



City of Pflugerville

Legislation Details (With Text)

File #: 2020-8395 **Version:** 1 **Name:**
Type: Agenda Item **Status:** Approved
File created: 5/1/2020 **In control:** Engineering Dept
On agenda: 7/14/2020 **Final action:** 7/14/2020
Title: Discuss and consider action to approve a Developer Reimbursement Agreement with the Project Charm Development for construction of public improvements associated with the Project Charm development and authorize the city manager to execute the same.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Developer Reimbursement Agreement, 2. Project Charm.pdf, 3. Draft Presentation_Dev Agmnt Project Charm

Date	Ver.	Action By	Action	Result
7/14/2020	1	City Council	Approved	Pass

Discuss and consider action to approve a Developer Reimbursement Agreement with the Project Charm Development for construction of public improvements associated with the Project Charm development and authorize the city manager to execute the same.

The Developer Reimbursement Agreement with the Project Charm Development is necessary for the City’s construction contractor for the West SH 130 Wastewater Interceptor Project, S.J. Louis, to construct the portion of developer public infrastructure improvements associated with the SH 130 project. It benefits the City to include the proposed construction improvements with the current SH 130 project as it would be a cost savings to the City, as well preclude the Developer from demolishing and reconstructing work already completed by the City’s contractor at the same location. In accordance with the proposed agreement, the developer will reimburse for the total cost of the change order, included as item 10A in the agenda, associated with the proposed changes in the amount of \$173,343.45.

City staff coordinated with the W. SH 130 Design Engineer and General Contractor as well as with the Project Charm’s Design Engineer and General Contractor for a discussion related to a wastewater manhole that would be needed for both projects in conflict with the retaining wall proposed by Project Charm. The City’s construction contract includes installation of a wastewater manhole at a depth that would conflict with the final elevation necessary for the proposed retaining wall and required depth at tie-in for the wastewater manhole for the Project Charm Development. Due to timing of construction start and finish dates, the SH 130 Wastewater Interceptor construction wastewater pipe and manhole would have caused a delay, as the Project Charm had a proposed retaining wall located for installation in the vicinity at the same location for the proposed SH 130 Wastewater Interceptor manhole.

The timing conflict exists between the City’s SH 130 project with Project Charm, as Project Charm has already started construction work on the retaining wall and the work almost if not already completed. The SH 130 Interceptor contractor is not anticipated to perform work on the wastewater

manhole in the area until October 2020. The retaining wall has a significant size and materials associated with it, as would make it logistically difficult (if not impossible) to remove and replace once installed. The wall is about ten (10) feet high at the wastewater interceptor crossing location with a maximum height of about twenty-one (21) feet at its tallest location. Therefore, all interested parties agreed the best alternative was for the interceptor to perform construction to include the manhole for both projects.

The agreement outlines that all associated costs for the additional improvements will be fully funded by the Project Charm Development.

This agenda item is not associated with the EDPA agenda item.

Prior City Council Action

City Council approved a construction contract for the West SH 130 Interceptor Phase 1 Project to S. J. Louis Construction of Texas, Ltd. in the amount of \$12,762,393.94 at the March 10, 2020 meeting.

Deadline for City Council Action

Action is requested on July 14, 2020.

Funding Expected: Revenue Expenditure N/A

Budgeted Item: Yes No N/A

Amount: N/A

1295 Form Required? Yes No

Legal Review Required: N/A Required Date Completed: 6/26/20

Supporting documents attached:

Developer Reimbursement Agreement
Exhibit

Recommended Action

Approve a Developer Reimbursement Agreement with the Project Charm Development for construction of public improvements associated with the Project Charm development and authorize the city manager to execute the same.