

ORDINANCE NO. 46-2021

AN ORDINANCE APPROVING THE EXECUTION OF A DEVELOPER PARTICIPATION AGREEMENT BETWEEN THE CITY OF ABILENE (CITY) AND PB 6950, LLC (DEVELOPER) FOR THE PURPOSE OF MAKING CERTAIN PUBLIC IMPROVEMENTS AS AUTHORIZED BY LAW

WHEREAS, Chapter 212 of the Local Government Code allows a municipality to enter an agreement with a developer of land to construct public improvements related to the development, and;

WHEREAS, the improvements cannot include the construction of buildings, and the municipality may not participate at a level that would exceed thirty percent of the total project cost and/or one-hundred percent of any oversizing costs for portions of the public improvement the municipality would not otherwise be solely responsible for anyway, and;

WHEREAS, Developer is planning to construct a new thoroughfare that is part of the adopted Thoroughfare Plan that will provide improved vehicular circulation for the immediate area (Project), and;

WHEREAS, the City desires the Developer oversize the required 8" wastewater main to a 10" and 15" wastewater main (Project), and;

WHEREAS, the City and Developer agree it is in the best interest of both entities to enter into a participation agreement in order to expedite construction of the projects, to decrease total costs of construction, and prevent duplicate efforts by the parties.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the City Manager is authorized to execute a Developer Participation Agreement between the City and Developer for the purpose of allowing the City to participate in the project, as set out in Exhibit "A", attached hereto and made a part of this Ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PASSED ON FIRST READING this 26th day of August, 2021.

PASSED ON SECOND AND FINAL READING this 9th day of September, 2021.

MEMORIAL DRIVE COLLECTOR ROAD REIMBURSEMENT - THE DENALI ADDITION
PREPARED BY JACOB & MARTIN, LLC
MEMORIAL DRIVE IMPROVEMENT FROM TYPICAL COLLECTOR
CITY OF ABILENE, TAYLOR COUNTY, TEXAS
J&M PROJECT NO. 20298
August 9, 2021



A.	48' MEMORIAL DRIVE COLLECTOR ROAD IMPROVEMENTS	\$311,981.80
B.	41' MEMORIAL DRIVE COLLECTOR ROAD (TYP.) IMPROVEMENTS	\$233,834.50
C.	PERFORMANCE BOND FOR STREET UPSIZING	\$2,100.00
	IN AN AMOUNT OF A - B = \$78,147.30	
	CITY OF ABILENE GRAND TOTAL (A - B + C)	\$80,247.30

NOTES & ASSUMPTIONS:

- 1 Reimbursement pricing is based on contract pricing for the The Denali Addition paving construction.

