

**AGREEMENT BETWEEN THE CITY OF RAPID CITY AND TESCHER
DEVELOPMENT, LLC FOR OVERSIZE WATER TRANSMISSION MAIN**

THIS AGREEMENT is made and entered into by and between the CITY OF RAPID CITY, a municipal corporation, hereinafter referred to as the "City," and TESCHER DEVELOPMENT GROUP, LLC, 717 22nd Road, Unadilla, Nebraska 68454, hereinafter referred to as the "Developer."

WHEREAS, the Developer desires to construct a water main to provide water service and fire protection for the Developer's Copperfield Vistas Subdivision Project generally located in the SE¼ of the NW¼ and NE¼ of the SW¼ of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, west of Copperfield Drive and south of Homestead Street, Rapid City, South Dakota; and

WHEREAS, the Developer's property is located within the City of Rapid City; and

WHEREAS, the City and the Developer agree to construct a 12" water transmission main rather than an 8" water main within Homestead Street, which is the minimum size required to meet the Developer's needs. The 12" water transmission main will allow future water main extension within the area in accordance with the City's Utility System Master Plan.

WHEREAS, it is in the City's interest to have the Developer construct the 12" water transmission main; and

WHEREAS, the Developer has submitted cost estimates to oversize the requested water transmission main and City staff has reviewed and concurs with the costs, and

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions herein set forth, it is agreed by the parties as follows:

1. The recitals set forth above constitute an integral part of this Agreement and are incorporated herein by this reference as if fully set forth herein as agreements of the parties.
2. The City shall reimburse the Developer a maximum of \$ 27,445.42 for 12" water transmission main oversize. This maximum dollar amount is based upon lengths, quantities and costs provided in Exhibit A. If actual lengths, quantities, and costs are less than specified in Exhibit A, the amount of reimbursement shall be adjusted accordingly. The developer shall provide certified costs.
3. Prior to project acceptance the Developer shall submit documentation certifying actual costs incurred. If actual lengths, quantities, and costs are less than specified in exhibit A, the amount of reimbursement shall be adjusted accordingly.
4. Prior to project acceptance by the City, a warranty bond, or other equivalent surety, in an amount equivalent to ten percent (10%) of the total cost of the 12" water transmission main

Exhibit A

Copperfield Vistas Subdivision - Phase 1 & 2
DEV 14-1196

7.21.15

Project Items			12" Water Main (oversize)			8" Water Main (base)		
Item No.	Description	Unit	Estimated Quantity	Unit Cost	Item Cost	Estimated Quantity	Unit Cost	Item Cost
Water Main								
1	12" PVC Water Main C-900 DR 18	LF	1,000	\$ 54.73	\$ 54,730.00	0		\$ -
2	12"x12"x6" Tee	EA	5	\$ 948.42	\$ 4,742.10	0		\$ -
3	12"x12"x8" Tee	EA	1	\$ 926.91	\$ 926.91	0		\$ -
4	12"x8" Cross	EA	2	\$ 1,037.34	\$ 2,074.68	0		\$ -
5	12" Gate Valve w/ Box	EA	6	\$ 2,916.15	\$ 17,496.90	0		\$ -
6	12" Bend	EA	3	\$ 725.77	\$ 2,177.31	0		\$ -
7	8" PVC Water Main C-900 DR 18	LF	0		\$ -	1,000	\$ 38.70	\$ 38,700.00
8	8x8x6 Tee	EA	0		\$ -	5	\$ 562.35	\$ 2,811.75
9	8"x8"x8" Tee	EA	0		\$ -	1	\$ 614.63	\$ 614.63
10	8"x8" Cross	EA	0		\$ -	2	\$ 893.15	\$ 1,786.30
11	8" Gate Valve w/ Box	EA	0		\$ -	6	\$ 1,573.15	\$ 9,438.90
12	8" Bend	EA	0		\$ -	3	\$ 450.30	\$ 1,350.90
Subtotal Project Cost					\$ 82,147.90			\$ 54,702.48

Total Project Costs

\$ 82,147.90

\$ 54,702.48

Oversize Cost increase for 12" Water Main

\$27,445.42