

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 10, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Mobility and Street Services
Park & Recreation
Water Utilities

CMO: Majed Al-Ghafry, 670-3302
Willis Winters, 670-4071
Jill A. Jordan, P.E., 670-5299

MAPSCO: 12B C

SUBJECT

Authorize a Highway Overpass Modification and Construction Agreement between the State of Texas, acting by and through the Texas Department of Transportation, the City of Dallas, the City of Carrollton, Dallas Area Rapid Transit (DART), and AGL Constructors in order to improve the safety of the traveling public and train operations along a portion of the 30-mile section of Interstate Highway 35E from Interstate Highway 635 to U.S. Highway 380 in Denton County specifically at Belt Line Road and DART/Madill Corridor - Financing: No cost consideration to the City

BACKGROUND

Interstate Highway (IH) 35E, originally constructed in the 1950's and 1960's, now functions as a major artery for hundreds of thousands of commuters as well as a primary link to major universities in the City of Denton. This corridor accommodates over 12,000 trucks daily and handles almost 200,000 total vehicles daily near IH 635. Due to the lack of continuous frontage roads, specifically across Lewisville Lake, there are no viable north-south commuting alternatives to IH 35E at this crossing. Therefore, it is imperative to provide motorists reliable alternatives with a combination of continuous frontage roads and managed lanes.

In 2015, the City of Dallas was working with Dallas Area Rapid Transit (DART) to establish guidelines for granting hike and bike trail easements within DART rights-of-way.

BACKGROUND (continued)

On June 10, 2015, City Council authorized a Supplemental Agreement to the Master Interlocal Agreement between the City and DART for the granting of easements for hike and bike trail purposes across DART-owned-or-controlled property in exchange for the conveyance of the Madill Corridor by the City to DART, subject to the retention of a water transmission line and other terms and conditions; receipt and acceptance of said hike and bike trail easements; and conveyance of the Madill Corridor by the City to DART.

The City of Dallas retained an easement for a water transmission line and a future hike and bike trail within the "Madill Corridor". The proposed project will cross the Madill Corridor, therefore an agreement is required between the State of Texas, City of Dallas, City of Carrollton, DART and AGL Constructors.

The highway construction includes rebuilding Belt Line Road as a highway overpass within the City of Carrollton, across DART-owned Madill Corridor. The \$4.8 billion project, proposed to be constructed in phases, would rebuild the entire 30-mile corridor and provide managed lanes that feature dynamic pricing to keep traffic moving at 50 miles per hour. Approximately \$1.4 billion in funding has been identified for Phase 1 of this project which includes: adding one additional general purpose lane in each direction from north of State Highway 121 to U.S. Highway 380; a new southbound bridge over Lewisville Lake along with various intersection improvements in Denton County; two reversible managed toll lanes from IH 635 to near Lake Dallas, Texas; and Belt Line Road intersection reconstruction. Phase 2 will occur when additional funding becomes available.

It is now necessary to enter into a Highway Overpass Modification and Construction Agreement with the State of Texas, the City of Dallas, the City of Carrollton, DART, and AGL Constructors.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Committee on May 8, 2017.

