

**WHEREAS**, on December 12, 2007, the City Council awarded Contract Nos. 07-173F and 07-174F, in the amount of \$829,102.56, by Resolution No. 07-3732, to the Texas Department of Transportation, for water and wastewater main relocations and adjustments in Northwest Highway (Loop 12) from 0.1 mile west of Midway Road to U.S. Highway 75 (North Central Expressway); and,

**WHEREAS**, the Texas Department of Transportation has subsequently submitted a Utility Joint Use Acknowledgement Agreement that provides for joint usage of the project area within the limits of the highway right-of-way for both highway and utility purposes; and,

**WHEREAS**, the Texas Department of Transportation has requested that the Water Utilities Department remit funds for the additional estimated construction costs of water and wastewater relocations and adjustments in accordance with the Advanced Funding Agreement; and,

**WHEREAS**, the Water Utilities Department recommends that Contract Nos. 07-173F and 07-174F be increased by \$221,524.01, from \$829,102.56 to \$1,050,626.57; and,

**WHEREAS**, the City of Dallas and the Texas Department of Transportation believe this agreement is in the best interest of both parties; **Now, Therefore,**

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

**Section 1.** That the City Manager be and is hereby authorized to **(1)** enter into a Utility Joint Use Acknowledgement Agreement with the State of Texas, acting through the Texas Department of Transportation, and **(2)** increase the Advance Funding Agreement with the Texas Department of Transportation for additional estimated construction costs, in conjunction with the water and wastewater main relocations and adjustments in Northwest Highway (Loop 12) from 0.1 mile west of Midway Road to U.S. Highway 75 (North Central Expressway), after approval by the City Attorney.

**Section 2.** That the proposed Change Order No. 1 be accepted and that Contract Nos. 07-173F and 07-174F with the Texas Department of Transportation be revised accordingly.

**Section 3.** That the City Controller be and is hereby authorized to pay the amount of \$221,524.01 from the Water Construction Fund and Wastewater Construction Fund as follows:

083085  
November 10, 2008

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>PRO</u>	<u>REP</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
0102	DWU	CW42	RELP	4550	707173	WX55	CTDWU707173EA	239588

Texas Department of Transportation - (Contract No. 07-173F) - \$105,617.00

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>PRO</u>	<u>REP</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
0103	DWU	CS42	RELP	4560	707174	TO08	CTDWU707174EA	239588

Texas Department of Transportation - (Contract No. 07-174F) - \$112,182.77

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>PRO</u>	<u>REP</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
0103	DWU	CS42	RELP	3222	707174X	TO08	CTDWU707174EN	239588

Texas Department of Transportation - (Contract No. 07-174F) - \$3,724.24

**Section 4.** 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.

DISTRIBUTION: Water-Administration, 4AN, Cheryl Glenn  
Water-Contracts, 2121 Main Street, Suite 400, Karen Harbin  
Water-Accounting, 5AN, Esther Darden  
Office of Financial Services, 4FN, Jeanne Chipperfield  
Office of Financial Services, 4BN, Sherrian Parham

APPROVED BY  
CITY COUNCIL

NOV 10 2008

*Dorothy Williams*  
City Secretary