



**Cost Reimbursement
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 4
AGENDA DATE: Thu 10/20/2005
PAGE: 1 of 1

SUBJECT: Authorize negotiation and execution of an amendment to the existing Water Cost Reimbursement Agreement with LENNAR BUFFINGTON ZACHARY SCOTT, L.P., to increase the amount of City cost reimbursement for construction of a 24-inch water main and appurtenances (Phase One) to provide water service to the Zachary Scott Tract located in the south corner of the Old Lockhart Highway and Bradshaw Road intersection by \$299,379, for a new total actual ("hard") construction cost for Phase One Water Improvements identified in the Cost Reimbursement Agreement not to exceed \$1,379,379, and a total hard construction costs for all water improvements identified in the Cost Reimbursement Agreement not to exceed \$3,727,379.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$299,379 is available in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Austin Water Utility
DEPARTMENT:

**DIRECTOR'S
AUTHORIZATION:** Chris Lippe

FOR MORE INFORMATION CONTACT: Reynaldo Cantu, 972-0240; Phillip Jaeger, 972-0232; Denise Avery, 972-0104

PRIOR COUNCIL ACTION: Originally approved by Council on 10/23/2003, Ordinance No. 031023-6.

BOARD AND COMMISSION ACTION: Recommended by the Water and Wastewater Commission.

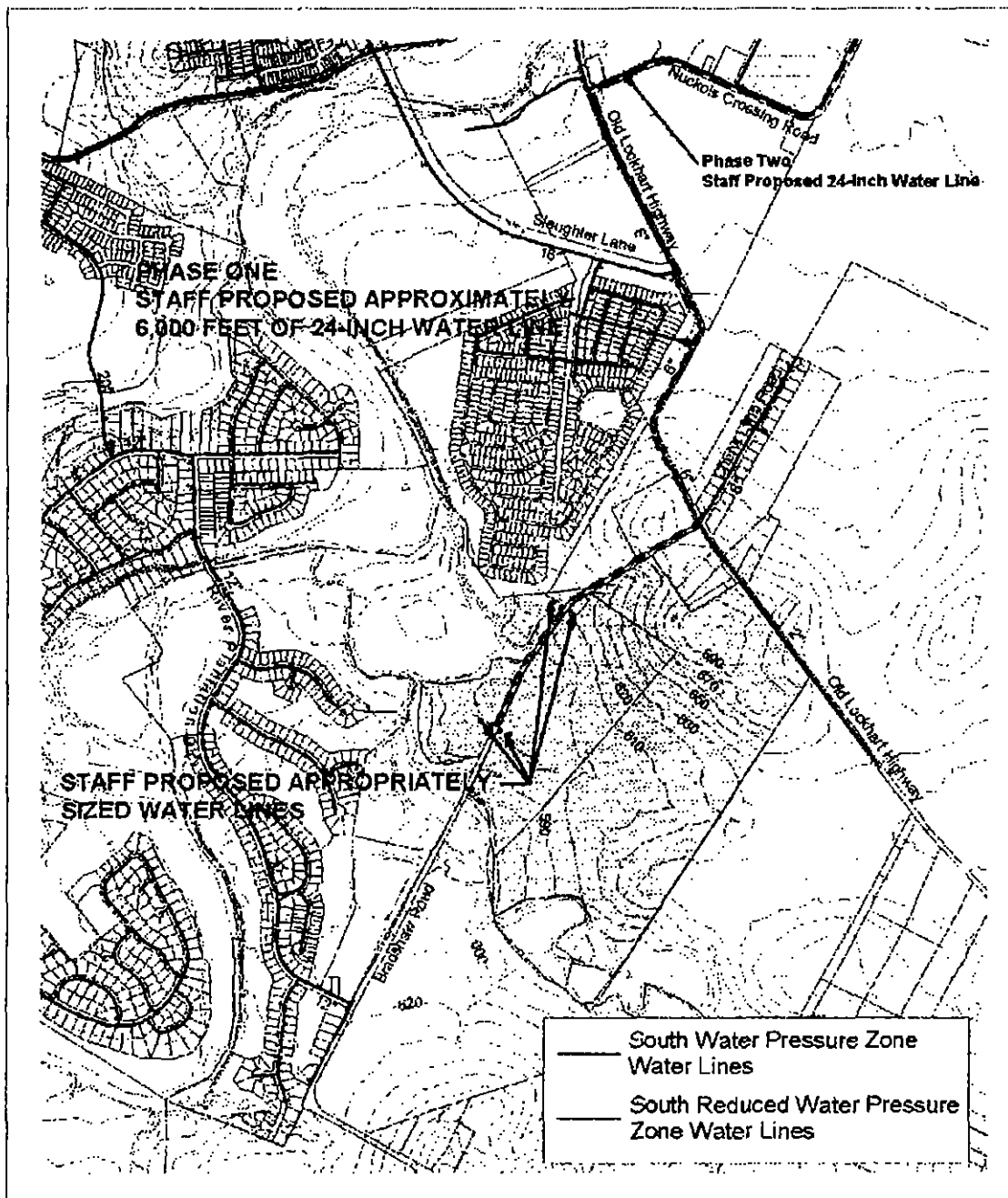
The Zachary Scott Tract is a proposed 975 lot single-family development located on approximately 272 acres of land located in the south corner of the Old Lockhart Highway and Bradshaw Road intersection (the "Property"), currently inside the corporate limits of Austin. The property is within the Desired Development Zone and Rinard Creek Watershed. The City Council approved the negotiation and execution of a cost reimbursement agreement with Development Alliance of Texas, L.L.C., on October 23, 2003; with City cost reimbursement not to exceed \$1,080,000.00 for the Phase One Water Improvements and \$2,348,000.00 for the Phase Two Water Improvements, for a total not to exceed \$3,428,000.00 for actual "hard" construction costs. After the Cost Reimbursement Agreement was executed by Development Alliance of Texas, L.L.C., on February 17, 2005, it was assigned to Lennar Buffington Zachary Scott, L.P.

