



## Recommendation for Action

**File #:** 23-1193, **Agenda Item #:** 3.

2/23/2023

### **Posting Language**

Authorize negotiation and execution of a cost participation agreement to reimburse Austin Pets Alive in an amount not to exceed \$218,400 for costs to design and construct an oversized water main and appurtenances related to Service Extension Request No. 5564 providing water service to a proposed pet adoption facility located at 8107 Dee Gabriel Collins Road.

### **Lead Department**

Austin Water.

### **Fiscal Note**

Funding is available in the Fiscal Year 2022-2023 Capital Budget of the Austin Water.

### **For More Information:**

Inquiries should be directed to Kevin Critendon (Kevin.Critendon@austintexas.gov; 512-972-0191), Shwetha Pandurangi (Shwetha.Pandurangi@austintexas.gov; 512-974-3514), and the City Manager's Agenda Office at 512-974-2991 or AgendaOffice@austintexas.gov.

### **Council Committee, Boards and Commission Action:**

February 8, 2023 - Recommended by the Water and Wastewater Commission on a 6-0 vote with three absences and two vacancies.

### **Additional Backup Information:**

The Austin Pets Alive project consists of approximately 15 acres of land located at 8107 Dee Gabriel Collins Road (the "Property"). The Property is located entirely within the City of Austin's (the "City") 2-mile Extra-Territorial Jurisdiction, Impact Fee Boundary, Austin Water's service area for water, the Desired Development Zone, and the Cottonmouth Creek Watershed. A map of the property location is attached.

Austin Pets Alive (the "Owner") is proposing to develop a pet adoption facility. The Owner requested that the City provide water utility service to the Property as proposed in Service Extension Request (SER) No. 5564. Austin Water will also provide retail wastewater service to the Property.

In accordance with Chapter 25-9 of the City Code, the City has asked the Owner to oversize the water main in order to serve additional properties within the Central water pressure zone consistent with the City's long range planning goals for this area. If approved by City Council, the City will cost participate in this construction project only to the extent of the City's proportionate share of the oversized main.

The proposed oversized improvements include construction of approximately 1,650 feet of 16-inch water main from the existing 16-inch water main in McKamy Dr. at Kara Dr. and extend southwest along Kara Dr. and then northwest along Dee Gabriel Collins Rd. to the subject tract.

The City will reimburse the Owner for an overall total amount not to exceed \$218,400 for hard costs and soft costs. Hard costs include, but are not limited to, construction and materials. Soft costs include, but are not

limited to, preliminary engineering reports, surveying, geotechnical studies, design, and project management. The City's cost participation by project component is as follows:

- For costs of the 16-inch water main (the minimum pipe diameter of 12-inches required to serve the Property to an oversized 16-inch) and appurtenances, the City's maximum participation consists of: (1) hard costs, in an amount not to exceed 25% of the hard costs of the 16-inch water 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 Owner:

- Pay 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;
- Allow the City to use the project plans and specifications approved by the City 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.

The proposed project will be managed through Austin Water staff and is located in zip code 78744, south of City Council District 2.

**Strategic Outcome(s):**

Government that Works for All.