

A G E N D A



Recommendation for Council Action

Austin City Council

Item ID

22573

Agenda Number

3.

Meeting Date:

3/21/2013

Department:

Austin Water Utility

Subject

Authorize execution of an amendment to the cost reimbursement agreement with MAK Marshall Ranch, L.P., assigned to D 71, L.P., to modify the project scope by adding approximately 1,600 linear feet of 24-inch water main to the project located along East State Highway 71 east of Ross Road.

Amount and Source of Funding

There is no anticipated fiscal impact.

Fiscal Note

A fiscal note is not required.

**Purchasing
Language:**

**Prior Council
Action:**

March 22, 2012 – Council approved a Cost Reimbursement Agreement for D 71, L.P.; March 26, 2009 – Council approved an amendment to the Cost Reimbursement Agreement for MAK Marshall Ranch, L.P. (Ordinance No. 20090326-002); August 24, 2006 – Council approved a Cost Reimbursement Agreement for MAK Marshall Ranch, L.P. (Ordinance No. 20060824-005).

**For More
Information:**

Phillip Jaeger, 972-0232; Denise Avery, 972-0104

**Boards and
Commission
Action:**

To be reviewed by the Water and Wastewater Commission on March 13, 2013.

MBE / WBE:

Related Items:

Additional Backup Information

Council approved the negotiation and execution of a cost reimbursement agreement with D 71, L.P., on March 22, 2012, for a total cost reimbursement amount not to exceed \$1,098,077.50. In July 2012, Austin Water Utility approved the partial assignment of the MAK Marshall Ranch, L.P. Cost Reimbursement Agreement, Phase One Water Improvements, to D 71, L.P. because D 71 L.P. was ready to move forward with their project prior to MAK Marshall Ranch, L.P. Therefore, the assignment of the Phase One Water Improvements avoided having multiple developers working on the same water project. Service Extension Requests may have multiple developments with the same identified infrastructure that is needed to provide service to a general area, not just a particular development. However, the developer that is ready to initiate their development first will assume responsibility, in accordance with the terms of the service extension request and cost reimbursement agreement, to construct the identified infrastructure extension.

The Phase One Water Improvements consisted of approximately 3,400 linear feet of 24-inch water main extending from the existing 16-inch water main in Ross Road at East State Highway 71, east along the right-of-way of East State Highway 71 to the proposed MAK Marshall Ranch development (located within the Desired Development Zone). The Phase One Water Improvements were competitively bid in December 2012 and the construction contract was awarded in an amount of \$802,373.00. Construction began in early February 2013.

Austin Water Utility is now requesting the approval of an extension of the Phase One Water Improvements for approximately 1,600 linear feet from the eastern terminus of the Phase One Water Improvements, east along the right-of-way of East State Highway 71 to the D 71, L.P. tract. This extension of infrastructure will allow water service to be provided to future development along East State Highway 71. It is anticipated that the total project cost reimbursement will not exceed the original Council-authorized maximum reimbursement amount of \$1,098,077.50.

The proposed water improvements will conform to all City Code requirements. The Owner will construct all required improvements and dedicate the facilities to the City for ownership, operation, and maintenance.