



## MEMORANDUM

**To:** Mayor and City Council

**From:** Ken Griffin, P.E., Director of Engineering and Public Works

**Date:** March 28, 2017

**Reference:** Developer Agreement for Drainage Improvements associated with Freeport Parkway

**2030:** Special Place to Live

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### General:

- **Improvements will provide a solution to a drainage problem associated with the box culvert constructed with Freeport Parkway.**
- **Construction will be performed by the contractor currently working on the Prologis development.**
- **Cost of the improvements are set at a not to exceed amount of \$500,000.00**
- **The cost will be paid by a refund of \$165,148.80 of Roadway Impact Fees, savings on the project and Roadway Impact Escrow funds.**

### Introduction:

This agenda item is presented to request approval of a Developer's Agreement between the City of Coppell and Prologis Logistics Services Incorporated. The Developer's Agreement will allow the contractor on the Prologis development to construct drainage improvements to correct an ongoing erosion problem associated with Freeport Parkway construction.

### Analysis:

The design of Freeport Parkway required the lowering of the existing elevation of the property over six feet to ensure that the road and adjacent development would work together. Additionally, a box culvert was required beneath Freeport Parkway to convey drainage from south of Sandy Lake to Coppell Road.

The Freeport Parkway construction project was awarded to Tiseo Paving at the March 24, 2015 Council meeting. After award of the project, a separate contractor was retained by the City and Prologis to perform most of the dirt work on the project. The dirt removed from the Freeport Parkway site was used to elevate part of the Prologis site to ensure that grades from the new road would match the future development by Prologis.

The actual construction of Freeport Parkway began in August 2015. One of first parts of new roadway construction is to install the utilities and drainage systems. The construction of the box culvert beneath Freeport Parkway began in September 2015 and was completed in mid-October 2015. To ensure proper drainage, the flowline of the box culvert needed to be about nine feet lower than the top of Freeport Parkway. Overall, this meant that the upstream side of Freeport Parkway was about fifteen feet deeper than the surrounding ground. The approved plans showed that the upstream area would be “bowl shaped” about fifteen deep on a 4:1 slope and covered with a 5” thick rip-rap. There was a bid item in the plans for this item at a cost of \$155,821.20.

Immediately after construction of the box culvert the rains came. On October 22, 23 and 24 we had a total of 7.5 inches of rain. Overall, the area experienced about 27 inches of rain from mid-October through December 2015. The average rain during this period is normally about 9 inches. The rain did not allow the construction of the rip-rap in a timely fashion and in fact it created a much larger “bowl” through erosion. What was originally about a 100-foot “bowl” is now about 300 feet from Freeport Parkway. Because of the severity of the erosion, the original 5” rip-rap is now not an acceptable option. The original design engineers have proposed a different solution that is more extensive and more expensive. That design is included as Exhibit ‘B’ in the Developer’s Agreement.

There have been extensive conversations with Tiseo and Prologis concerning the drainage “fix”. In the end, because it was a change of scope and construction techniques, Tiseo decided not to proceed with the revised upstream drainage improvements. We are in the process of closing out the project with Tiseo and have been meeting with Prologis representatives concerning a solution. To bring this to a conclusion, we have worked with Prologis to have their contractor perform the work via the proposed Developer’s Agreement. The City has provided the design and will provide the funding for the improvements. Prologis will supervise the work.

**Legal Review:**

Agenda item was reviewed by Alexis Allen on 3/06/2017.

**Fiscal Impact:**

The fiscal impact of this Agenda item is a “not to exceed” amount of \$500,000.00, with \$165,148.80 paid in the form of Roadway Impact Fee reimbursement and the balance paid from Roadway Impact Escrow Funds.

**Recommendation:**

The Engineering Department recommends approval of the Developer Agreement for the construction of drainage improvements associated with Freeport Parkway.