

**EXHIBIT**  
**"A"**

**REIMBURSEMENT AGREEMENT**

This REIMBURSEMENT AGREEMENT (the "Agreement"), is dated, entered into and effective as of the date of the last signature below, by and between the CITY OF ROUND ROCK, TEXAS (the "CITY"), a Texas Home Rule City, and GOOGLE FIBER TEXAS, LLC ("GOOGLE"), a Texas limited liability company. The CITY and GOOGLE are collectively referred to herein as the "Parties."

**RECITALS**

**WHEREAS**, the CITY plans to construct improvements to a portion of Gattis School Road, referred to as the Gattis School Road (Segment 3) Project, (the "Road Project"); and

**WHEREAS**, GOOGLE plans to install conduits, vaults, and fiber optic cable (herein collectively referred to as "Fiber Project") within the right-of-way of the Road Project; and

**WHEREAS**, GOOGLE has requested the CITY to add the installation and construction of the conduits and vaults for the Fiber Project as part of the construction documents for the Road Project; and

**WHEREAS**, CITY added alternate bid items for the installation and construction of the conduits and vaults in the bid documents; and

**WHEREAS**, GOOGLE has expressed its willingness to pay the bid cost of the installation to the CITY prior to the CITY's execution of the construction contract with the successful bidder;

**NOW THEREFORE**, in consideration of the mutual covenants and agreements herein contained, the sufficiency of which are hereby conclusively acknowledged, and subject to the terms and conditions hereinafter set forth, the CITY and GOOGLE mutually agree as follows:

**AGREEMENT**

- 1) The CITY has developed plans for the widening and improvement of a portion of Gattis School Road, known as Gattis School Segment 3, and said plans are referred to herein as the Road Project.
- 2) GOOGLE has developed plans to install high-speed fiber optic cable in the right-of-way of Gattis School Road to provide the citizens of the City with high-speed Internet and related services.
- 3) In the interest of saving time, GOOGLE has requested that the CITY install certain conduits and vaults to contain the fiber optic cable as part of the construction of the Road Project. In accordance with this request, the CITY has directed the design engineers of the Road Project to include the Fiber Project in the construction plans and in the bid documents for the Road Project. The design engineers did so at a cost of \$10,000.
- 4) The design engineers added alternative line items (the "Fiber Project Bid Items") to the Road Project bid documents related to the cost of the materials for the Fiber Project and the installation of same. The Fiber Project Bid Items are numbered 298 through 302 and are shown on Exhibit A, attached hereto and incorporated herein. The Fiber Project Bid Items total \$162,268.00.
- 5) The total of the above Fiber Project Bid Items and the engineering fees is \$172,268. GOOGLE agrees to pay this amount to the City within 30 days of the effective date of this Agreement. Upon receipt of these funds, the City agrees to accept the alternative Fiber Project Bid Items and include them in the Road Project construction contract.




- 6) If the final cost of the Fiber Project is more than \$172,268, then when the Road Project is completed and accepted by the CITY, GOOGLE agrees to pay the cost of any increase on or before 30 days following the completion. Likewise, if the cost of the Fiber Project is less than \$172,268, then the CITY will reimburse GOOGLE the amount of the decrease within the same time period.
- 8) This Agreement shall be enforceable in Round Rock, Texas, and if legal action is necessary by either party with respect to the enforcement of any or all of the terms or conditions herein, exclusive venue for same shall lie in Williamson County, Texas. This Agreement shall be governed by and construed in accordance with the laws and court decisions of the State of Texas.
- 9) This document, and all appended documents, constitutes the entire Agreement between GOOGLE and CITY. This Agreement may only be amended or supplemented by mutual agreement of the Parties hereto in writing.
- 10) The Parties agree that time is of the essence with respect to this Agreement.
- 11) This Agreement shall extend to and be binding upon and inure to the benefit of the Parties' respective heirs, executors, administrators, successors, and assigns.

*[Remainder of page intentionally blank.]*

12) This Agreement may be executed in multiple counterparts, any one of which shall be considered an original of this document; and all of which, when taken together, shall constitute one and the same instrument.

**IN WITNESS WHEREOF**, CITY and GOOGLE have executed this Agreement to be effective on the date first mentioned above.

**Google Fiber Texas, LLC**

By:		2024.08.07
Printed:		18:07:40
Title:	Philipp Schindler Authorized Signatory	-05'00'
Date Signed:		

**City of Round Rock, Texas**

By:  
Craig Morgan, Mayor

Date Signed:

**For City, Attest:**

By:  
Meagan Spinks, City Clerk

**For City, Approved as to Form:**

By: \_\_\_\_\_  
Stephanie L. Sandre, City Attorney



# EXHIBIT A

<u>Bid Item</u>	<u>Approx. Quantit</u>	<u>Unit</u>	<u>Item Description and Written Unit Price</u>	<u>Unit Price</u>	<u>Amount</u>
			GATTIS SCHOOL ROAD SEGMENT 3 ( Items 1 thru 297 )	\$	26,762,805.35
			GOOGLE FIBER ( Items 298 thru 302 )	\$	162,268.00
			<b>BASE BID: TOTAL ( Items 1 thru 302 )</b>	<b>\$</b>	<b>26,925,073.35</b>

