

## A G E N D A



## Recommendation for Council Action

Austin City Council	Item ID	37696	Agenda Number	7.
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Meeting Date:	11/20/2014	Department:	Austin Water Utility
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## Subject

Authorize negotiation and execution of a cost participation agreement with Davey L. Buratti and John M. Buratti for the City to reimburse the developer for costs associated with the design and construction of an oversized wastewater interceptor and appurtenances that will provide wastewater service to a proposed single-family subdivision located south and west of Bradshaw Road and south of Country Down Drive in an amount not to exceed \$760,290.30.

## Amount and Source of Funding

Funding in the amount of \$760,290.30 is available in the Fiscal Year 2014-2015 Capital Budget of the Austin Water Utility.

## Fiscal Note

A fiscal note is attached.

Purchasing Language:	
Prior Council Action:	
For More Information:	Phillip Jaeger, 512-972-0232; Denise Avery, 512-972-0104
Boards and Commission Action:	November 12, 2014 - Recommended by the Water and Wastewater Commission on a 5-0-1-1 with Commissioner Clark abstaining and Commissioner Moriarty absent.
MBE / WBE:	
Related Items:	

## Additional Backup Information

The Buratti Subdivision, consisting of approximately 157 acres of land generally located south and west of Bradshaw Road and south of Country Down Drive, (the "Property"), is proposed to ultimately include 450 single-family residences, and is located entirely within the City of Austin's 2-mile extra-territorial jurisdiction. Davey L. Buratti and John M. Buratti (the "Applicant") have requested that the City provide wastewater utility service to the Property as proposed in Service Extension Request (SER No. 2286R2). The Property is within the City's Impact Fee Boundary, Austin Water Utility's (AWU) wastewater service area, the Desired Development Zone, and the Onion Creek Watershed. AWU will provide retail wastewater service to new development within the Property.

In accordance with Chapter 25-9 of the City Code, the City has asked the Applicant to oversize the gravity wastewater main in order to serve additional properties within the Onion Creek drainage basin in accordance with the City's long range planning goals for this area. As such, the City will cost participate in this construction project only to the extent of the City's proportionate share.

The proposed oversized improvements include construction of approximately 5,440 feet of 18-inch gravity wastewater main from the 24-inch gravity wastewater interceptor located along Onion Creek and extend east to and through the Property to Bradshaw Rd.

The City will reimburse the Applicant for an overall total amount not to exceed \$760,290.30. The percentage breakdown of the cost participation by project component is as follows:

- For costs of the 18-inch gravity wastewater main (oversized pipe diameter from a 12-inch to 18-inch) and appurtenances, the City's maximum participation consists of: (1) hard costs, in an amount not to exceed 33% of the hard costs of the 18-inch gravity wastewater main and appurtenances, and (2) soft costs, in an amount not to exceed 15% of the City's hard cost participation amount.

Other terms of the agreement will require that the Applicant:

- Bear all costs for financing, interest, fiscal security, accounting, insurance, inspections, permitting, easement acquisition, legal services, and other non-reimbursable soft costs associated with the project;
- Conform to the City's design criteria and construction standards;
- Construct all improvements at their cost and, after the City's final approval of the construction, dedicate the facilities to the City for ownership, operation, and maintenance;
- Meet applicable M/WBE goals and policies established by City Code Chapter 2-9A;
- Allow the City to use the project plans and specifications approved by AWU Director to solicit and publish invitations for bids for the construction of the improvements; and
- Follow the City's standard bidding practices and procedures, including the minority-owned business enterprise procurement program found in Title 2 of the City Code, and Texas Local Government Code Chapters 212 and 252.