

May 13, 2020

WHEREAS, the Texas Department of Transportation (TxDOT) proposes to construct paving and drainage improvements at Interstate Highway (IH) 635 (Lyndon B. Johnson (LBJ)) Freeway from U.S. Highway 75 (Central Expressway) to IH 30; and

WHEREAS, the design and construction of the IH 635 LBJ East Project will be completed by Pegasus Link Constructors through a Design-Build Contract with TxDOT; and

WHEREAS, Dallas Water Utilities has existing water and wastewater mains in conflict with the IH 635 LBJ East Project that will require relocation and adjustments to facilitate the project; and

WHEREAS, under the agreement for the Adjustment of Municipal Utilities with the State of Texas, acting through TxDOT, the Design-Build Contractor is responsible for the design and construction of the water and wastewater relocations and adjustments; and

WHEREAS, TxDOT is responsible for the cost of the Reimbursable Utility Adjustments, including indirect costs and Dallas Water Utilities will be responsible for the cost of Non-Reimbursable Utility Adjustments, including betterments and water and wastewater system improvements; and

WHEREAS, the agreement for the Adjustment of Municipal Utilities will allow TxDOT to proceed with the Design-Build Contract and provide contract administration.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute an agreement for the Adjustment of Municipal Utilities with the State of Texas, acting through the Texas Department of Transportation, approved as to form by the City Attorney, for the design and construction of water and wastewater relocations and adjustments required for the IH 635 LBJ East Project.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$696,401.47 to the TxDOT in accordance with the terms and conditions of the contract, as follows:

Wastewater Capital Improvement E Fund	
Fund 3116, Department DWU, Unit PS42	
Object 4560, Program 720104	
Encumbrance/Contract No. CX-DWU-2020-00013211	
Vendor 020318	\$ 188,864.81

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SECTION 2. (continued)

Water Capital Improvement D Fund	
Fund 2115, Department DWU, Unit PW42	
Object 4550, Program 720103	
Encumbrance/Contract No. CX-DWU-2020-00013211	
Vendor 020318	<u>\$ 507,536.66</u>
Total amount not to exceed	\$ 696,401.47

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.