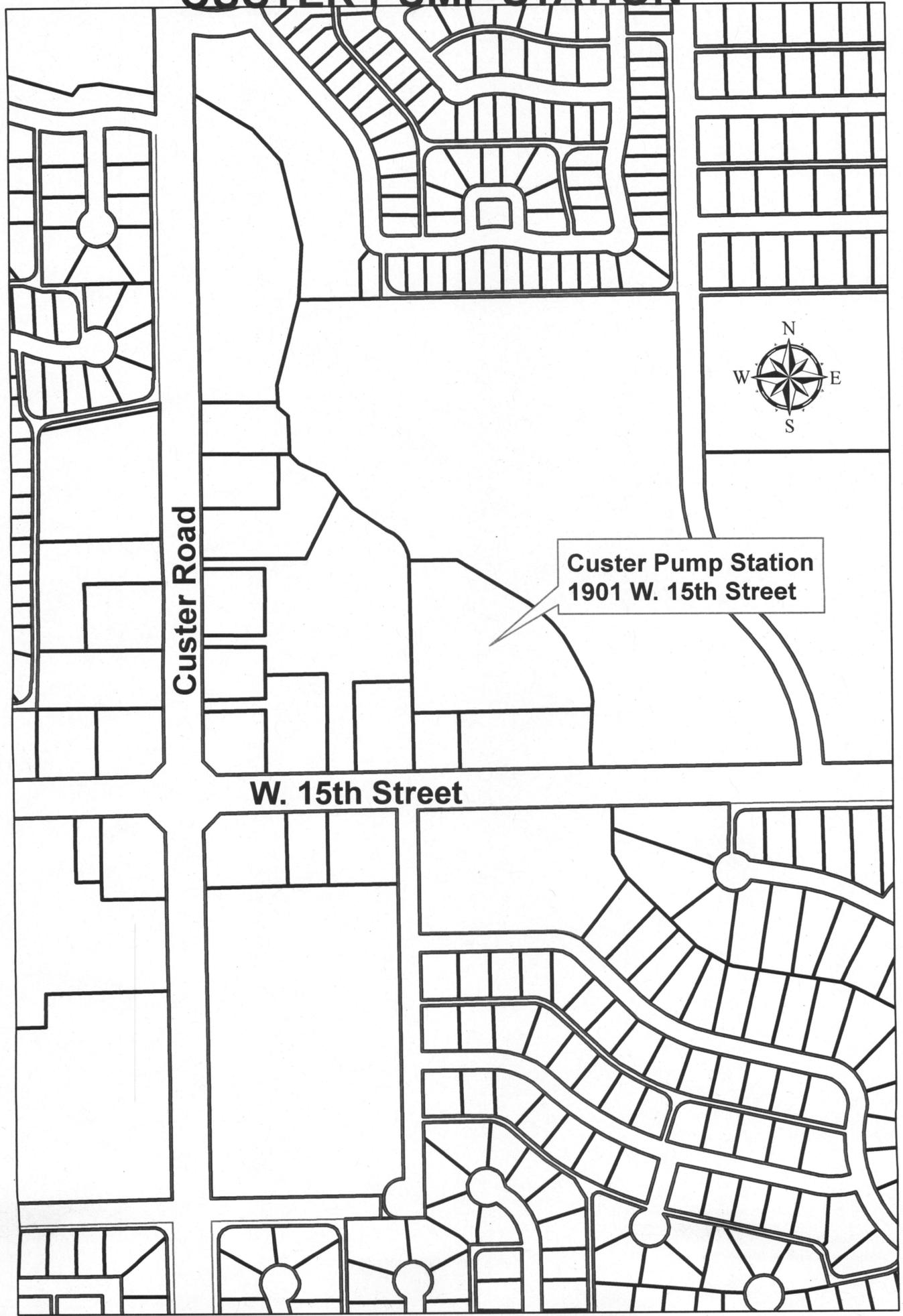




CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		7/25/11		
Department:	Public Works			
Department Head	Gerald P. Cosgrove			
Agenda Coordinator (include phone #):		Irene Pegues (7198)		Project No. 6073
CAPTION				
<p>A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of an Interlocal Agreement by and between the City of Plano and North Texas Municipal Water District (NTMWD) for the construction of a Water Metering Station in conjunction with Plano's Custer Pump Station project; authorizing its execution by the City Manager or his authorized designee; and providing an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2010-11	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	303,000	0	303,000
BALANCE	0	303,000	0	303,000
FUND(S): WATER CIP				
<p>COMMENTS: This item allows the City to enter into an interlocal agreement with North Texas Municipal Water District (NTMWD) for the Custer Pump Station project. If this request is approved, NTMWD will remit to the City \$303,000 for construction of a Water Metering Station.</p> <p>STRATEGIC PLAN GOAL: Construction of a Water Metering Station relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>The NTMWD has requested that Plano add the construction of a Water Metering Station to our Custer Pump Station project. They will pay all costs associated with the construction of the Water Metering Station.</p>				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Location Map		N/A		