8/9/2021

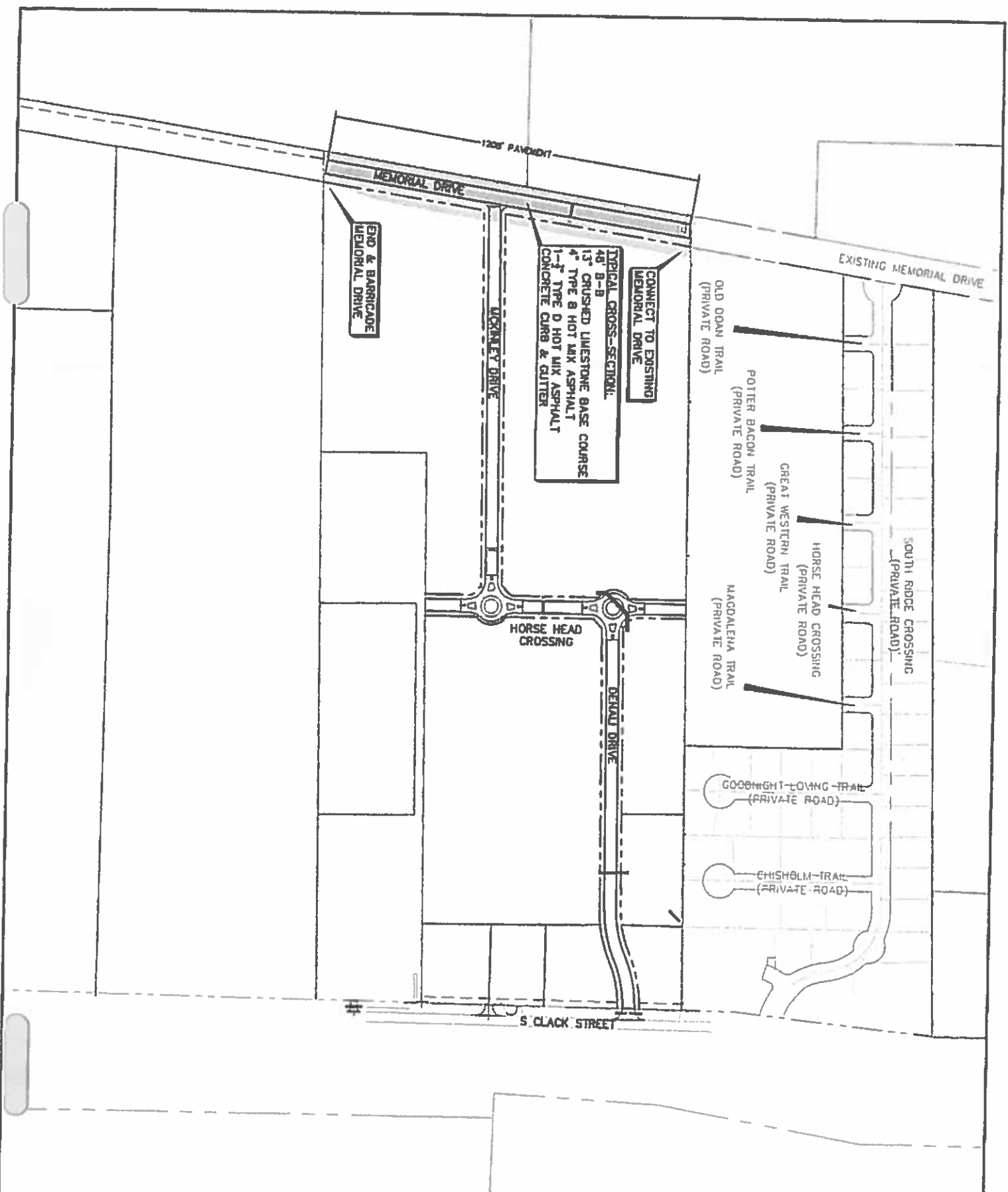
Section A - 48' MEMORIAL DRIVE COLLECTOR ROAD

Item No.	Description	Quantity	Unit	Unit Price	Total Price
1	6" Subgrade Preparation	6,739	SY	\$ 2.00	\$ 13,478.00
2	13" Crushed Limestone Base Course	2,199	CY	\$ 34.00	\$ 74,766.00
3	4" Type B Hot Mix Asphalt	5,892	SY	\$ 18.90	\$ 111,358.80
4	1-1/2" Type D Hot Mix Asphalt	5,892	SY	\$ 10.50	\$ 61,866.00
5	Prime Coat	1,473	GAL	\$ 6.50	\$ 9,574.50
6	Concrete Curb and Gutter	2,319	LF	\$ 14.00	\$ 32,466.00
7	Unclassified Excavation	3,389	CY	\$ 2.50	\$ 8,472.50
Section A - 48' MEMORIAL DRIVE COLLECTOR ROAD					\$311,981.80

**41' MEMORIAL DRIVE COLLECTOR ROAD (TYP.) CREDITS
 (COST FOR 41' COLLECTOR ROAD IMPROVEMENTS BY DEVELOPER PER ABILENE LDC)**

Section B - 41' MEMORIAL DRIVE COLLECTOR ROAD (TYP.)