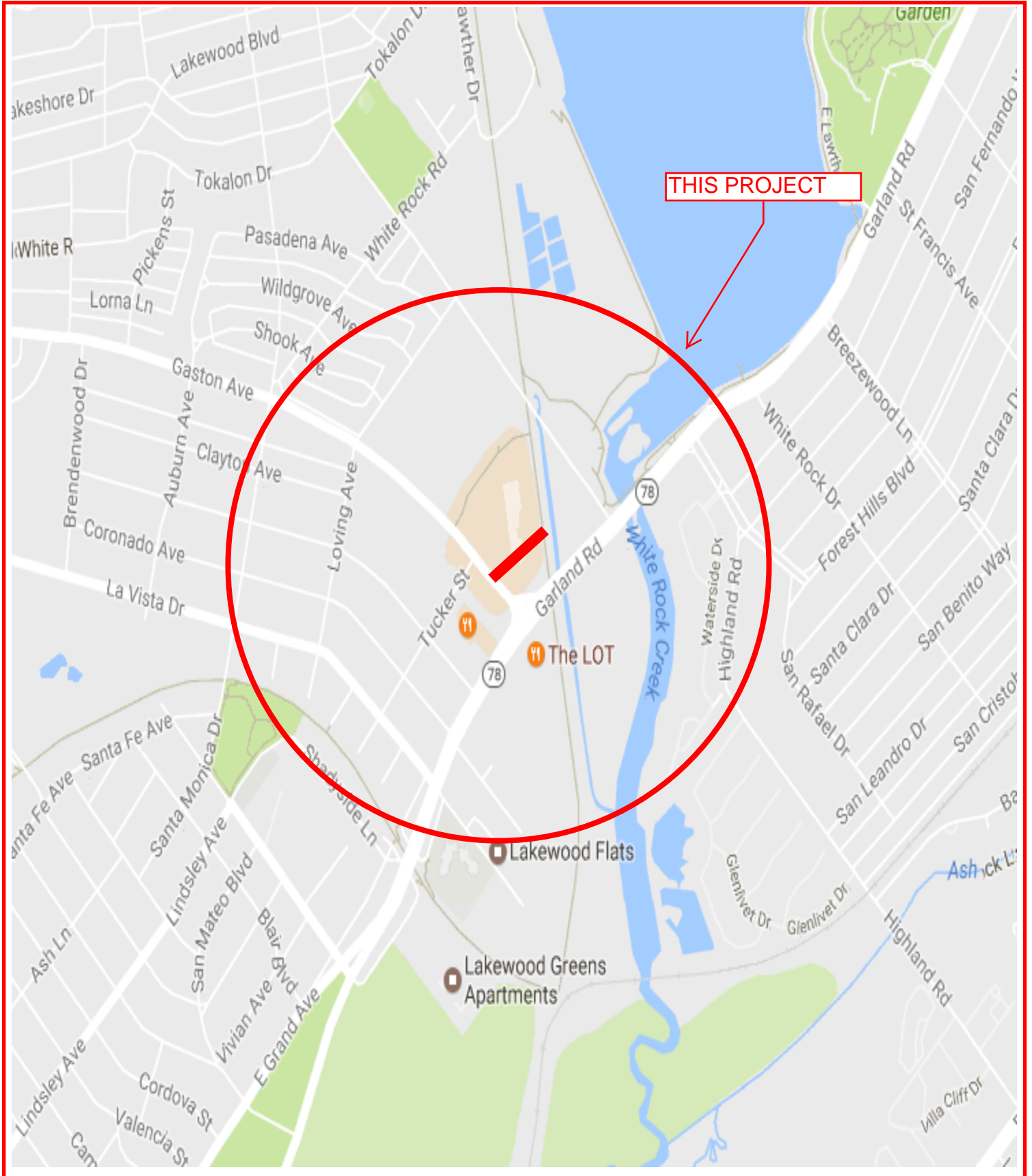
FISCAL INFORMATION

No cost consideration to the City.

