

AGENDA



Thursday, June 18, 2009

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 15**

Subject: Authorize reimbursement, under previously approved contract, to West 38th Street Ltd., Austin, TX, for the rehabilitation of the Central Park wet pond, in the amount of \$149,935.50, plus a contingency amount of \$7,496.78, for a total contract amount not to exceed \$157,432.28.

Amount and Source of Funding: Funding in the amount of \$157,432.28 is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection and Development Review Department.

Fiscal Note: A fiscal note is attached.

For More Information: Mike Kelly, 974-6591; Craig Russell 974-7157; Rosie Truelove 974-3064; April Thedford 974-7141

MBE/WBE: This contract was originally approved as a cost reimbursement in 1993 and as such was in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program).

Prior Council Action: August 23, 1993 - Council approved an Interlocal Agreement between the City of Austin and West 38th Street Ltd.

This purchase approval allows the City of Austin to reimburse the property owner for the rehabilitation of the Central Park wet pond, located between Guadalupe Street and Lamar Boulevard, north of 38th Street, along a tributary of Waller Creek. In 1993, the City of Austin partnered with the State of Texas and West 38th Street Ltd. to construct and maintain a regional pond for the provision of water quality and flood control. The pond filters and detains water from Central Market and the neighborhood north and west of 38 1/2 Street and Lamar. The City of Austin and West 38th Street Ltd. seek to restore the original water quality and flood control volume by removing sediment that has accumulated since it was built in 1996.

Per the 1993 agreement, West 38th Street Ltd., or its assignee, is responsible for performing maintenance and repair of the Pond, and the City is responsible for reimbursement to West 38th Street Ltd. for all approved costs for these services.

Barshop & Oles, Inc., assignee for West 38th Street Ltd. competitively bid the pond rehabilitation project. The lowest bid received was \$149,935.50, which is less than the City's estimate of \$212,910. The Watershed Protection and Development Review Department requests approval for \$157,432.28 (bid price plus 5% contingency) to reimburse West 38th Street Ltd. for the maintenance construction cost.