CUSTER PUMP STATION



Location Map

7/12/2011

A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of an Interlocal Agreement by and between the City of Plano and North Texas Municipal Water District (NTMWD) for the construction of a Water Metering Station in conjunction with Plano's Custer Pump Station project; authorizing its execution by the City Manager or his authorized designee; and providing an effective date.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, authorizes governmental entities to contract with each other to perform government functions and services under the terms thereof; and

WHEREAS, the City Council has been presented a proposed Interlocal Agreement by and between the City of Plano, Texas, and NTMWD for the construction of a Water Metering Station in conjunction with Plano's Custer Pump Station project, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and

WHEREAS, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager or his authorized designee should be authorized to execute it on behalf of the City of Plano.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The terms and conditions of the Agreement, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interest of the City of Plano and its citizens, are hereby in all things approved.

Section II. The City Manager or his authorized designee is hereby authorized to execute the Agreement and all other documents in connection therewith on behalf of the City of Plano, substantially according to the terms and conditions set forth in the Agreement.

Section III. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED the 25th day of July, 2011.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

The State of Texas }
County of Collin }

**INTERLOCAL AGREEMENT
FOR
CUSTER PUMP STATION
METER STATION IMPROVEMENTS
PROJECT NO. 6073**

WHEREAS, the City of Plano, Texas, hereinafter called “*City*” and the North Texas Municipal Water District, hereinafter called “*NTMWD*” desire to enter into an agreement for funding of the construction of a metering station located at the City of Plano Custer Pump Station, hereinafter called the “*Project*,” and

WHEREAS, the *Project* is needed to meter the water distribution through the Custer Pump Station, of which the *City* is a participant; and

WHEREAS, the construction of the *Project*, in conjunction with the *City’s* Custer Pump Station (Project No. 6073), will lessen the inconvenience of and impact on the pumping station, and a joint construction contract with *NTMWD* can be expected to be a cost saving measure for both parties; and

WHEREAS, the *NTMWD* Board of Directors has approved funding for the design of the *Project*; and

WHEREAS, the construction cost will be considered by the *NTMWD* Board of Directors for award upon receipt of bids for the project.

NOW, THEREFORE, THIS AGREEMENT is hereby made and mutually entered into by the *City* and *NTMWD* for the mutual consideration stated herein as follows:

WITNESSETH:

ARTICLE I.

NTMWD hereby agrees to the following:

1. Provide all costs associated with the *Project*. The estimated amount for construction is \$303,000.
2. At the request of the *City*, transmit to the *City* the *NTMWD’s* project funding obligation for construction cost. The *NTMWD’s* obligation shall be based on unit price bid by the lowest qualified construction contractor to whom the *City* shall approve and award the overall project construction contract. The scope of this *Project* shall be identified as a separate line which *NTMWD* may opt to award or not.
3. Costs for design required for construction of the *Project* will be funded separately by *NTMWD* from this Interlocal Agreement.

ARTICLE II.

The *City* hereby agrees to the following:

1. Provide for the engineering, plans, specifications, construction and administration of the *Project*.
2. Allow the *NTMWD* representative (or inspector) access at any time to inspect areas of work being performed for *NTMWD* and provide direct comments to the *City* project engineer.
3. Conduct a final inspection with the *NTMWD* representative of the areas of work being provided for *NTMWD* and allow for subsequent inspection to verify that construction discrepancies have been corrected prior to final payment on the *Project*.

ARTICLE III.

The *City* and *NTMWD* agree that if the amount of *NTMWD's* fund obligation for the *Project* is insufficient, *NTMWD*, upon request of the *City*, will supplement the requested amount and transmit the *NTMWD's* obligation to the *City*.

ARTICLE IV.

The *City* and *NTMWD* agree that *NTMWD's* final funding obligation for the *Project* shall be based on the final construction costs and design services for the *Project*.

Executed this _____ day of _____, 2011, by the City of Plano, pursuant to City Council Resolution No. _____, and executed this _____ day of _____, 2011, by North Texas Municipal Water District.

CITY OF PLANO, TEXAS

Bruce D. Glasscock, City Manager

NORTH TEXAS MUNICIPAL WATER DISTRICT

James M. Parks, Executive Director