Item No.	Description	Quantity	Unit	Unit Price	Total Price
1	6" Subgrade Preparation	5,829	SY	\$ 2.00	\$ 11,658.00
2	13" Crushed Limestone Base Course	1,880	CY	\$ 34.00	\$ 63,920.00
3	2" Type C Hot Mix Asphalt	5,016	SY	\$ 11.50	\$ 57,684.00
4	1-1/2" Type D Hot Mix Asphalt	5,016	SY	\$ 10.50	\$ 52,668.00
5	Prime Coat	1,254	GAL	\$ 6.50	\$ 8,151.00
6	Concrete Curb and Gutter	2,319	LF	\$ 14.00	\$ 32,466.00
7	Unclassified Excavation	2,915	CY	\$ 2.50	\$ 7,287.50
Section B - 41' MEMORIAL DRIVE COLLECTOR ROAD (TYP.)					\$233,834.50



SCALE	1" = 400'
PROJECT #	20208
DESIGNED	CSF
DRAWN	CSF
CHECKED	CSF

CITY OF ABILENE, TAYLOR COUNTY, TEXAS
THE DENALI ADDITION

DEVELOPER'S AGREEMENT
PAVING UPSIZING EXHIBIT



3465 CURRY LANE
 ABILENE, TX 79602
 325-395-1270

1508 SANTI FE CR. STE 204
 WEATHERFORD, TX 76086
 817-584-2621

4820 S. LOOP 229 STE 104
 LUBBOCK, TX 79414
 806-385-0376



SEWER LINE REIMBURSEMENT - THE DENALI ADDITION
PREPARED BY JACOB & MARTIN, LLC
10" SEWER LINE ALONG DENALI DRIVE AND HORSE HEAD CROSSING
CITY OF ABILENE, TAYLOR COUNTY, TEXAS
J&M PROJECT NO. 20298
July 30, 2021



A.	SEWER LINE UPSIZING (TO 10" OR 15")		\$200,905.00
B.	8" SEWER LINE COST TO DEVELOPER		\$144,075.00
C.	PERFORMANCE BOND FOR UPSIZING	IN AN AMOUNT OF A - B = \$56,830.00	\$1,000.00
CITY OF ABILENE GRAND TOTAL (A - B + C)			\$57,830.00

NOTES & ASSUMPTIONS:

- 1 Reimbursement pricing is based on contract pricing for the The Denali Addition utility installation
- 2 Manhole pricing for 10" and 15" lines is provided per the contract price for The Denali Addition utility installation. There is inherent cost savings related to manholes when using 8" pipe in lieu of 10" or 15" pipe, as manholes get significantly shallower. Costs shown for manholes for the 8" sewer line installation scenario are estimated based on recent bids.

