

City Council
Agenda Memo



TO: Larry D. Gilley, City Manager

City Council
Meeting Date: February 11, 2010

FROM: Tommy O'Brien, Director of Water Utilities

SUBJECT: Written Resolution Approving Submission of Statement of Interest for the Dredging of the Clear Fork Scalping Station Project to the Texas Water Development Board for Funding of Project through the Texas Environmental Infrastructure Program

GENERAL INFORMATION

The Texas Water Development Board (TWDB) is requesting Statements of Interest (SOI) from interested political subdivisions under the Texas Environmental Infrastructure Program (TEIP). The TEIP is a program administered by the U. S. Army Corps of Engineers (USACE) under Public Law 110-114, the Water Resources Development Act of 2007 (WRDA). TEIP authorizes the USACE to provide financial assistance to develop water supply projects in Texas, including implementation of water management strategies recommended in the 2007 State Water Plan. This assistance is to be provided in the form of planning, design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Texas, including projects for water supply, and surface water resource protection and development. Contingent on congressional appropriations for federal fiscal year 2011, up to \$40 million will be available through TEIP for projects identified by the TWDB. The appropriated funds will be dedicated to a cost-sharing program, where the federal share of a project cost will be 75 percent; and the non-federal (local) share will be 25 percent. Staff is proposing to submit the following SOI:

Dredging of Clear Fork Scalping Station. The SOI for the "Dredging of Clear Fork Scalping Station Project" is work that is necessary to remove sediment from the area near the pump station to improve the performance of the Clear Fork Scalping Station. Total Project Cost \$800,000.00. (City share \$200,000.00).

The City is required to include with the SOI a written resolution from the City Council approving the project, authorizing submittal of the Statement of Interest, and committing to non-federal cost share requirements should the project be funded. Attached is the written resolution for this project.

FUNDING/FISCAL IMPACT

The city's share of the proposed project will be funded from the Water Department's Water and Sewer Fund.

STAFF RECOMMENDATION

It is recommended that the City Council: (i) authorize staff to submit the described SOI; (ii) approve the Written Resolution; and (iii) authorize the City Manager or his designee to execute all necessary documents related to the SOI and applicable documents.

ATTACHMENTS

Written Resolution for the project.

Prepared by:		Disposition by City Council
Name	Tommy O'Brien	<input type="checkbox"/> Approved Ord/Res#
Title	Director of Water Utilities	<input type="checkbox"/> Denied
	Item No. <u>67</u>	<input type="checkbox"/> Other _____
		City Secretary _____

A RESOLUTION OF SUPPORT OF THE CITY COUNCIL OF ABILENE, TEXAS AUTHORIZING SUBMISSION OF A STATEMENT OF INTEREST ON BEHALF OF THE CITY OF ABILENE TO THE TEXAS WATER DEVELOPMENT BOARD FOR FUNDING OF A PROJECT ASSOCIATED WITH IMPROVEMENTS TO THE CLEAR FORK SCALPING STATION.

WHEREAS, the City of Abilene considers the dredging of the Clear Fork Scalping Station a project vital to the citizens of Abilene and the region; and,

WHEREAS, the proposed project is part of the City of Abilene Water Management Strategy which is part of the current State Water Plan; and,

WHEREAS, the City Council supports the submission of this Statement of Interest in regard to funding for this project through the Texas Environmental Infrastructure Program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1: That a Statement of Interest on behalf of the City Abilene be submitted to the Texas Water Development Board for funding of up to \$800,000.00 for a project associated with the dredging and improvement of the Clear Fork Scalping Station.

Part 2: That the City of Abilene will commit a non-federal share in an amount of up to \$200,000.00 towards the project cost, contingent upon a federal-share grant in an amount of up to \$600,000.00 under the Texas Environmental Infrastructure Program.

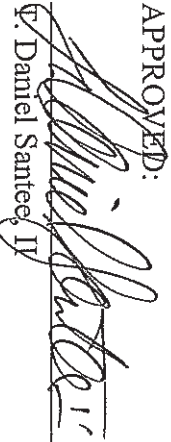
Part 3: That the City Council authorizes the City Manager or his designee to execute all necessary documents related to the Statement of Interest and applicable documents.

ADOPTED and EFFECTIVE this ____ day of February, A.D., 2010.

ATTEST

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor

APPROVED:


D. Daniel Santee, II
City Attorney

6.1 pg. 2

City Council
Agenda Memo



City Council

TO: Larry D. Gilley, City Manager

Meeting Date: February 11, 2010

FROM: Tommy O'Brien, Director of Water Utilities

SUBJECT: Written Resolution Approving Submission of Statement of Interest for the Cedar Ridge Reservoir Permitting Project to the Texas Water Development Board for Funding of Project through the Texas Environmental Infrastructure Program

GENERAL INFORMATION

The Texas Water Development Board (TWDB) is requesting Statements of Interest (SOI) from interested political subdivisions under the Texas Environmental Infrastructure Program (TEIP). The TEIP is a program administered by the U. S. Army Corps of Engineers (USACE) under Public Law 110-114, the Water Resources Development Act of 2007 (WRDA). TEIP authorizes the USACE to provide financial assistance to develop water supply projects in Texas, including implementation of water management strategies recommended in the 2007 State Water Plan. This assistance is to be provided in the form of planning, design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Texas, including projects for water supply, and surface water resource protection and development. Contingent on congressional appropriations for federal fiscal year 2011, up to \$40 million will be available through TEIP for projects identified by the TWDB. The appropriated funds will be dedicated to a cost-sharing program, where the federal share of a project cost will be 75 percent; and the non-federal (local) share will be 25 percent. Staff is proposing to submit the following SOI:

Cedar Ridge Reservoir Permitting. The SOI for the "Cedar Ridge Reservoir Permitting Project" is work that is needed to assist in development of applications for a state water rights permit and a Clean Water Act Section 404 permit. The project totals \$1,475,000 and generally includes: aerial surveying and mapping (\$530,000); environmental and cultural surveys (\$554,200); reservoir modeling (\$95,000); installation of stream gauges and water quality monitoring (\$226,000); and USACE coordination (\$69,800). (City share \$368,750).

The City is required to include with the SOI a written resolution from the City Council approving the project, authorizing submittal of the Statement of Interest, and committing to non-federal cost share requirements should the project be funded. Attached is the written resolution for this project.

FUNDING/FISCAL IMPACT

The city's share of the proposed project will be funded from the Water Department's Water and Sewer Fund.

STAFF RECOMMENDATION

It is recommended that the City Council: (i) authorize staff to submit the described SOI; (ii) approve the Written Resolution; and (iii) authorize the City Manager or his designee to execute all necessary documents related to the SOI and applicable documents.

ATTACHMENTS

Written Resolution for the project.

Prepared by:		Disposition by City Council
Name: <u>Tommy O'Brien</u>		<input type="checkbox"/> Approved Ord/Res#
Title: <u>Director of Water Utilities</u>		<input type="checkbox"/> Denied
	Item No. <u>62</u>	<input type="checkbox"/> Other _____
		City Secretary _____

RESOLUTION NO. _____

A RESOLUTION OF SUPPORT OF THE CITY COUNCIL OF ABILENE, TEXAS AUTHORIZING SUBMISSION OF A STATEMENT OF INTEREST ON BEHALF OF THE CITY OF ABILENE TO THE TEXAS WATER DEVELOPMENT BOARD FOR FUNDING OF MULTIPLE PROJECTS ASSOCIATED WITH CEDAR RIDGE RESERVOIR PERMITTING ACTIVITIES.

WHEREAS, the City of Abilene considers the Cedar Ridge Reservoir vital to the citizens of Abilene and the region; and,

WHEREAS, this work is needed to assist in development of applications for a state water rights permit and a Clean Water Act 404 permit; and,

WHEREAS, the proposed project is part of the City of Abilene Water Management Strategy which is part of the current State Water Plan; and,

WHEREAS, the City Council supports the submission of this Statement of Interest in regard to funding for this project through the Texas Environmental Infrastructure Program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1: That a Statement of Interest on behalf of the City Abilene be submitted to the Texas Water Development Board for funding of up to \$1,475,000 for a project associated with the Cedar Ridge Permitting Activities that include the following: Aerial Survey Mapping; Stream Gauges and Water Quality Monitoring Program; Lake Level Frequency Mapping; Project Management Plan; Brazos Water Snake Surveys; Aquatic Life Monitoring Surveys; Vegetation Mapping; Update of Multi-Source Water Supply Model; Initial Cultural Resource Evaluation; and Section 404 Permitting & Mitigation Plan.