**ALTERNATE**

<u>ADD</u>					
<u>1A</u>	<u>10</u>	<u>EA</u>	465-7038 INLET (COMPL)(PCU)(5FT)(LEFT)	complete in place per <u>Each</u>	
			for <u>Seven Thousand Six Hundred Ten</u>	dollars	
			and _____	cents.	\$ 7,610.00 \$ 76,100.00
<u>2A</u>	<u>10</u>	<u>EA</u>	465-7039 INLET (COMPL)(PCU)(5FT)(RIGHT)	complete in place per <u>Each</u>	
			for <u>Seven Thousand Six Hundred Ten</u>	dollars	
			and _____	cents.	\$ 7,610.00 \$ 76,100.00
<u>3A</u>	<u>34</u>	<u>EA</u>	465-7040 INLET (COMPL)(PCU)(5FT)(BOTH)	complete in place per <u>Each</u>	
			for <u>Eight Thousand Four Hundred Fifty</u>	dollars	
			and _____	cents.	\$ 8,450.00 \$ 287,300.00
			ALTERNATE: ADD ( Items 1A thru 3A)	\$	439,500.00

<u>DEDUCT</u>					
<u>61</u>	<u>20</u>	<u>EA</u>	465-9901 INLET (COMPL)(CURB)(TY IIR)(10')	complete in place per <u>Each</u>	
			for <u>Nine Thousand Six Hundred Seventy</u>	dollars	
			and _____	cents.	\$ 9,670.00 \$ 193,400.00
<u>62</u>	<u>34</u>	<u>EA</u>	465-9902 INLET (COMPL)(CURB)(TY IIR)(15')	complete in place per <u>Each</u>	
			for <u>Twelve Thousand Eight Hundred</u>	dollars	
			and _____	cents.	\$ 12,800.00 \$ 435,200.00
			ALTERNATE: DEDUCT ( Items 61 thru 62)	\$	628,600.00

**ALTERNATE: TOTAL +/- \$ (189,100.0)**



<u>Bid Item</u>	<u>Approx. Quantit</u>	<u>Unit</u>	<u>Item Description and Written Unit Price</u>	<u>Unit Price</u>	<u>Amount</u>
<u>295</u>	<u>9</u>	<u>EA</u>	WW-48 (511) REFLECTORIZED PAVEMENT MARKERS complete in place per <u>Each</u> for <u>Eighty-Eight</u> <u>dollars</u> and _____ <u>cents.</u>	\$ 88.00	\$ 792.00
<u>296</u>	<u>38</u>	<u>DAY</u>	6185-6002 TMA (STATIONARY) complete in place per <u>Day</u> for <u>Three Hundred Two</u> <u>dollars</u> and _____ <u>cents.</u>	\$ 302.00	\$ 11,476.00
<u>297</u>	<u>11</u>	<u>DAY</u>	6185-6005 TMA (MOBILE OPERATION) complete in place per <u>Day</u> for <u>Nine Hundred Five</u> <u>dollars</u> and _____ <u>cents.</u>	\$ 905.00	\$ 9,955.00
<u>298</u>	<u>4433</u>	<u>LF</u>	GF #1 DIRECTIONAL BORE (4" HDPE CONDUIT W/MULE TAPE)(ROLL DUCT) - LABOR&EQUIPMENT ONLY complete in place per <u>Linear Foot</u> for <u>Thirty</u> <u>dollars</u> and _____ <u>cents.</u>	\$ 30.00	\$ 132,990.00
<u>299</u>	<u>4</u>	<u>EA</u>	GF #2 GFB LARGE VAULT (30X48X36) - INSTALL ONLY complete in place per <u>Each</u> for <u>One Thousand One Hundred Eighty</u> <u>dollars</u> and _____ <u>cents.</u>	\$ 1,180.00	\$ 4,720.00
<u>300</u>	<u>1</u>	<u>EA</u>	GF #3 FURNISH RECORD AS-BUILTS complete in place per <u>Each</u> for <u>One Thousand Nine Hundred Twenty</u> <u>dollars</u> and _____ <u>cents.</u>	\$ 1,920.00	\$ 1,920.00
<u>301</u>	<u>16</u>	<u>EA</u>	GF #4 GFB SMALL VAULT (24X36X36) - INSTALL ONLY complete in place per <u>Each</u> for <u>Eight Hundred Seventy-Three</u> <u>dollars</u> and _____ <u>cents.</u>	\$ 873.00	\$ 13,968.00
<u>302</u>	<u>3</u>	<u>EA</u>	GF #5 GFB EXTRA LARGE VAULT (40X64X36) - INSTALL ONLY complete in place per <u>Each</u> for <u>Two Thousand Eight Hundred Ninety</u> <u>dollars</u> and _____ <u>cents.</u>	\$ 2,890.00	\$ 8,670.00