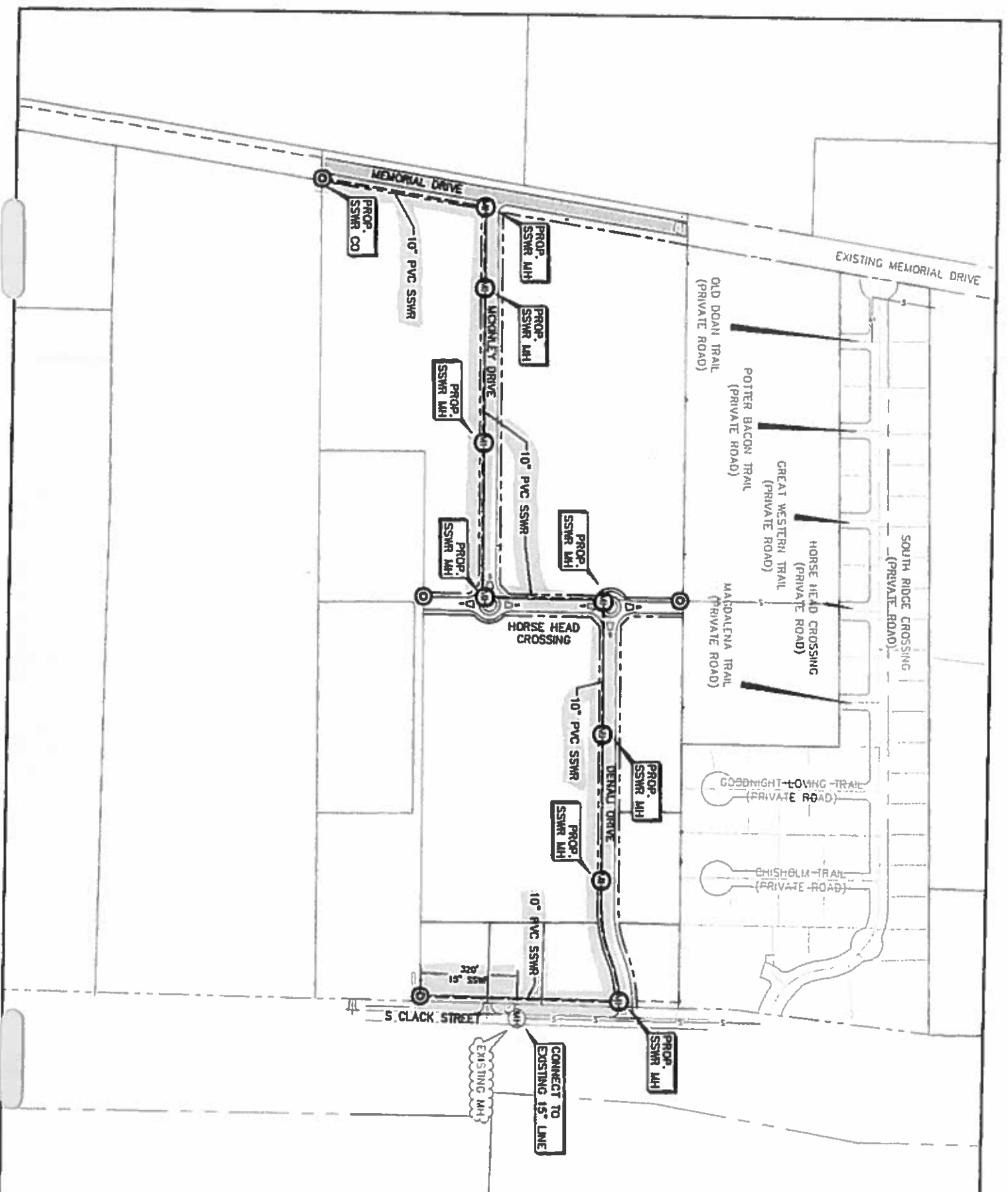
Sewer Line Reimbursement - The Denali Addition
10" Sewer Line Along Denali Drive And Horse Head Crossing
City Of Abilene, Taylor County, Texas
J&M Project No. 20298

Section A - Sewer Upsizing

Item No.	Description	Quantity	Unit	Unit Price	Total Price
1.	15" SDR 35 PVC Sewer Line	320	LF	\$45.00	\$14,400.00
2.	10" SDR 35 PVC Sewer Line	3,843	LF	\$35.00	\$134,505.00
3.	4' Dia. Fiberglass Manhole	8	EA	\$6,500.00	\$52,000.00
Section A - Sewer Upsizing					\$200,905.00

Section B - 8" Sewer Installation by Developer

Item No.	Description	Quantity	Unit	Unit Price	Total Price
1.	8" SDR 35 PVC Sewer Line	4,163	LF	\$25.00	\$104,075.00
2.	4' Dia. Fiberglass Manhole	8	EA	\$5,000.00	\$40,000.00
Section B - 8" Sewer Installation by Developer					\$144,075.00



SCALE	1" = 400'
PROJECT #	20298
DESIGNED	CSF
DRAWN	CSF
CHECKED	CSF

CITY OF ABILENE, TAYLOR COUNTY, TEXAS
THE DENALI ADDITION

DEVELOPER'S AGREEMENT
SEWER UPSIZING EXHIBIT

**JACOB
MARTIN**

3465 CURRY LAKE
 ABILENE, TX 79202
 326.595.4000

1518 SAMMA FE C.R. 616 MCN
 WEATHERFORD, TX 76086
 817.584.3882

4920 S. LOOP 289, STE 104
 LUBBOCK, TX 79414
 806.769.5100

EXHIBIT # 1200



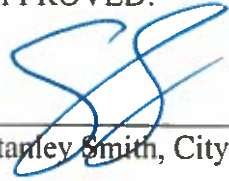
ATTEST:



Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:



Stanley Smith, City Attorney