Part 2: That the City of Abilene will commit a non-federal share in an amount of up to \$368,750 towards the project cost, contingent upon a federal-share grant in an amount of up to \$1,106,250 under the Texas Environmental Infrastructure Program.

Part 3: That the City Council authorizes the City Manager or his designee to execute all necessary documents related to the Statement of Interest and applicable documents.

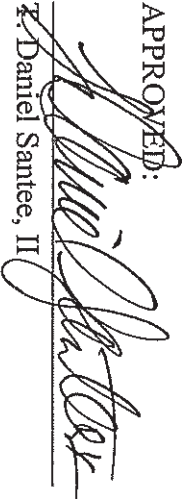
ADOPTED and EFFECTIVE this ____ day of February, A.D., 2010.

ATTEST

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor

APPROVED:



Daniel Santee, II
City Attorney

City Council
Agenda Memo



City Council
Meeting Date: February 11, 2010

TO: Larry D. Gilley, City Manager
FROM: Don Green, Director of Aviation
SUBJECT: URS Corp. Engineering Contract Task Order 22

GENERAL INFORMATION

As part of the Airport's FY10 Airport Improvement Program (AIP) projects, Task Order 22 is requested to be considered for award. This Task Order provides authorization for URS to design the Airfield Lighting Control System, which will be placed in the new control tower and design of the new Beacon, which will replace the one on the old control tower. The fee for this service is a fixed fee in the amount not to exceed \$125,434.73.

FUNDING/FISCAL IMPACT

The fee for Task Order 22 is funded 95% by AIP Grant 37. The city's 5% share for this task order is \$6,271.74.

STAFF RECOMMENDATION

Staff recommends the City Council authorize the City Manager to execute Task Order 22 of the URS Corp engineering contract.

BOARD OR COMMISSION RECOMMENDATION

The Airport Development Board voted to recommend approval of Task Order 22 of the URS Corp contract during its January 20 meeting.

Prepared by: Name Don Green Title Director of Aviation	Item No. <u>6.3</u>	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# _____ <input type="checkbox"/> Denied _____ <input type="checkbox"/> Other _____ City Secretary
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City Council
Agenda Memo



City Council
Meeting Date: 02/11/2010

TO: Larry D. Gilley, City Manager
FROM: Megan R Santee, Interim Director of Public Works *MRS*
SUBJECT: Oral Resolution Accepting Bid for Oil and Gas Lease and Authorizing City Manager to Negotiate Lease with Western Chief Oil and Gas Company.

GENERAL INFORMATION

On 11/19/09 City Council approved by oral resolution a request from Western Chief Oil & Gas Company of Graham, Texas to advertise the City of Abilene 91.92 ac. "Lake Tract #3" for an oil and gas lease. The required Notices for Bids were run on 12/6/09, 12/13/09 and 12/20/09. Bids were opened and read at 11:00 a.m. on 12/29/09. The sole bid received came from the requestor, Western Chief Oil and Gas Company. The bid was as follows:

Royalty: One-quarter (1/4)
Lease Bonus: \$100.00 per net mineral acre
Term: Two (2) years

The City of Abilene owns 100% of the mineral rights under this 91.92 acre tract.

Staff has completed evaluation of this lease proposal relative to this tract and recommends that City Council award the right for Western Chief Oil and Gas Company of Graham, Texas to lease the "Lake Tract #3" for oil and gas development. Due to the location of the City Water Department's Clear Fork Pump Station facility, staff believes it to be necessary that the lease stipulate that drilling be allowed on the acreage west of the Clear Fork of the Brazos River only, and that the acreage east of the river should be leased for pooling purposes only. Staff also finds it necessary to include surface and water protection provisions, as well as provisions to adequately protect the Water Department's Clear Fork Pump Station facility and structures.

STAFF RECOMMENDATION

Staff recommends that the City Council award the right to lease Lake Tract #3 to Western Chief Oil and Gas Company and authorize the City Manager to negotiate the lease with the following stipulations:

1. Drilling shall be allowed on the acreage west of the Clear Fork of the Brazos River.
2. The acreage east of the Clear Fork may be leased for pooling purposes, but shall be protected from drilling.
3. Provisions necessary for surface and water protection as well as provisions to adequately protect the Water Department's Clear Fork Pump Station facility shall be negotiated.

ATTACHMENTS

Invitation to Bid received from Western Chief Oil and Gas Co.
Map of Lake Tract #3
Information Sheet: Leasing Lands from the City of Abilene for Oil and Gas

Prepared by:		Disposition by City Council
Name: Travis McClure		<input type="checkbox"/> Approved Ord/Res# _____
Title: Land Agent	Item No. <i>10.4</i>	<input type="checkbox"/> Denied
		<input type="checkbox"/> Other



CITY OF ABILENE

INVITATION TO BID

CITY OF ABILENE
PURCHASING DIVISION
P.O. BOX 60 • 555 WALNUT, ROOM 201-A
ABILENE, TEXAS 79604-0060
BID #CB-1012

ALL BIDS MUST BE QUOTED
F.O.B. ABILENE

THIS BID MUST INCLUDE FREIGHT
UNLESS OTHERWISE STATED.

THIS BID IS VALID FOR 60 DAYS
UNLESS OTHERWISE STATED.

VENDOR: WESTERN CHIEF OIL AND GAS COMPANY
ATTN: DAVID LUNDGREN
P.O. BOX 99
HAWLEY, TX 79525

NOTICE IS HEREBY GIVEN THAT THE CITY OF ABILENE WILL RECEIVE SEALED, WRITTEN BIDS IN THE OFFICE OF THE PURCHASING ADMINISTRATOR, P.O. BOX 60, 555 WALNUT, ROOM 201-A, CITY HALL, ABILENE, TEXAS 79601-5254 UNTIL 11:00 A.M. ON THE 29TH DAY OF DECEMBER A.D., 2009 FOR: BID #CB-1012.

- LEASE OF MINERAL RIGHTS OWNED BY CITY FOR OIL AND GAS MINERAL PURPOSES, AS PER SPECIFICATIONS.

BONUS:	\$ 100.00	PER NET MINERAL ACRE
ROYALTY:	\$ 1/4	(MINIMUM OF 1/4)
TERM:	\$ 2 years	(NO MORE THAN 2 YEARS)

BIDS WILL BE OPENED AND READ ALOUD IMMEDIATELY AFTER THE CLOSING DEADLINE IN THE CITY HALL COUNCIL CHAMBERS.

ALL BIDS MUST SUBSTANTIALLY COMPLY WITH SPECIFICATIONS. FOR BID INFORMATION, CALL (325) 676-6225 OR FOR SPECIFICATION INFORMATION, CALL TRAVIS MCCLURE AT (325) 676-6491.

ALL BIDS MUST BE SUBMITTED IN SEALED ENVELOPES, BEARING ON THE OUTSIDE THE NAME OF THE BIDDER, HIS ADDRESS, THE NAME OF THE PROJECT AND THE BID NUMBER. ANY BIDS RECEIVED AFTER SCHEDULED CLOSING TIME FOR RECEIPT OF BIDS WILL BE MARKED "RECEIVED LATE" AND RETURNED TO THE SENDER.

THE CITY OF ABILENE WILL AWARD THE CONTRACT TO THE LOWEST RESPONSIBLE BIDDER. THE CITY RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS.

AUTHORIZED SIGNATURE

TITLE President

TELEPHONE NUMBER 940 549-0417

DELIVERY SCHEDULE as soon as approved

TERMS See above

PLEASE READ CONDITIONS FOR BIDDING ON BACK BEFORE SUBMITTING

6.4 pg. 2



INFORMATION SHEET

LEASING LANDS FROM THE CITY OF ABILENE FOR OIL AND GAS

City Contact: Land Agent (325) 676-6491

This information sheet is intended to outline the necessary steps in obtaining and Oil and Gas Lease on minerals owned by the City of Abilene. It does not cover F.A.A. or other governmental agencies requirements.

The leasing process typically takes a minimum of 8-12 weeks.

