries and claims,
- Resident project representative services consisting of a group of on-site engineers and technicians monitoring the progress and quality of the project,
- Assistance with the start-up and testing of the completed project, and
- Assistance in pursuing warranty corrections.