

WHEREAS, the Texas Department of Transportation proposes to construct paving and drainage improvements in Interstate Highway 30 (Dallas-Fort Worth Turnpike) from Sylvan Avenue to Lamar Street and in Interstate Highway 35E (Stemmons Freeway) from 6th Street to Commerce Street (Horseshoe Project); and,

WHEREAS, the design and construction of the Horseshoe Project will be done by Pegasus Link Constructors, LLC (Design-Build Contractor) through a Comprehensive Development Agreement with the Texas Department of Transportation; and,

WHEREAS, the Water Utilities Department has existing water and wastewater mains in conflict with the Horseshoe Project that will require relocation and adjustment to facilitate the project; and,

WHEREAS, the Design-Build Contractor has submitted an acceptable Project Utility Adjustment Agreement to incorporate the Water Utilities Department's relocations and adjustments into the Horseshoe Project; and,

WHEREAS, under the Project Utility Adjustment Agreement the Design-Build Contractor is responsible for the costs of the design and construction of the water and wastewater relocations and adjustments excluding betterment; and,

WHEREAS, the Design-Build Contractor is responsible for reimbursing the Water Utilities Department for the indirect costs of providing engineering review, construction inspection services, testing services, right-of-way acquisitions, and utility investigations.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a Project Utility Adjustment Agreement with Pegasus Link Constructors, LLC for water and wastewater main relocations and adjustments in Interstate Highway 30 (Dallas-Fort Worth Turnpike) from Sylvan Avenue to Lamar Street and in Interstate Highway 35E (Stemmons Freeway) from 6th Street to Commerce Street, after approval of the Project Utility Adjustment Agreement by the City Attorney.

Section 2. That the City Controller is hereby authorized to expend funds for applicable costs, in the amount not to exceed \$382,811.47 from Fund 0100, Department DWU, Unit 7120, Various Object Codes.

Section 3. The City Controller is hereby authorized to deposit all reimbursements from Pegasus Link Constructors, LLC pertaining to costs incurred under this project in the amount not to exceed \$382,811.47 in Fund 0100, Department DWU, Unit 7005, Revenue Source 7505.

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.