1. File a letter with the Land Agent's office requesting that the desired land(s) be advertised for bid for an Oil and Gas Lease. The letter should contain:
 - (a) Legal description of the tract
 - (b) Plat with desired area indicated
 - (c) Statement to assume advertising cost
 - (1) if successful bidder
 - (2) if there are no bidders
 - (3) if all bids are rejected by City Council
 - (d) The City's mineral interest, as specified in valid mineral interest title opinion.
 - (e) Statement that the Lessee is subject to all conditions and terms which the City places in its Oil and Gas Lease.
2. Normal Lease conditions are (a) Term – 2 years, (b) Royalty – equal to that established at the most recent State of Texas mineral lease sale. (Currently 25%).
3. The land Agent will discuss the request with a committee comprised of affected City staff. This includes the Director of Planning and Zoning, City Engineer, Director of Public Works, Director of Water Administration, Airport Manager (if desired area is on Airport lands), Legal staff, and any other affected departments. If the City leases the surface to a farming/grazing or other tenant, then the surface lessee will be contacted for their input as well.

The committee will formulate a recommendation of whether or not to recommend that the desired tract be advertised for bid for an oil and gas lease, at the request of the applicant. The committee's recommendation will be placed on an upcoming City Council agenda for their consideration.
4. The City Council will then determine whether or not to advertise the property for an Oil and Gas Lease.
5. If the City Council approves the request to advertise the desired land(s) for an oil and gas lease, a public notice will be placed in a newspaper of general circulation in the county

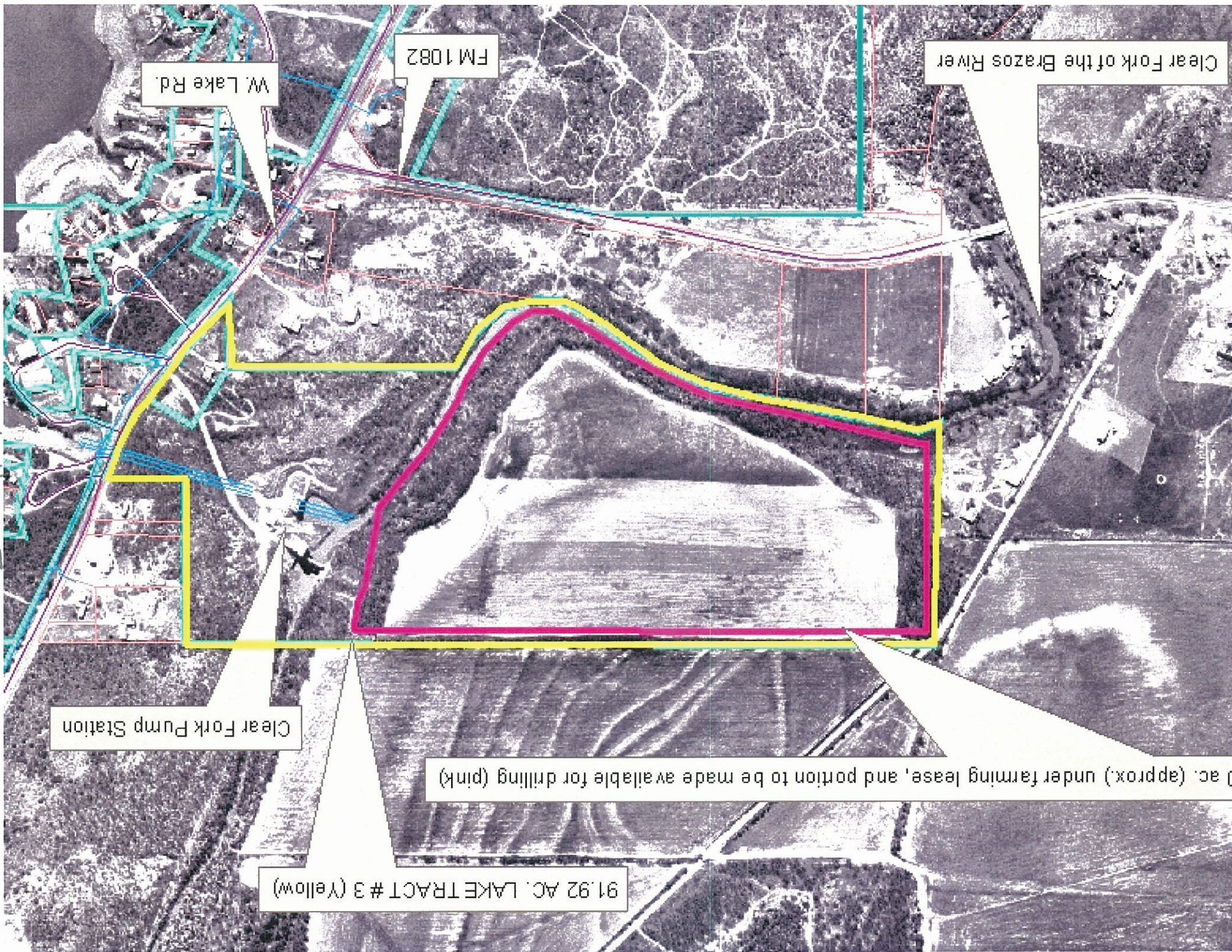
where the property is located during the first week following the council's approval. Additional advertising may also be placed in other publications at the City's discretion. The advertisement for bids will run in the newspaper once each week for three consecutive weeks. The date to open bids will be set after the third week of advertising. The City's lease form will be made available for public inspection in the Land Agent's office.

6. All bids should be written, sealed and submitted to the office of the Purchasing Administrator, P. O. Box 60, Abilene, Texas 79604.

7. Bids will be opened and read at the stated time and date. Afterward, each bid will be reviewed by City staff, taking into consideration the lease bonus, term and royalty offered. City staff will determine the bid considered to be in the best interest of the City.

8. All bids will be presented to the City Council for final approval or rejection, along with City staff's recommendation of the bid considered to be in the City's best interest.

9. City Council will vote on whether or not to award the right to lease the desired lands for oil and gas to the winning bidder. If the City Council votes to award the right to enter into lease negotiations, then the winning bidder will negotiate the actual, specific terms of the lease with the City's legal staff and Land Agent, based upon their winning offer. The meeting to negotiate these terms will be set at a mutually agreeable time following the City Council's decision. Once the lease terms have been finalized and agreed upon, the lease document will be prepared for the City Manager's signature.



Clear Fork of the Brazos River

FM 1082

W. Lake Rd.

Clear Fork Pump Station

ac. (approx.) under farming lease, and portion to be made available for drilling (pink)

91.92 AC. LAKE TRACT # 3 (Yellow)

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City Council
Agenda Memo

City Council
Meeting Date: 02-11-10

TO: Larry D. Gilley, City Manager
FROM: Richard Waggoner
SUBJECT: STEP DWI Grant 2011

GENERAL INFORMATION

The purpose of this letter is to inform you of the importance of the City of Abilene's participation in the 2010-2011 IDM Wave program. It is a grant funded, State sponsored program, which allows for more police DWI enforcement during peak driving periods. The funding covers salaries at overtime rates, along with mileage on the APD vehicles used. The funding amount is estimated at around \$11,187.50 pending TXDOT approval.

This program has been utilized by the Abilene Police Department for decades and has always been proven beneficial to the public. In essence, the State pays for local officers to work in an overtime capacity on DWI enforcement. This type of enforcement, as well as the media coverage which goes along with the program, is successful at continually increasing traffic safety awareness and compliance. This will actually assist us in decreasing our own overtime expenditures in the future on "high call load" weekends where we can keep regular duty officer responsive to the call load with the grant funded officers taking care of the DWI paperwork requirements. We are asking for the City Councils approval of the grant proposal and submission. The grant agreement, as well as the budget paperwork, will be made available for your review.

SPECIAL CONSIDERATIONS

None

FUNDING/FISCAL IMPACT

This is a 90/10 grant match program. The estimated city expenses are \$1,028.00.

STAFF RECOMMENDATION

Staff recommends the City Council approve the attached Resolution.

ATTACHMENTS

Resolution

Prepared by: Name: Richard Waggoner Title: Sergeant Traffic Division	Item No. <u>6.5</u>	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# _____ <input type="checkbox"/> Denied <input type="checkbox"/> Other _____
		City Secretary _____

A RESOLUTION OF THE CITY OF ABILENE, TEXAS PROVIDING FOR THE APPROVAL OF AN APPLICATION FOR THE GRANT FUNDS FROM THE STATE OF TEXAS FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM-IMPAIRED DRIVER IMMOBILIZATION "IDM"

WHEREAS, Texas Transportation Code Sec. 723, declares that the establishment, and maintenance of a program of traffic safety in Texas is a vital governmental purpose and function of the State and its legal and political subdivisions; and,

WHEREAS, Texas has named the Engineer-Director of the Texas Department of Transportation as its representative to administer the Texas Traffic Safety Program; and,

WHEREAS, The Engineer-Director has formulated a program of projects for the next fiscal year called the STEP IDM Grant 2011, and the United States Department of Transportation (US DOT) has approved the STEP IDM Grant 2011 authorized the Department to proceed with approved implementation in accordance with the approved procedures; and,

WHEREAS, the City of Abilene and its Police Department desire to implement a Selective Traffic Enforcement Impaired Driver Immobilization Program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1. That the City of Abilene hereby approves the submission of a grant application for a Selective Traffic Enforcement Impaired Driver Immobilization Program.

