

Sheets & Crossfield, P.C.

ATTORNEYS AT LAW

309 East Main Street • Round Rock, TX 78664-5246

Phone 512-255-8877 • fax 512-255-8986

February 28, 2014

Robinson Land Limited Partnership
c/o Robin Skruhak
P.O. Box 9556
Austin, Texas 78766

Re: Williamson County—RM 620 improvement project
Robinson fence cost reimbursement

Dear Robin:

Please allow this letter to set out my understanding regarding our agreement for the reimbursement of additional costs associated with the relocation or replacement of fencing along the Robinson property in connection with the RM 620 improvement project.

There were certain areas along the proposed right of way where it was necessary to use temporary construction easement areas for the installation of the roadway facilities in the adjacent right of way which was purchased from the Robinsons. The County was obligated to pay for both the cost of interim fencing along the boundary of the temporary construction easement areas, and the cost of relocating the fence to the permanent right of way line after use of the temporary area was completed.

The fence relocation payment included with the initial real estate purchase for the right of way did not include the cost for relocating the fencing from the temporary areas to the permanent right of way line, and the time has now come for that work to occur. In addition, there are areas along the permanent right of way line where additional and unforeseen fence costs will be incurred due to the placement of rock wall tree wells required as part of the roadway construction, and the actual cost to clear the new r.o.w. line and install replacement ranch road facilities were higher than originally estimated.

As a result, the County has agreed to pay the additional amount of \$11,095.55 for the fencing relocation/reconstruction work along the new boundary line as supported by the estimates from John Tyler attached hereto as Exhibit "A" and incorporated herein.

If this meets with your understanding please have the appropriate person execute this letter on behalf of Robinson Land Limited Partnership and we will have this considered by the commissioners' court, executed by the judge, and processed for payment as quickly as possible.

Please feel free to contact me at any time if you have any questions or concerns about these issues.

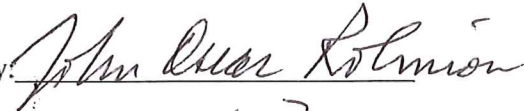
Very truly yours,



Don Childs
Sheets & Crossfield, P.C.

AGREED:

Robinson Land Limited Partnership

By: 

Its: GENERAL PARTNER

Date: 3/06/2014

WILLIAMSON COUNTY, TEXAS

By: _____

Dan A. Gattis
County Judge

Date: _____

Don Childs



Subject: FW: 620 Fencing - Final Cost Overages
Attachments: FM 620 PERMANENT FENCE 2-10-14.xlsx; 620 Fence Calculation 2014.xlsx; 620-Ranch Road overage.xlsx

From: Robin Skruhak [mailto:rskruhak@austinwhitelime.com]
Sent: Friday, February 28, 2014 10:39 AM
To: 'Don Childs'
Cc: John Tyler (jtyler@austinwhitelime.com)
Subject: 620 Fencing - Final Cost Overages

Don –

Attached (again) is the worksheet from John showing the \$8061.27 cost related to the Temporary Fencing. Recall there were two TCE sections that were fenced off. We did not accurately estimate two years ago what the cost would be to replace this with the permanent fencing today.

Also, is attached a brief spreadsheet I came up with to recalculate for myself why we were short on the estimates of fencing/road building figures we provided to the County at the time we executed the Purchase Contract. John had requested that I add in the usual 10% to cover any overages, which by the time I had calculated everything out, the 10% got omitted.

Third attachment - Will Pitts went \$3032.28 over estimate, which also would have been covered if we had added in 10% on the whole project. In fact the overages of \$8061.27 plus the \$3032.28 equaling \$11,093.55, would have been completely covered by the \$11,251 difference in what Robinson was paid by the County, and what we actually went over; which is really, really close, and I take responsibility for this omission.

Let me know what you think is the best way to proceed.

Robin

From: JTyl@AustinWhitelime.com [mailto:JTyl@AustinWhitelime.com]
Sent: Monday, February 10, 2014 4:42 PM
To: DChilds@Sheets-Crossfield.com
Cc: rskruhak@austinwhitelime.com
Subject: FM 620 PERMANENT FENCE 2-10-14.xlsx

Don,
included is the cost and explanation for the remaining fence work for FM 620.