The City opened bids for the Phase One Water Improvements on August 25, 2005, and the apparent low bidder was \$119,460.00 higher than the total Council-approved cost reimbursement for Phase One approved in 2003. The proposed amendment to the Water Cost Reimbursement Agreement will include: (a) adjusting the total Phase One Water Improvements hard construction costs by \$119,460.00, and (b) adding fifteen percent (15%) of the lowest bid as a contingency factor of \$179,919.00, for a total additional amount of \$299,379.00 and for a total not to exceed hard construction cost amount of \$1,379,379.00 for Phase One Water Improvements.



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W. S.E.R. Name: Zachry Scott Tract
Phase One

W. S.E.R. Number: 2259

- Subject Tract
- City Limits
- Creedmoor-Maha Water Supply Corp.

CIP FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

10/20/05
Resolution
Austin Water Utility

DESCRIPTION:

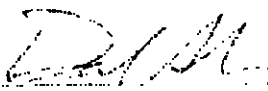
Authorize negotiation and execution of an amendment to the existing Water Cost Reimbursement Agreement with LENNAR BUFFINGTON ZACHARY SCOTT, L.P., to increase the amount of City cost reimbursement for construction of a 24-inch water main and appurtenances (Phase One) to provide water service to the Zachary Scott Tract located in the south corner of the Old Lockhart Highway and Bradshaw Road intersection by \$299,379.00, for a new total actual "hard" construction cost for Phase One Water Improvements identified in the Cost Reimbursement Agreement not to exceed \$1,379,378.00, and a total actual "hard" construction costs for all water improvements identified in the Cost Reimbursement Agreement not to exceed \$3,727,378.00

FINANCIAL INFORMATION:

Parent Project Name	Water Unfunded Future
Project Authorization	2004-05 Approved Capital Budget
Funding Source:	Commercial Paper
Number:	3960 227 1019

Current Appropriation	\$ 298,783,739.00
Unencumbered Balance:	83,672,117.63
Amount of This Action	(299,379.00)
Remaining Balance	<u>\$ 83,372,738.63</u>
Current Available Balance	\$ 91,125,581.57
Less Outstanding Commitments	<u>(7,433,463.94)</u>
Estimated Unencumbered Balance	<u>\$ 83,672,117.63</u>

Utility Finance


David Archer, Utilities Finance Manager

Date

7/24/05

REF. # 3960 227 2045

No. 100505-H
WATER AND WASTEWATER COMMISSION RESOLUTION
AN AMENDMENT TO THE EXISTING WATER COST REIMBURSEMENT AGREEMENT WITH
LENNAR BUFFINGTON ZACHARY SCOTT, L.P.

October 5, 2005
REGULAR MEETING
VOTE: 8-0-0-1

Motion made by: Coleman
Commissioners Consenting: Warner, Friese, Lee, Pool, Raun, Scott-Ryan, Chan
Commissioners Dissenting:
Commissioners Abstaining:
Commissioners Absent: Gonzalez

The Water and Wastewater Commission recommends the Council authorize execution of an amendment to the existing Water Cost Reimbursement Agreement with LENNAR BUFFINGTON ZACHARY SCOTT, L.P., to increase the amount of City cost reimbursement for construction of a 24-inch water main and appurtenances (Phase One) to provide water service to the Zachary Scott Tract located in the south corner of the Old Lockhart Highway and Bradshaw Road intersection by \$299,379.00, for a new total actual "hard" construction cost for Phase One Water Improvements identified in the Cost Reimbursement Agreement not to exceed \$1,379,379.00, and a total actual "hard" construction costs for all water improvements identified in the Cost Reimbursement Agreement not to exceed \$3,727,379.00.


Michael Warner, Chairperson
Water and Wastewater Commission

10/5/05
Date