Part 2. That the Chief of Police, or his designee, is authorized to sign the grant application and contract, if approved, on behalf of the City of Abilene.

Part 3. That this Resolution shall take effect immediately from and after its passage.

ADOPTED this _____ day of _____, A.D., 2010.

ATTEST:

Danette Dunlap
City Secretary

Norm Archibald
Mayor

APPROVED:

4.5 pg. 2


City Attorney

**City Council
Agenda Memo**



City Council
Meeting Date: 02/11/2010

TO: Larry D. Gilley, City Manager
FROM: Jon James, AICP
Director of Planning and Development Services

SUBJECT: First reading on Ordinance for Case No. TC-2010-01, a request from Abilene Ag Services & Supply, Inc. to abandon Rose St. between S. 11th St. and S. 14th St., S. 12th St. approximately 200 feet east from Rose Street, S. 13th St. approximately 200 feet east from Rose Street, and a north-south road between S. 11th St. and S. 13th St. approximately 200 feet east from Rose Street; and setting a public hearing for February 25, 2010.

GENERAL INFORMATION

Improvements to these right-of-ways have never been completed. The right-of-way was dedicated for public use as part of the Original Town Abilene Plat. The right-of-way width of Rose St. varies from 65 ft to 40 ft. There are existing platted lots that have their only access off of Rose St. However, there is an existing railroad within the right-of-way of Rose St. S. 13th, S. 12th St., and the unnamed right-of-way to the east of Rose St. have never been improved and are all contained by a single lot.

The applicant intends to close the subject right-of-ways to avoid street construction during future improvements to their property. There are existing platted lots on the west side of Rose St. north of S. 13th St. that have their only access on Rose St. therefore this portion of Rose St. needs to remain as a public right-of-way. The remaining portion of Rose St. south of S. 13th St. has standard right-of-way to be a full City street, but can be maintained as an alley right-of-way to accommodate the railroad that currently utilizes the right-of-way. The extensions of S. 12th, S. 13th, and the unnamed right-of-way to the east of Rose St. have no peculiarities that would prevent them from being abandoned.

PLAT REVIEW COMMITTEE:

Approval of the requested closures of the extensions of S.12th, S. 13th, and the unnamed right of way to the east of Rose St. Maintaining Rose St. south of S. 13th St. as an alley right-of-way, and Rose St. north of S.13th St. to continue as it exists currently. There will also need to be an open drainage/utility easement along Rose St. The applicant must also replat within 12 months.

STAFF RECOMMENDATION:

Approval of the requested abandonment, with the conditions suggested by the Plat Review Committee.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission will consider this case February 1, 2010.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:		Disposition by City Council
Name: <u>Matt Jones</u>		<input type="checkbox"/> Approved Ord/Res# _____
Title: <u>Planner II</u>		<input type="checkbox"/> Denied
January 28, 2010	Item No. <u>66</u>	<input type="checkbox"/> Other _____
		City Secretary _____

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the following described portion of a Public Right of Way, as described on Exhibit "A," attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned, subject to conditions as stated in Exhibit A.

PART 2: That said portion of a Public Right of Way is not needed for public purposes and it is in the public interest of the City of Abilene to abandon said described portion of a Public Right of Way.

PART 3: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in Part 1 of this ordinance, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

PASSED ON FIRST READING this 11th day of February A.D. 2010.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 28th day of January 2010, the same being more than twenty-four (24) hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final reading.

PASSED ON FINAL READING THIS 25th day of February, A.D. 2010.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:



CITY ATTORNEY

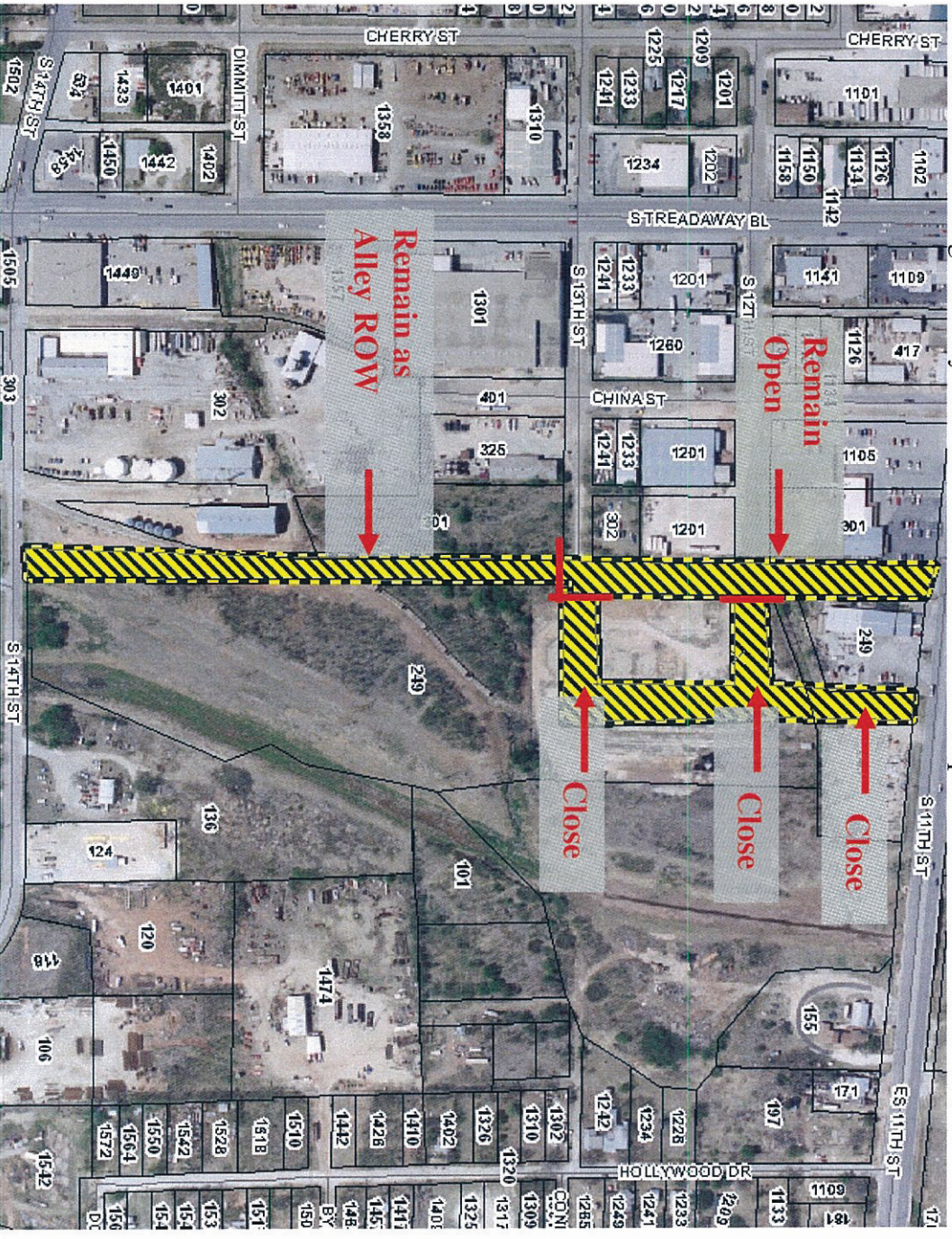
4.6 pg. 2

EXHIBIT "A"

The City of Abilene hereby abandons the following thoroughfares:

- Abandon S. 12th Street east of Rose Street
- Abandon S. 13th Street east of Rose Street
- Abandon the unnamed north-south street between S. 11th Street and S. 13th Street
- Abandon as street right-of-way Rose Street south of S. 13th Street, but retain as an alley

All Public Right of Way as indicated and shown in the map below within the dashed area:



With the following conditions:

1. All of the adjacent properties be replanted within 12 months.
2. An Open Drainage/Utility Easement be retained along Rose Street.
3. Maintaining Rose St. south of S. 13th St. as an alley right-of-way
4. Rose St. north of S. 13th St. to continue as it exists currently.