MAP

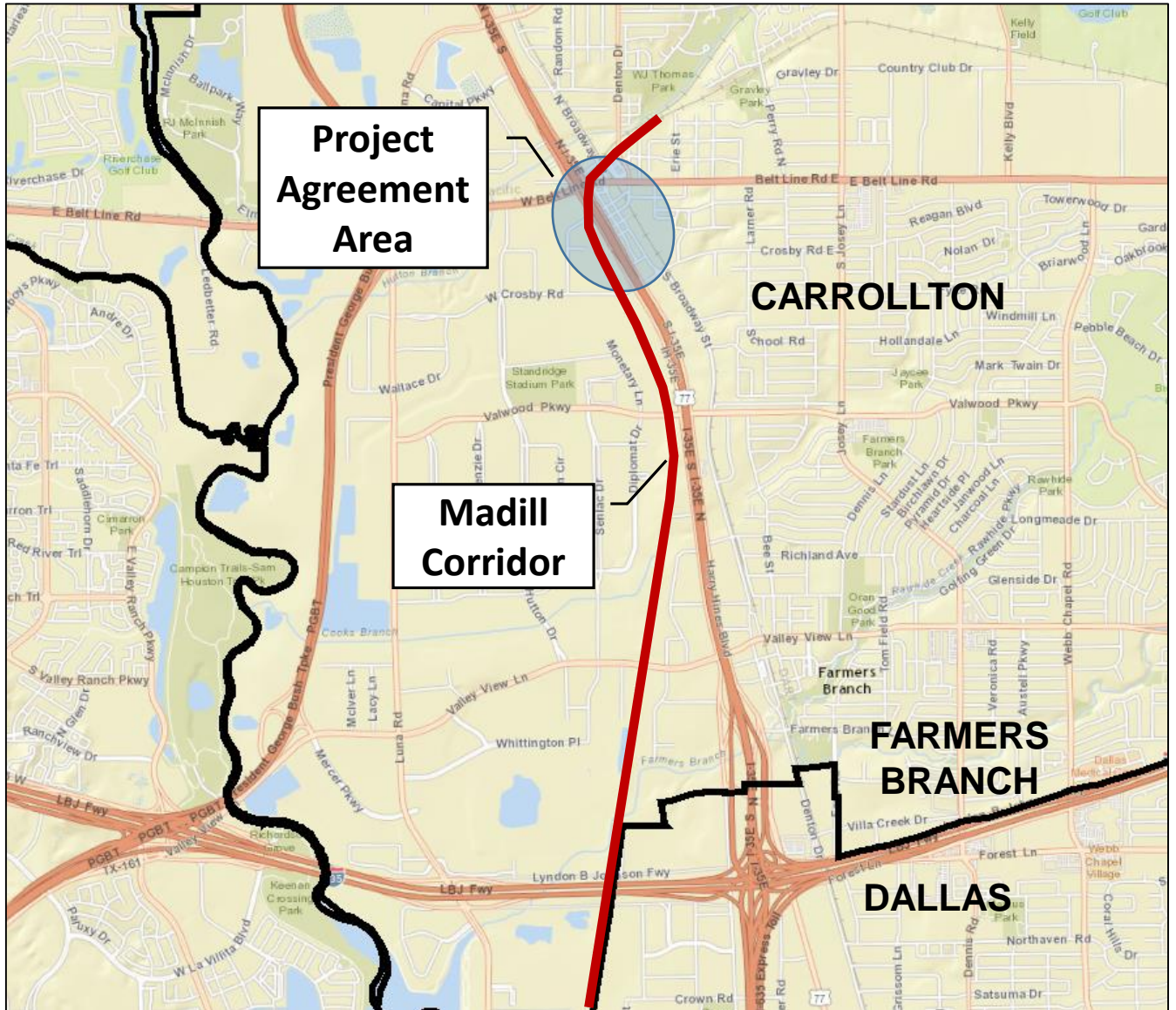
Attached

East Dallas Veloway (SoPAC Trail) YMCA Connection Near the Intersection of Gaston Avenue and Garland Road



Highway Overpass Modification and Construction Agreement

Council Districts: All



MAPSCO: 12B C

May 10, 2017

WHEREAS, the City recognizes the emerging evolution of transportation infrastructure in the City of Dallas and the importance of providing an integrated transportation system that balances the needs of pedestrians, public transit, bicycles, and automobiles; and

WHEREAS, the Texas Department of Transportation began the administration of the 35 Express Design-Build Project along the 30-mile section of Interstate Highway (IH) 35 E from IH 635 to U. S. Highway 380 in Denton County; and

WHEREAS, on June 10, 2015, City Council authorized a Supplemental Agreement to the Master Interlocal Agreement with Dallas Area Rapid Transit ("DART"), establishing a process for the locating and granting of hike and bike trail easements upon DART-owned-or-controlled property in exchange for the conveyance of the Madill Corridor by the City of Dallas to DART, subject to the retention of a water transmission line easement, including a hike and bike trail and other terms and conditions; and

WHEREAS, it is now necessary to authorize a Highway Overpass Modification and Construction Agreement between the State of Texas, acting by and through the Texas Department of Transportation, the City of Dallas, the City of Carrollton, DART, and AGL Constructors in order to improve the safety of the traveling public and train operations along a portion of the 30-mile section of IH 35 from IH 635 to U. S. Highway 380 in Denton County, specifically at Belt Line Road and DART/Madill Corridor.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a Highway Overpass Modification and Construction Agreement between the State of Texas, acting by and through the Texas Department of Transportation, the City of Dallas, the City of Carrollton, Dallas Area Rapid Transit (DART), and AGL Constructors, approved as to form by the City Attorney, in order to improve the safety of the traveling public and train operations along a portion of the 30-mile section of IH 35 from IH 635 to U. S. Highway 380 in Denton County, specifically at Belt Line Road and DART/Madill Corridor.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 10, 2017

COUNCIL DISTRICT(S): 4

DEPARTMENT: Mobility and Street Services
Water Utilities

CMO: Majed Al-Ghafry, 670-3302
Jill A. Jordan, P.E., 670-5299

MAPSCO: 55J

SUBJECT

Authorize **(1)** street paving, drainage, water and wastewater main improvements for South Ewing Avenue from Genoa Avenue to Galloway Avenue; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on June 14, 2017, to receive comments - Financing: No cost consideration to the City

BACKGROUND

South Ewing Avenue from Genoa Avenue to McDowell Street to Winters Street to 18th Street to East Waco Avenue to Galloway Avenue was included in the 2012 Bond Program as a Thoroughfare Project. On September 25, 2013, City Council authorized a professional services contract for the design of this project by Resolution No. 13-1731. This action will authorize the project, partial payment of cost by assessment, and a benefit assessment hearing. The improvements will consist of a 36-foot wide concrete pavement with curbs, sidewalks, drive approaches, drainage, and water and wastewater main improvements.