Please review and let me know your thoughts

Thanks,
John

FM 620 Permanent fence cost
2/10/2014

Cost to build the last phase of the FM 620 fence project

This cost is for building the permanent fence post removal of the TCE fence.

There are 2 locations of permanent ROW fence to be constructed post TCE fence removal

1. The section of fence between Highland Horizons and O'Connor (1990 property)

This section will have the added cost to install specialty fencing to compensate for the landscaping of 3 trees with a rock wall. The landscaping over runs into Robinson property
In conversation with Clayton Webber, Clayton suggested I provided a bid to compensate for the extra work. The 3 walls contain a span of 40 feet, 44 feet and 31 feet for a total of 115 feet

2. Section of fence located in the 1989 property for the CORR

This section includes a gate for CORR to access the water main valve

1990 Highland to O'Connor includes inset for gate entrance, fence for tie in's and specialty fence noted in red for the 3 trees

Footage 826

Labor	units	cost	Total	cost per ft
Fence installation		\$2.45	\$2,023.70	\$ 2.45
Single Brace	7	\$200.00	\$1,400.00	
Double Brace	4	\$325.00	\$1,300.00	
Triple Brace		\$450.00		
Line pipes	6	\$75.00	\$450.00	
hang panel & cable	3	\$100.00	\$300.00	
Hang gates	1	\$100.00	\$100.00	
tie in	2	\$50.00	\$100.00	
Total Labor			\$5,673.70	\$6.87
Material	units	cost	Total	
9-39-12 net wire	3	\$143.69	\$431.07	
2 pt barb wire	0	\$52.80	\$0.00	
2 7/8 pipe	310	\$1.87	\$579.70	
Crete	100	\$3.25	\$325.00	
6 ft t-post	0	\$4.75	\$0.00	
clips	300	\$0.03	\$9.00	
panel for trees	6	\$54.23	\$325.38	
paint	2	\$54.00	\$108.00	
12 ga tie wire	1	\$13.90	\$13.90	
Total Materials			\$1,792.05	\$2.17
Material and Labor				\$7,465.75
cost per ft				\$9.04

Cost to build permanent fence 1989 CORR

Footage

89

Labor	units	cost	Total	cost per ft
Fence installation		\$2.45	\$218.05	\$ 2.45
Single Brace	1	\$200.00	\$200.00	
Double Brace	0	\$325.00	\$0.00	
Triple Brace		\$450.00		
Line pipes	0	\$75.00	\$0.00	
hang panel & cable	0	\$100.00	\$0.00	
Hang gates	1	\$100.00	\$100.00	
tie in	0	\$50.00	\$0.00	
Total Labor			\$518.05	\$5.82
Material	units	cost	Total	
9-39-12 net wire	0	\$143.69	\$0.00	
2 pt barb wire	0	\$52.80	\$0.00	
2 7/8 pipe	31	\$1.87	\$57.97	
Crete	6	\$3.25	\$19.50	
6 ft t-post	0	\$4.75	\$0.00	
clips	0	\$0.03	\$0.00	
gate 16	1		\$0.00	
paint	0	\$54.00	\$0.00	
12 ga tie wire	0	\$13.90	\$0.00	
Total Materials			\$77.47	\$0.87
Material and Labor				\$595.52
cost per ft				\$6.69

Total for both sections

Labor

\$6,191.75

Materials

\$1,869.52

Labor and Materials

\$8,061.27

* \$3032.28

Pit's clearing + road

\$1,093.55

Totals for both 1989 and 1990

Johns Budget numbers

	1989	1990	Totals
Labor	\$ 32,401.86	\$ 15,012.44	\$ 47,414.31
materials	\$ 13,721.99	\$ 6,274.65	\$ 19,996.64
TCE fence removal	\$ 115.50	\$ 840.00	\$ 955.50
Total			\$ 68,366.45
ADD 10%	the total		10%
10% oversight			\$ 6,836.64
Total for fence work			\$ 75,203.09

Estimated cost			
Pitts clearing	\$ 10,911.57	\$ 4,739.15	\$ 15,650.72
Pitts road building	\$ 28,500.00	0	\$ 28,500.00
			\$ 44,150.72

Pitts actual numbers \$ 33,406.74 \$ 13,776.26 \$ **47,183.00**

If we had received the 10% this cost would have been covered \$ **(3,032.28)**