-END-

6.6 pg. 3

THOROUGHFARE CLOSURE CASE TC-2010-01 STAFF REPORT



APPLICANT INFORMATION:

Abilene Ag Services & Supply, Inc.

HEARING DATES:

Planning & Zoning Commission: February 1, 2010
 City Council 1st Reading: February 11, 2010
 City Council 2nd Reading: February 25, 2010

REQUESTED ACTION:

Abandon Rose St. between S. 11th St. and S. 14th St., S. 12th St. approximately 200 feet east from Rose Street, S. 13th St. approximately 200 feet east from Rose Street, and a north-south road between S. 11th St. and S. 13th St. approximately 200 feet east from Rose Street.

SITE CHARACTERISTICS:

Improvements to these right-of-ways have never been completed. The right-of-way was dedicated for public use as part of the Original Town Abilene Plat. The right-of-way width of Rose St. varies from 65 ft to 40 ft. There are existing platted lots that have their only access off of Rose St. However, there is an existing railroad within the right-of-way of Rose St. S. 13th, S. 12th St., and the unnamed right-of-way to the east of Rose St. have never been improved and are all contained by a single lot.

REQUEST ANALYSIS:

The applicant intends to close the subject right-of-ways to avoid street construction during future improvements to their property. There are existing platted lots on the west side of Rose St. north of S. 13th St. that have their only access on Rose St. therefore this portion of Rose St. needs to remain as a public right-of-way. The remaining portion of Rose St. south of S. 13th St. has substandard right-of-way to be a full City street, but can be maintained as an alley right-of-way to accommodate the railroad that currently utilizes the right-of-way. The extensions of S. 12th, S. 13th, and the unnamed right-of-way to the east of Rose St. have no peculiarities that would prevent them from being abandoned.

RECOMMENDATIONS:

Plat Review Committee: Approval of the requested closures of the extensions of S.12th, S. 13th, and the unnamed right of way to the east of Rose St. Maintaining Rose St. south of S. 13th St. as an alley right-of-way, and Rose St. north of S.13th St. to continue as it exists currently. There will also need to be an open drainage/utility easement along Rose St. The applicant must also replat within 12 months.



Staff Recommendation: Approval of the requested abandonment, with the conditions suggested by the Plat Review Committee.

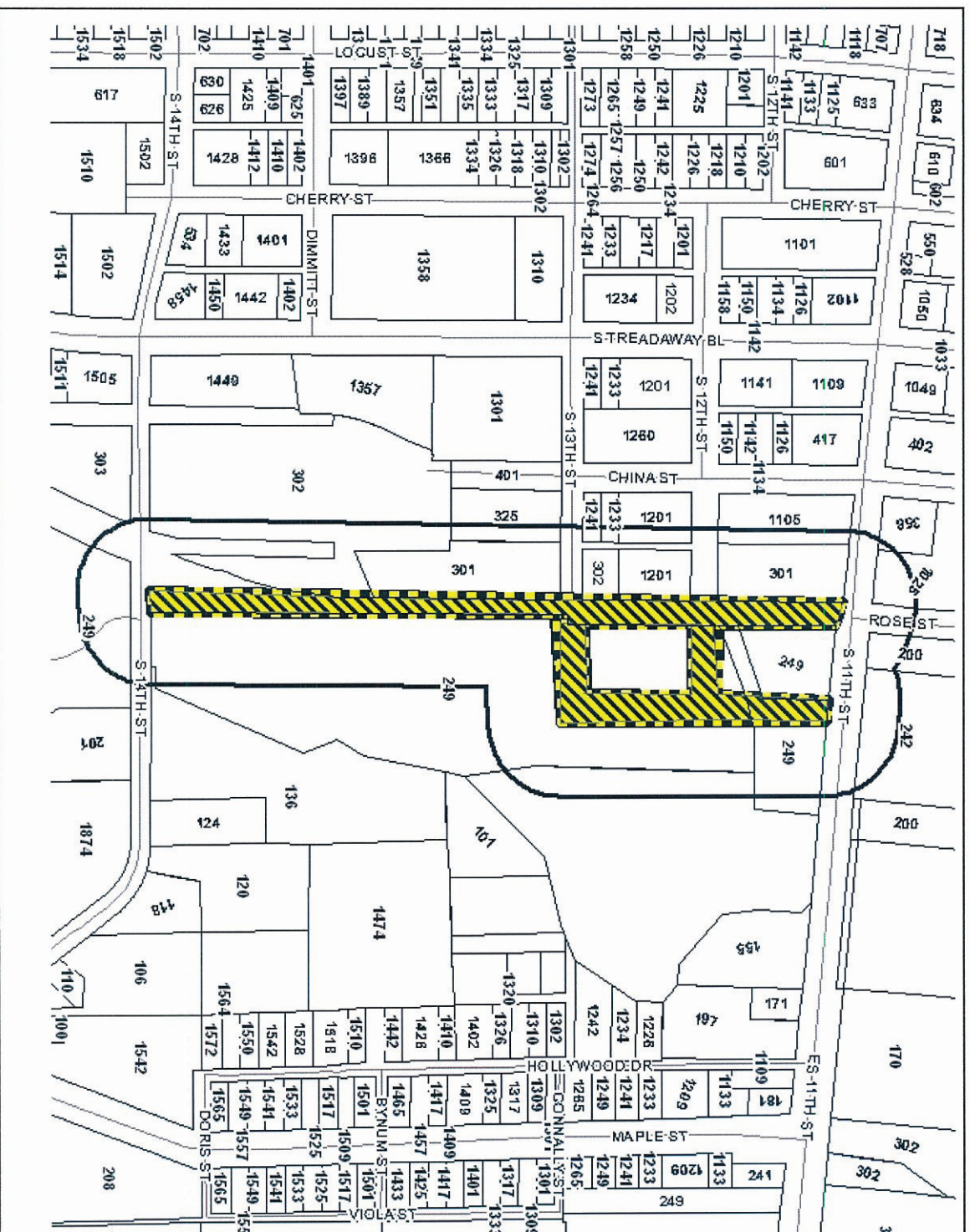
PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission will consider this case February 1, 2010.

NOTIFICATION:

Property owners within the 200' of the subject rights-of-way were notified.

