

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 22, 2024

## Item Details

Presenter(s): Michael S. Deaton, P.E., Director

Department(s): Water Resources

### Requested Motion

Motion to approve a Utility Infrastructure Reimbursement Agreement with RXR Len Apex Owner LLC (RXR) related to oversized construction of the Big Branch 1 Regional Pump Station, associated sewer force main, and waterline, and to authorize the Town Manager to execute the same.

### Approval Recommended?

Yes

### Item Details

RXR (developer) desires to develop the land known as Veridea in the Big Branch portion of the Town of Apex (Town). To provide reliable, efficient, and cost-effective water and sewer service that can accommodate future growth, the Town's Master Sewer Plan for this area requires the sanitary sewer system to be designed and constructed as a regional pump station and force main. The Town's share of the oversized pump station will be equal to 27.64 percent of the cost of construction of the Big Branch 1 pump station. In return for RXRs oversizing commitment, they will be eligible for reimbursement of certain costs in accordance with NCGS 160A-320 and the Town's, "Policy Regarding Town Participation in Utility Projects."

Pursuant to this agreement, the developer plans to construct a quad-plex regional sewer pump station with a buildout capacity of approximately 9.0 million gallons per day, 5,670 linear feet (LF) of 20-inch sewer force main, and 3,475 LF of 8-inch water main. The project was advertised on September 20, 2024, and the bid opening is scheduled for November 7, 2024. In accordance with Town policy, it is estimated that Apex will reimburse the developer approximately \$4,000,000. Actual reimbursement will be based on actual bid amount and actual quantities for line work and Town's cost for pump station shall not exceed \$5,000,000.

The developer may receive off-set for Capital Reimbursement Fees - Sewer- for all or some of the reimbursement due under the agreement. The Town's minimum payment will be \$650,000 per year for a period of 6 years or until reimbursement is made in full not to exceed 10 years.

## Attachments

- CN6-A1: Utility Infrastructure Reimbursement Agreement - RXR Len Apex Owner LLC - Big Branch 1 Regional Pump Station w-Exhibits

