



## Legislation Text

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**File #:** Res. 2021-123R, **Version:** 1

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### **AGENDA CAPTION:**

Consider approval of Resolution 2021-123R, ratifying a Developer Participation Agreement with SML Owner I, LLC for the City to participate in the cost of replacing a section of a water main in the vicinity of the Lofts I and II Apartments bounded by West San Antonio, West Hopkins and Fredericksburg streets for an amount not to exceed \$200,000.00; authorizing the City Manager, or his designee, to execute said agreement; and declaring an effective date.

**Meeting date:** July 6, 2021

**Department:** Engineering & CIP

### **Amount & Source of Funding**

**Funds Required:** \$200,000.00

**Account Number:** C249-Water-Citypartic 52036312-70200

**Funds Available:** \$296,972.10

**Account Name:** Water Main Oversize

### **Fiscal Note:**

**Prior Council Action:** NA

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

Choose an item.

Downtown Vitality

Choose an item.

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

☐ Economic Development - Choose an item.

☐ Environment & Resource Protection - Choose an item.

☐ Land Use - High Density Mixed Use Dev. & Infrastructure in the Activity Nodes & Intesity Zones (supporting walkability and integrated transit corridors)

☐ Neighborhoods & Housing - Choose an item.

☐ Parks, Public Spaces & Facilities - Choose an item.

- ☐ Transportation - Choose an item.
- ☐ Core Services
- ☐ Not Applicable

**Master Plan:** *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

**Background Information:**

The SML Owner I, LLC is currently constructing San Marcos Lofts I & II located off San Antonio, Hopkins and Fredericksburg Street. The development project includes the reconstruction of Fredericksburg Street with concrete pavement. In May 2021, the water main in Fredericksburg broke. The water main in question was not identified as needing replacement during permitting. City crews fixed the break and determined that the water main needed to be replaced due to its age and condition. City staff approached the developer and utility contractor to request a cost estimate to replace the water main within the limits of the reconstruction. Staff was able to negotiate a developer participation agreement with a price comparable to what we typically see on our projects. If the City waited to bid and replace the water main per our typical process, we would be tearing up a brand new concrete street. This opportunity was identified at the very end stage of the developer closing out the project which did not allow time for staff to bring this to the City Council for approval before work commenced. The estimated amount of for this work is \$182,558.05. However, the contract is for an amount not to exceed \$200,000.00, to provide a contingency for any unknown conditions discovered during the work that may require additional work for the replacement of the waterline along Fredericksburg Street.

**Council Committee, Board/Commission Action:**

Click or tap here to enter text.

**Alternatives:**

Click or tap here to enter text.

**Recommendation:**

Staff recommends ratification approval of the agreement.