0 in Favor- Y
0 Opposed- N

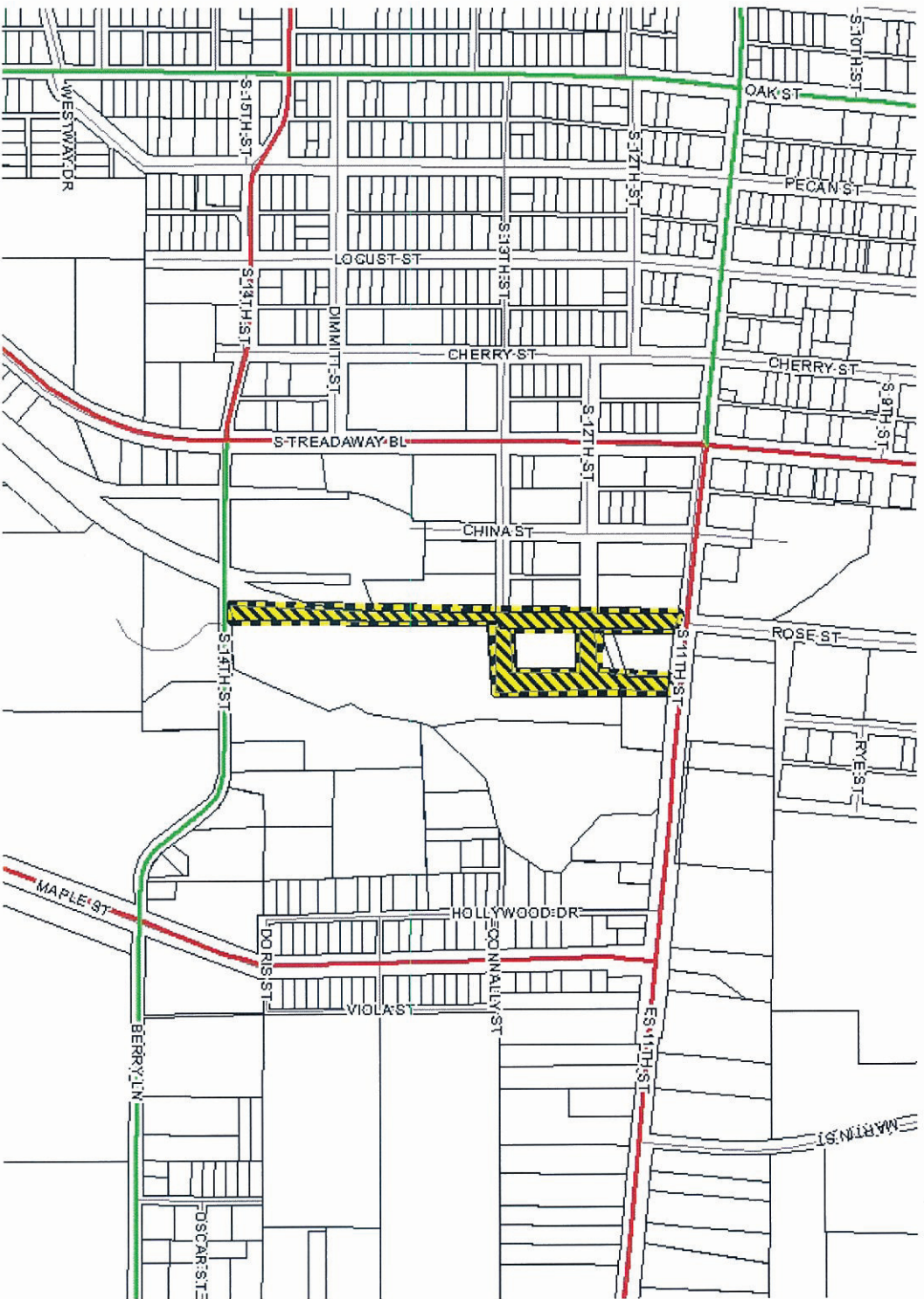


U.6 pg. 5

OWNER	ADDRESS	RESPONSE
HERNANDEZ MORRIS & ELLA	302 S 13TH ST	
LINDESEY JOHN M	1233 CHINA ST	
CINCO J INC	325 S 13TH ST	
ABILENE AGRICULTURE	302 S 14TH ST	
UNION PACIFIC SYSTEM	301 S 13TH ST	
ALLEN HARRY JOSEPH	1105 CHINA ST	
ALLEN HARRY JOSEPH	301 S 11TH ST	
VOLUME FEED & SEED INC	249 S 11TH ST	
THREE JB PROPERTIES LLC	249 S 11TH ST	
JACKSON WAYLAN K & SHIRLEY F		
CARGILL INC	358 S 11TH ST	
ACCO FEEDS INC	1025 CHINA ST	
CITY OF ABILENE	249 S 14TH ST	
LINDESEY JOHN M	1241 CHINA ST	
ABILENE AGRICULTURE	249 S 11TH ST	
CHAMBERLAIN JACK D	1201 CHINA ST	
ANGELO PROPERTIES INC	200 ES 11TH ST	
ANGELO PROPERTIES INC	242 S 11TH ST	
CHAMBERLAIN JACK D	1201 CHINA ST	
ABILENE AGRICULTURE	303 S 14TH ST	

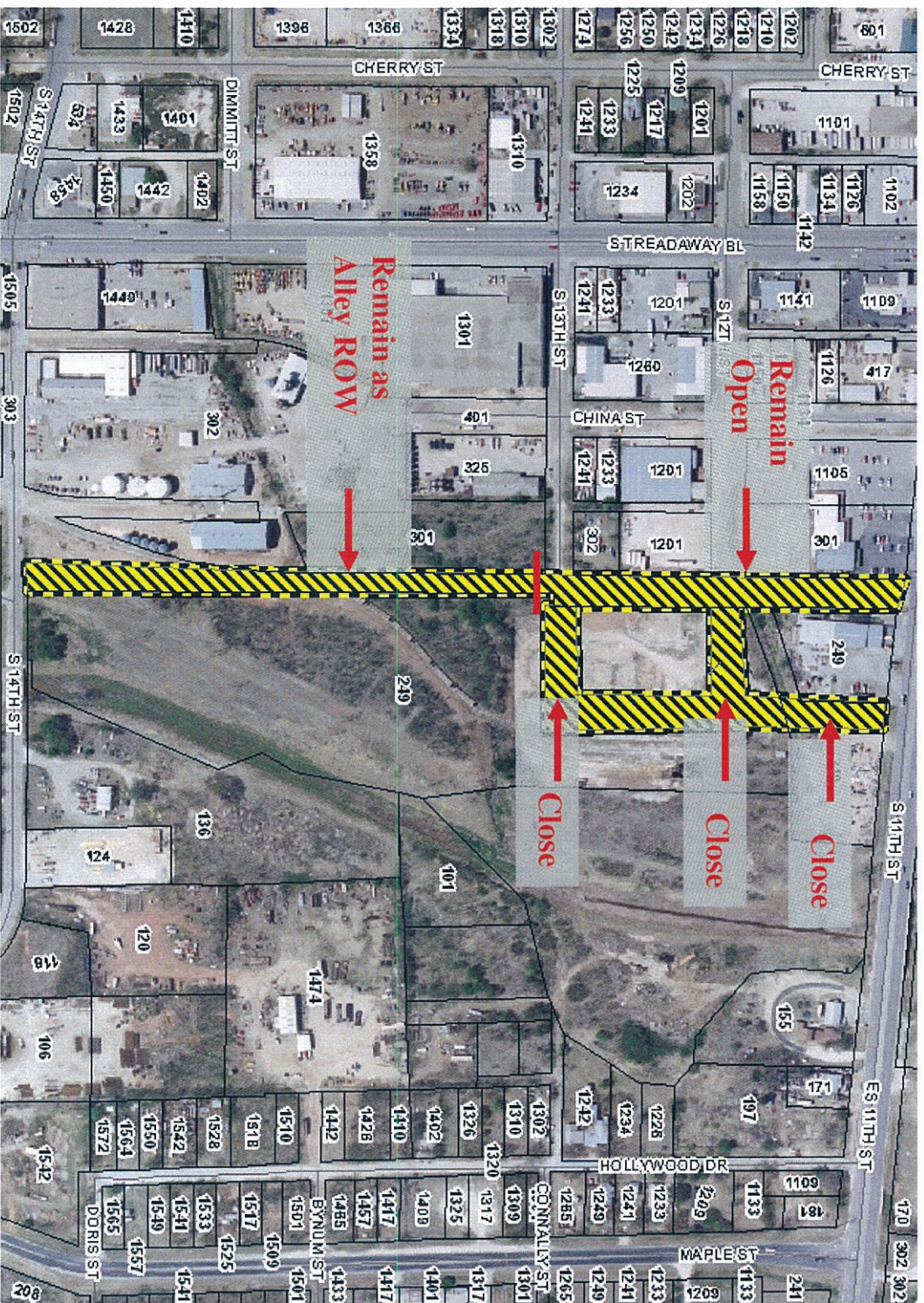


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Staff Recommendation



See pg. 9



City Council
Agenda Memo

TO: Larry D. Gilley, City Manager -City Council Meeting Date: February 11, 2010
FROM: Mindy Patterson, Director of Finance *Mindy*
SUBJECT: Award of Bid – Patrol Sedans for Police Department, Bid CB-1006

GENERAL INFORMATION

Fleet Management seeks approval to purchase replacement units for eight patrol sedans that are worn out and no longer cost-effective to maintain. All eight units will be assigned to the Police Patrol Division.

Advertisements were published on November 29, 2009 and December 6, 2009. Bids were opened on December 16, 2009 at 11:00 A.M. Eleven (11) bid invitations were requested with three (3) vendors submitting bids.

SPECIAL CONSIDERATIONS

Philpott Ford submitted an incomplete bid. The bid submitted by Arrow Ford is within the 5% local preference allowance.

FUNDING/FISCAL IMPACT

Funds for these purchases are to be provided by the Fleet Replacement Fund.

STAFF RECOMMENDATION

It is recommended that Bid CB-1006 be awarded to Arrow Ford in the amount of \$177,576.00.

