

**2011 TRAVIS COUNTY GENERAL OBLIGATION BONDS:  
GUIDELINES FOR PUBLIC/PRIVATE PARTNERSHIPS  
FOR TRANSPORTATION PROJECTS**

**Overview**

Travis County anticipates calling an election in November 2011 to authorize issuance of general obligation bonds. The County is soliciting written proposals from private parties to pay for road projects with a combination of County bond funding and private funding. Leveraging public and private funds helps achieve economies of scale to expand the capacity of the roadway network in areas where new development is anticipated.

In a public/private partnership, a private party may contract for the engineering and construction of a road segment and be reimbursed by the County for a share of the costs; or the County may contract for the engineering and construction of the road segment and pay for a share of the costs with funds contributed by a private party.

**Project Ranking and Milestones**

The County anticipates ranking candidate public/private projects into two tiers. Tier I projects will receive highest priority for funding. However, County bond funding for each project will be conditioned on that project meeting certain milestones. If a Tier I project fails to make progress towards completion according to the milestones, the County may withdraw funding. Withdrawn funding may be re-directed a Tier II project.

**Land Ownership & Security for Private Share of Costs**

Private parties are expected to arrange for the donation to the County of all property interests required for the project, including rights-of-way and easements for slopes, sight distances, stormwater, etc. Therefore, private parties should own, control, or be able to acquire all the land within a project's limits. In special cases, the County may be willing to use eminent domain to acquire outparcels, provided the private parties bear the ultimate cost.

Also, the private share of project funding must be secured by a cash deposit, bond, letter of credit, public improvement district assessment, MUD or road district tax, restrictive covenant, or other form of funding or security acceptable to the County in its discretion. Written commitments for financial participation will be required from all relevant private parties prior to the Commissioners Court vote to call the bond election.

Securing right-of-way and the private party's financial commitment at an early date will be two of the key milestones on which bond funding is conditioned. This ensures that the County will be able to proceed with the project regardless of either a change in ownership of the land or a negative change in the financial status of the land owner.

### **General Criteria**

1. All candidate projects must be arterials in the CAMPO 2035 Plan.
2. All candidate projects must result in construction of a viable segment of roadway that, standing alone, is fully functional and usable by the public even if no subsequent segment is added in the future.
3. County bond funding may not be used to pay for the portion of a project that a land owner would be obligated to pay for or build as a requirement of being granted development entitlements for the land.
4. Projects must not result in additional traffic loads being directed onto existing road segments that are substandard.
5. The County will consider the phased construction of multi-lane projects. However, the first phase must result in at least two lanes being completed for the full length of the ultimate project. Also, requirements for securing the private share of the project cost may be more stringent for phased projects.
6. The County will pay no more than half of all engineering and construction costs. Construction costs will include bridges, utility relocation, road-related storm water detention and water quality ponds, landscaping, and pedestrian and bicycle facilities. The County will pay up to 80% of the cost of bridges and box culverts if County design standards require them to be 100 feet or longer, measured along the centerline of the road.
7. The County will define the project engineering design standards; define and approve the scope and terms of the engineering contracts, including the amount and coverage of professional errors and omissions insurance; and review and approve the engineering construction plans and specifications.
8. If a private party contracts for engineering and construction, procurement processes substantially similar to the County's procurement processes must be followed. The project engineer must be selected based on qualifications rather than low bid. The construction contractor must be selected based on a competitive bidding process. The County's goals for Historically Underutilized Businesses must be met in for both engineering and construction procurement. Final selection of the project engineer and construction contractor are subject to County approval.

9. A candidate project is expected to include city participation if any part of it is inside the city limits, an area included in a three year municipal annexation, an area subject to an annexation agreement, or a “near-term annexation areas” of the City of Austin under §30-1-21(5), Austin/Travis County Subdivision Regulations. City funding should be roughly proportional to the relative portion of the road segment that is in any one of these areas. The cost of any unique features or design requirements that result from special city requirements must be born entirely by the city or the private party. Written commitments from a city will be required prior to the Commissioners Court vote to call the bond election.

**Written Proposals**

Written proposals must address all of the foregoing issues and criteria. Proposals should be submitted to Steve Manilla.