

RESOLUTION NO. 56-2001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD) TO DESIGN AND CONSTRUCT A 20-INCH DIAMETER WATER LINE FROM THE SOUTHEAST PUMP STATION ALONG PARKWOOD DRIVE/NORTH MESQUITE CREEK; AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, the Master Water Study, completed in March 2000 by Freeman-Millican, Inc., developed the ultimate water demand for the City of Mesquite and recommended for future capital improvements to meet those demands; and

WHEREAS, the study recommended the installation of a 20-inch diameter water line from the Southeast Pump Station along Parkwood Drive and the North Mesquite Creek greenbelt to the Hailey Pump Station; and

WHEREAS, the City has worked with NTMWD to coordinate the installation of the City 20-inch water line and the NTMWD water supply line in Parkwood Drive/North Mesquite Creek greenbelt area; and

WHEREAS, NTMWD has agreed to include the design and construction of the City water line with their proposed water supply line; and

WHEREAS, the construction should reduce the amount of inconvenience to the public; and

WHEREAS, the Interlocal Cooperation Act, V.T.C.A., Texas Government Code, Chapter 791, provides authorization for any local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act; and

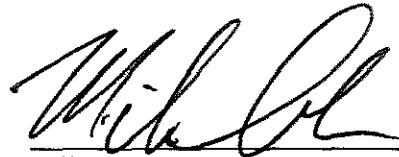
WHEREAS, an Interlocal Agreement between the City of Mesquite and NTMWD will allow for the design and construction of a 20-inch diameter water line from the Southeast Pump Station along Parkwood Drive/North Mesquite Creek in an amount not to exceed \$1,021,830.00.

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

SECTION 1. That the City Manager is hereby authorized to execute the Interlocal Agreement attached hereto as Exhibit "A" between the City of Mesquite and North Texas Municipal Water District (NTMWD) providing for the design and construction of a 20-inch diameter water line from the Southeast Pump Station along Parkwood Drive/North Mesquite Creek in an amount not to exceed \$1,021,830.00.

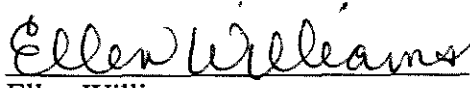
SECTION 2. That this resolution shall take effect from and after its passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 5th day of November, 2001.



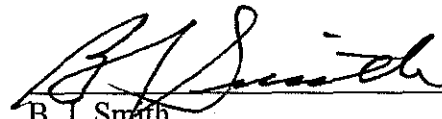
Mike Anderson
Mayor

ATTEST:



Ellen Williams
City Secretary

APPROVED:



B. J. Smith
City Attorney

APPROVED BY CITY COUNCIL

DATE 11/5/01

CITY SEC. _____

The State of Texas }

County of Collin }

**INTERLOCAL AGREEMENT
FOR
WATER PIPELINE AND PIPING AND GROUND STORAGE
MODIFICATIONS AT MESQUITE SOUTHEAST PUMP STATION**

WHEREAS, the City of Mesquite, Texas, hereinafter called "*City*" and the North Texas Municipal Water District, hereinafter called "*NTMWD*" want to enter into an agreement for funding of the design and construction of a water pipeline from the Mesquite Southeast Pump Station to Scyene Road and piping and reservoir improvements at the Mesquite Southeast Pump Station, hereinafter called the "*Project*".

WHEREAS, the *Project* is needed to meet the increased water demands of the *City*; and,

WHEREAS, the construction of the *Project* in conjunction with *NTMWD* parallel pipeline to Mesquite Delivery Point No. 3 (Mesquite Southeast Pump Station) will lessen the inconvenience of and impact on the surrounding neighborhoods, and a joint construction contract with *NTMWD* should be a cost saving measure for the *City*, and,

WHEREAS, the Mesquite City Council has approved funding 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

City hereby agrees to the following:

1. Provide an estimated \$1,021,830.00 for the *City's* obligation for the project design and construction.
2. At the request of the *NTMWD*, and prior to award of the change in scope of the *NTMWD* engineering design contract, provide an estimated \$40,830.00 for the *City's* obligation for additional design and surveying costs.
3. At the request of the *NTMWD*, and prior to bid award, transmit to *NTMWD* the *City's* project funding obligation. The *City's* obligation shall be based on unit price bid by the lowest qualified construction contractor to whom *NTMWD* shall approve and award the project construction contract and on the appurtenances.

ARTICLE II.

NTMWD hereby agrees to the following:

1. Provide for the engineering, plans, specifications, inspection, construction and administration of the project.
2. Allow the CITY representative (or inspector) access at any time to inspect areas of work being performed for the CITY and provide direct comments to the NTMWD project engineer.
3. Conduct a final inspection with the CITY representative of the areas of work being provided for the CITY 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 amount of the CITY's fund obligation for the project is insufficient, the CITY, upon request of the NTMWD, will supplement the requested amount and transmit the CITY's obligation to NTMWD.

ARTICLE IV.

The CITY AND NTMWD agree that the CITY's final funding obligation for the project shall be based on the final construction contract amount for the project.

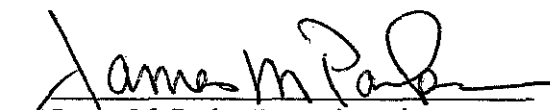
Executed this 5th day of November, 2001, by the City of Mesquite, pursuant to City Council Resolution No. 516-2001, and executed this 28th day of March, 2002, by North Texas Municipal Water District.

CITY OF MESQUITE, TEXAS


Ted Barron, City Manager


Ellen Williams, City Secretary

NORTH TEXAS MUNICIPAL WATER DISTRICT


James M. Parks, Executive Director