BID TABULATION

See attached

Prepared By:		Disposition by City Council	
Name <u>Cheri Carter</u>	<input type="checkbox"/> Approved		<input type="checkbox"/> Denied
Title <u>Fleet Analyst</u>	<input type="checkbox"/> Other		Ord/Res # _____
Item No. <u>6.7</u>	City Secretary _____		

**CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS**

DEPARTMENT: FLEET MANAGEMENT
 BID NO.: CB-1006
 TIME OF OPENING: 11:00 A.M.
 DATE OF OPENING: DECEMBER 16, 2009

ARROW FORD
 ABILENE, TX

HOLIDAY FORD
 WHITESBORO, TX

PHILPOTT FORD
 NEDERLAND, TX

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	PATROL SEDANS	8	EA		*177,576.00		177,352.00		INCOMPLETE BID						
	BASE BID				*177,576.00		177,352.00								
	DISCOUNT														
	TOTAL BID				*177,576.00		177,352.00								

*NOTES: INDICATES RECOMMENDED AWARD

U.7
pg.2



City Council
Agenda Memo

TO: Larry D. Gilley, City Manager

City Council Meeting Date: February 11, 2010

FROM: Mindy Patterson, Director of Finance



SUBJECT: Award of Bid – Sedans for Various Divisions, Bid CB-1007

GENERAL INFORMATION

Fleet Management seeks approval to purchase replacement units for a total of four (4) sedans that are worn out and no longer cost-effective to maintain. Item 1 is for two (2) sedans, one of which will be assigned to the Senior Citizens Services Division and the other unit is being placed in the Police Youth Division. Item 2 is for one (1) rear-wheel drive sedan for the Fire Organizational Development Division. Item 3 is for one (1) mid-size sedan that will be placed in Police Criminal Investigation Division.

Advertisements were published on November 29, 2009 and December 6, 2009. Bids were opened on December 16, 2009 at 11:00 A.M. Eleven (11) bid invitations were requested with five (5) vendors submitting bids for Item 1, three (3) vendors submitting bids for Item 2 and six (6) vendors submitting bids for Item 3.

SPECIAL CONSIDERATIONS

Item 1 : Philpott Ford submitted an incomplete bid. Item 2: Philpott Ford submitted an incomplete bid. The bid submitted by Arrow Ford is within the 5% local preference allowance. Item 3: Philpott Ford submitted an incomplete bid. Neither Arrow Ford nor Gunn Chevrolet met specifications.

FUNDING/FISCAL IMPACT

Funds for these purchases are to be provided by the Fleet Replacement Fund.

STAFF RECOMMENDATION

It is recommended that CB-1007 be awarded as follows: Item 1 be awarded to Holiday Chevrolet, Item 2 be awarded to Arrow Ford and Item 3 be awarded to Holiday Ford. These awards representing the low responsive bidders amount to \$75,458.00.

BID TABULATION

See attached

Prepared By:		
Name <u>Cheri Carter</u>		
Title <u>Fleet Analyst</u>		
Item No. <u>6.8</u>	Disposition by City Council	
	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
	<input type="checkbox"/> Other	Ord/Res # _____
	City Secretary _____	

**CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS**

DEPARTMENT: FLEET MANAGEMENT BID NO.: CB-1007 TIME OF OPENING: 11:00 A.M. DATE OF OPENING: DECEMBER 16, 2009				HOLIDAY CHEVROLET WHITESBORO, TX		ARROW FORD ABILENE, TX		GUNN CHEVROLET, LTD. SAN ANTONIO, TX		LAWRENCE HALL ABILENE, TX		HOLIDAY FORD WHITESBORO, TX		PHILPOTT FORD NEDERLAND, TX	
ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	SEDANS	2	EA		*36,011.00		N/B		36,918.90		38,005.00		39,650.00		INCOMPLETE BID
2.	SEDAN	1	EA		N/B		*22,464.00		N/B		N/B		22,290.00		INCOMPLETE BID
3.	MIDSIZE SEDAN	1	EA		18,843.00		DOES NOT MEET SPECS		DOES NOT MEET SPECS		23,832.00		*16,983.00		INCOMPLETE BID
BASE BID															
DISCOUNT															
TOTAL BID															

*NOTES: INDICATES RECOMMENDED AWARD

u.8pg.2



City Council
Agenda Memo

TO: Larry D. Gilley, City Manager City Council Meeting Date: February 11, 2010
FROM: Mindy Patterson, Director of Finance *Mindy*
SUBJECT: Award of Bid – Midsize SUVs for Various Divisions, Bid CB-1008

GENERAL INFORMATION

Fleet Management seeks approval to purchase replacement units for two midsize SUVs that are worn out and no longer cost-effective to maintain. One unit is to be assigned to the Library and the other is to be placed in the Quality Control Lab of the Water Department.

Advertisements were published on November 29, 2009 and December 6, 2009. Bids were opened on December 16, 2009 at 11:00 A.M. Eleven (11) bid invitations were requested with six (6) vendors submitting bids.

SPECIAL CONSIDERATIONS

Philpot Ford submitted an incomplete bid. Grande Ford failed to meet specifications.

FUNDING/FISCAL IMPACT

Funds for these purchases are to be provided by the Fleet Replacement Fund.

STAFF RECOMMENDATION

It is recommended that Bid CB-1008 be awarded to Arrow Ford the low responsive bidder in the amount of \$38,474.00.

BID TABULATION

See attached

Prepared By:		Disposition by City Council <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Other Ord/Res # _____ City Secretary _____
Name <u>Cheri Carter</u>		
Title <u>Fleet Analyst</u>		
Item No. <u>6.9</u>		



City Council
Agenda Memo

TO: Larry D. Gilley, City Manager

City Council Meeting Date: February 11, 2010

FROM: Mindy Patterson, Director of Finance

SUBJECT: Award of Bid – Large 4WD Pickup for Water Production, Bid CB-1010

GENERAL INFORMATION

Fleet Management seeks approval to purchase one Standard Cab Large 4WD Pickup to be assigned to the Water Production Division that will replace a unit that is worn out and no longer cost-effective to maintain.

Advertisements were published on November 29, 2009 and December 6, 2009. Bids were opened on December 16, 2009 at 11:00 A.M. Eleven (11) bid invitations were requested with five (5) vendors submitting bids.

SPECIAL CONSIDERATIONS

Philpott Ford submitted an incomplete bid. Holiday Chevrolet failed to meet specifications. The bid submitted by Lawrence Hall is within the 5% local preference allowance.

FUNDING/FISCAL IMPACT

Funds for these purchases are to be provided by the Fleet Replacement Fund.

STAFF RECOMMENDATION

It is recommended that Bid CB-1010 be awarded to Lawrence Hall in the amount of \$25,609.15.

BID TABULATION

See attached

Prepared By:		Disposition by City Council	
Name <u>Cheri Carter</u>			
Title <u>Fleet Analyst</u>			
Item No.	<u>6.10</u>	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
		<input type="checkbox"/> Other	Ord/Res # _____
		City Secretary _____	

**CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS**

DEPARTMENT: FLEET MANAGEMENT
 BID NO.: CB-1010
 TIME OF OPENING: 11:00 A.M.
 DATE OF OPENING: DECEMBER 16, 2009

LAWRENCE HALL
 ABILENE, TX

GUNN CHEVROLET, LTD.
 SAN ANTONIO, TX

GRANDE TRUCK SALES
 SAN ANTONIO, TX

HOLIDAY CHEVROLET
 WHITESBORO, TX

PHILPOTT FORD
 NEDERLAND, TX

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	LARGE PICKUP TRUCK	1	EA		*25,609.15		25,021.41		25,768.00		DOES NOT MEET SPECS		INCOMPLETE BID		
BASE BID					*25,609.15	25,021.41		25,768.00							
DISCOUNT															
TOTAL BID					*25,609.15	25,021.41		25,768.00							

*NOTES: INDICATES RECOMMENDED AWARD

Le. 10 pg. 2



City Council
Agenda Memo

TO: Larry D. Gilley, City Manager City Council Meeting Date: February 11, 2010
FROM: Mindy Patterson, Director of Finance *Mindy Patterson*
SUBJECT: Award of Bid – Utility Trucks for Various Divisions, Bid CB-1011

GENERAL INFORMATION

Fleet Management seeks approval to purchase two one ton Utility Trucks that are worn out and no longer cost-effective to maintain. One unit will be assigned to the Fleet Maintenance Division and one unit will be placed in the Water Distribution Division.

Advertisements were published on November 29, 2009 and December 6, 2009. Bids were opened on December 16, 2009 at 11:00 A.M. Eleven (11) bid invitations were requested with six (6) vendors submitting bids.

SPECIAL CONSIDERATIONS

Philpott Ford submitted an incomplete bid. Holiday Chevrolet failed to meet specifications. The bid submitted by Lawrence Hall is within the 5% local preference allowance.

