



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 12

Agenda Date: February 20, 2025

In Control: City Council A Session

DEPARTMENT: Public Works Department

DEPARTMENT HEAD: Razi Hosseini

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

Utility Reimbursement: North St. Mary's Street (East Mistletoe Avenue to West Josephine Street)

SUMMARY:

An ordinance authorizing the City of San Antonio to approve a Release and Settlement of Property Damage Claim agreement between Google Fiber, Inc. and the City of San Antonio and accept reimbursement from Google Fiber, Inc. in the amount of \$75,166.47 related to a utility conflict on the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street) project, a 2017 General Obligation Bond Program funded project, located in Council District 1. Funds will be deposited back into the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street) project.

BACKGROUND INFORMATION:

On May 6, 2017, San Antonio voters approved the City of San Antonio's 2017-2022 Bond Program, of which \$7,000,000.00 was approved for roadway reconstruction for the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street) Project. An additional \$2,500,000.00 was authorized from the Midtown Tax Increment Reinvestment Zone (TIRZ) Fund to fund pedestrian lighting, landscaping, and tree plantings.

This project reconstructed North St. Mary's from East Mistletoe Avenue to West Josephine Street and constructed improvements consisting of roadway enhancements, sidewalks, bike amenities, pedestrian illumination, landscaping, irrigation, storm drainage upgrades, as well as traffic and pedestrian signal upgrades. The project also included joint-bid San Antonio Water System (SAWS) and CPS Energy utility work. Construction began in Winter 2021 and was completed in August 2023.

The original SAWS utility scope of work related to the project included replacement of the sanitary sewer system at the intersection of North St. Mary's Street and East Ashby Place. During the construction phase of the SAWS sanitary sewer, SpawGlass encountered a Google Fiber utility line conflict buried in this location. This conflict required additional coordination and efforts to confirm and clear the conflict, which caused a delay in the project schedule and additional labor and materials expensed by the contractor.

The City and Google Fiber, Inc. have reached a settlement agreement of the City's claims. Under the terms of the agreement, Google Fiber, Inc is reimbursing the City in the amount of \$75,166.47 for the additional expenses incurred as a result of the delay caused by the utility line conflict. In November 2022, the City reimbursed the contractor for the additional expenses incurred as a result of the delay caused by the utility line conflict.

ISSUE:

This ordinance authorizes the City of San Antonio to approve a Release and Settlement of Property Damage Claim agreement between Google Fiber, Inc. and the City of San Antonio and accept reimbursement from Google Fiber, Inc. in the amount of \$75,166.47 related to the additional expenses incurred as a result of a utility conflict on the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street), a 2017 General Obligation Bond Program funded project.

This reimbursement of \$75,166.47 from Google Fiber, Inc. will compensate the City for costs and delays incurred with the construction of the sanitary sewer line replacement.

ALTERNATIVES:

None.

FISCAL IMPACT:

This ordinance authorizes the approval of a Release and Settlement of Property Damage Claim agreement between Google Fiber, Inc. and the City of San Antonio and acceptance of funds in the amount of \$75,166.47 from Google Fiber, Inc. related to a utility conflict on the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street) project, a 2017 General Obligation Bond Program funded project, located in Council District 1. Funds will be deposited back into the North St. Mary's Street (East Mistletoe Avenue to West Josephine Street) project.

RECOMMENDATION:

Staff recommends approval.