FUNDING/FISCAL IMPACT

Funds for these purchases are to be provided by the Fleet Replacement Fund.

STAFF RECOMMENDATION

It is recommended that Bid CB-1011 be awarded to Lawrence Hall in the amount of \$56,292.50.

BID TABULATION

See attached

Prepared By:		Disposition by City Council <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Other Ord/Res # _____ City Secretary _____
Name <u>Cheri Carter</u>		
Title <u>Fleet Analyst</u>		
Item No. <u>6.11</u>		



City Council
Agenda Memo

City Council
Meeting Date: 02/11/2010

TO: Larry D. Gilley, City Manager
FROM: Megan R. Santee, Interim Director of Public Works
SUBJECT: Award Bid #CB-1016 – Miscellaneous Paved Alley Reconstruction 2010

GENERAL INFORMATION

This contract involves reconstruction and drainage improvements of the following alleys:

- Alley between Post Oak and Brentwood from South 23rd St. (south side) to intersecting alley on the north
- Alley between Champions and Inverrary from Phoenix (east side) to intersecting alley on the west side
- Alley between Inverrary and Bay Hill from Phoenix (east side) to intersecting alley on the west side

FUNDING/FISCAL IMPACT

Funding is provided through Certificate of Obligation Funds.

STAFF RECOMMENDATION

Staff recommends that Council award Bid #CB-1016, to Contract Paving Company, of Tye, Texas, in the amount of \$68,599.71.

ATTACHMENTS

Bid Tabulation Sheet

Prepared by: Name: <u>Cody Marshall, P.E.</u> Title: <u>City Engineer</u>	Item No. <u>612</u>	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# _____ <input type="checkbox"/> Denied <input type="checkbox"/> Other _____ City Secretary _____
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**CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS**

DEPARTMENT: ENGINEERING
BID NO.: CB-1016
TIME OF OPENING: 11:00 A.M.
DATE OF OPENING: 1-26-10

CONTRACT PAVING CO. TYE, TX	RYAN MATERIALS, INC. OVALO, TX	WAGLEY CONSTRUCTION, INC. ABILENE, TX	BONTKE BROS. CONSTRUCTION ABILENE, TX	STEPHENS MARTIN PAVING ABILENE, TX	J.H. STRAIN & SONS, INC. TYE, TX
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ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	MISCELLANEOUS PAVED ALLEY REPAIR 2010				*68,599.71		76,122.55		88,716.17		95,160.40		97,596.12		101,122.81
BASE BID															
DISCOUNT															
TOTAL BID					*68,599.71		76,122.55		88,716.17		95,160.40		97,596.12		101,122.81

*NOTES: INDICATES RECOMMENDED AWARD

4.12 pg. 2

City Council
Agenda Memo



City Council
Meeting Date: 02/11/2010

TO: Larry D. Gilley, City Manager
FROM: Megan R. Santee, Interim Director of Public Works *MRS*
SUBJECT: Over-run of Bid Award #CB-9052 – South 27th Street Rehabilitation

GENERAL INFORMATION

This project included rehabilitating the pavement on South 27th Street between Barrow Street and Treadaway Blvd. When the existing pavement was removed between Sayles and Treadaway, the existing base material was found to be in poor condition and was yielding under the weight of construction vehicles and equipment due to the unstable subgrade material beneath it. Cement stabilization of the existing base material between Sayles and Treadaway was required to overcome these deficiencies and was authorized in change orders one and two, totaling \$61,646.60, by the Engineering Division staff. Quantities of work performed by the contractor were verified by field measurements by Engineering Division staff. The contractor has completed their work on this project.

On July 23, 2009, Council approved \$912,267.84 for this project. Final cost after under-runs and over-runs was \$971,394.20, for a net over-run of \$59,126.36. Because the net over-run for this project exceeded the \$25,000 limit allowed, Staff requests that Council approve by oral resolution, the total project over-run of \$59,126.36

FUNDING/FISCAL IMPACT

The fiscal impact is \$59,126.36 and funding is provided through the 2006 General Obligation Bond Funds.

STAFF RECOMMENDATION

Staff recommends that that Council approve by oral resolution, the total cost over-run of this project of \$59,126.36.

ATTACHMENTS

Change Orders 1 & 2

Prepared by:

Name: Cody Marshall, P.E.
Title: City Engineer

Item No. 6.13

Disposition by City Council
 Approved Ord/Res# _____
 Denied _____
 Other _____

City Secretary _____



CITY OF ABILENE

CHANGE ORDER NUMBER: 1

- 1. CONTRACTOR: J. H. Strain & Sons.
 - 2. Change Order Work Limits: Sayles Blvd. to Treadaway Blvd..
 - 3. Type of Change: Minor (Major/Minor)
 - 4. Reasons: In the performing item # 251 scope of work, the existing base material failed due to wet sub-grade and needed to be repaired.
- Project: S 27th Rehabilitation
 Phase IV (Barrow to Treadaway)
 Street: South 27th Street
 Contract Number: Act # 4577

- 5. Describe the work being revised Upon inspection of the existing base material on South 27th between Sayles & Treadaway, the Engineer determined cement stabilization of the existing base material was required. This was not included in the original project scope. 6100 square yards was determined for stabilization. Lump sum price agreed on \$30,823.30. Break down of this price is 6,100 sq @ \$2.50 for cement incorporation into the existing base = \$15,250.00. Cement will be 30# per square yard, 6,100 sq (91.5 tons) @ \$170.20 per ton = \$15,573.30.
- 6. New or revised plan sheet(s), sketch(es), and estimates are attached: No

Each signatory hereby warrants that each has the authority to execute this Change Order (CO).

<p>The contractor must sign the Change Order and, by doing so, agrees to waive any and all claims for additional compensation due.</p>	<p>The following information must be provided:</p>
<p>THE CONTRACTOR _____ Date <u>10-5-2009</u></p>	<p>Change in contract time: _____ -0- _____</p>
<p>(Signature) <u>[Signature]</u></p>	<p>Original contract price: _____ \$912,287.84</p>
<p>Typed/Printed Name <u>Keats Strain</u></p>	<p>Existing contract price: * _____ \$912,287.84</p>
<p>Typed/Printed Title <u>V.P.</u></p>	<p>Amount Added by this CO: _____ \$ 30,823.30</p>
<p>_____</p>	<p>Revised contract price: _____ \$943,091.14</p>
<p>_____</p>	<p>* Includes previous CO's</p>

RECOMMENDED FOR EXECUTION:

[Signature] Construction Inspection Supervisor Date 10-5-09

City Engineer Seal:

[Signature] City Engineer Date 10/5/09



6.13 pg. 2



CITY OF ABILENE

CHANGE ORDER NUMBER: 2

1. CONTRACTOR: J. H. Strain & Sons.
2. Change Order Work Limits: Sayles Blvd. to Treadaway Blvd.
3. Type of Change: Minor (Major/Minor)
4. Reasons: In the performing item # 251 scope of work, the existing base material failed due to wet sub-grade and needed to be repaired.

Project: S 27th Rehabilitation
 Phase IV (Barrow to
Treadaway)
 Street: South 27th Street
 Contract Number: Act # 4577

5. Describe the work being revised. Upon inspection of the existing base material on South 27th between Sayles & Treadaway (south half), the Engineer determined cement stabilization of the existing base material was required. This was not included in the original project scope. 6100 square yards was determined for stabilization. Lump sum price agreed on \$30,823.30. Break down of this price is 6,100 sy @ \$2.50 for cement incorporation into the existing base = \$15,250.00. Cement will be 30# per square yard, 6,100 sy (91.5 tons) @ 170.20 per ton = 15,573.30.

6. New or revised plan sheet(s), sketch(es), and estimates are attached: No

Each signatory hereby warrants that each has the authority to execute this Change Order (CO).

The contractor must sign the Change Order and, by doing so, agrees to waive any and all claims for additional compensation due.

THE CONTRACTOR (Signature) <u>[Signature]</u> Typed/Printed Name <u>Ken Strain</u> Typed/Printed Title <u>V.P.</u>	Date <u>May 3, 2009</u>
The following information must be provided:	
Change in contract time:	-0-
Original contract price:	\$912,267.84
Existing contract price: *	\$943,091.14
Amount Added by this CO:	\$ 30,823.30
Revised contract price:	\$973,914.44
* Includes previous CO's	

RECOMMENDED FOR EXECUTION:

[Signature] 10-4-09
 Construction Inspection Supervisor Date

City Engineer Seal:

[Signature] 10/4/09
 City Engineer Date