The paving assessment process requires the following three steps:

1. Authorize paving improvements.
2. Authorize a benefit assessment hearing.
3. Benefit assessment hearing, ordinance levying assessments and authorize contract for construction.

These actions are the first and second steps in the process.

ESTIMATED SCHEDULE OF PROJECT

Began Design	December 2013
Completed Design	March 2017
Begin Construction	August 2017
Complete Construction	May 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 25, 2013, City Council authorized a professional services contract for engineering services by Resolution No. 13-1731.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 8, 2017.

FISCAL INFORMATION

Design	\$ 170,732
Construction	
Paving & Drainage - STS	\$ 986,850 (est.)
Water & Wastewater - WTR	<u>\$ 707,466 (est.)</u>
Total Project Cost	\$1,865,048 (est.)

This project does involve assessments.

MAP

Attached

SOUTH EWING AVENUE - GENOA AVENUE TO GALLOWAY AVENUE



MAPSCO 55J



May 10, 2017

WHEREAS, the City Council of the City of Dallas is of the opinion that it is necessary to levy an assessment against the property and the owners thereof abutting upon the following:

South Ewing Avenue from Genoa Avenue to McDowell Street to Winters Street to 18th Street to East Waco Avenue to Galloway Avenue

for a part of the cost of improving said street, fixing a time for the hearing of the owners of said property concerning the same, and directing the City to give notice of said hearing, as required by law; and

WHEREAS, the City Council has heretofore, by resolution, ordered the improvement of the street enumerated above, by paving said street from curb to curb with 10-inch thick 4000-pounds per square inch reinforced concrete pavement; with 8-inch thick lime treated subgrade and cement stabilization; with 6-inch high integral curbs; with 6-inch and 8-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalk 4 and 5 feet wide where specified; so that the roadway shall be 36 feet in width; and

Any existing permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments; and

WHEREAS, the Director of Mobility and Street Services Department of the City of Dallas has, in accordance with the law, filed his report with the City Council, and the property owners, in the cost thereof, together with the names of the owners and the description of said property, and the work to be done adjacent thereto, and the amounts proposed to be assessed against each lot or parcel and its owners and all other matters required by the applicable law.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the report or statement filed by the Director of Mobility and Street Services Department, having been duly examined, is hereby approved.

SECTION 2. That it is hereby found and determined that the cost of improvements on the hereinafter described street, with the amount or amounts per front foot proposed to be assessed for such improvements against abutting property and the owners thereof, are as follows, to wit:

May 10, 2017

SECTION 2. (continued)

South Ewing Avenue from Genoa Avenue to McDowell Street to Winters Street to 18th Street to East Waco Avenue to Galloway Avenue

shall be improved from curb to curb with 10-inch thick 4000-pounds per square inch reinforced concrete pavement; with 8-inch thick lime treated subgrade and cement stabilization; with 6-inch high integral curbs; with 6-inch and 8-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalk 4 and 5 feet wide where specified; so that the roadway shall be 36 feet in width; and

The estimated cost of the improvements is **\$1,694,316.06 (est.)**

- a. The estimated rate per square yard to be assessed against abutting property and the owners thereof for concrete drive approaches is **\$53.46/S. Y.**
- b. The estimated rate per front foot to be assessed against abutting property and the owners thereof for pavement improvements is as follows:

Where Property Classification is WSR-I (Residential)

The front rate for 10-inch adjusted to 6-inch thick reinforced concrete pavement 13.5 feet wide with curb: **\$98.24/L. F.**

The side frontage rate for 10-inch adjusted to 6-inch thick reinforced pavement 2.5 feet wide with curb: **20.52/L.F.**

The front rate for 4-inch thick reinforced concrete sidewalk is: **\$10.35/L.F.**

The side frontage rate for 4-inch thick reinforced concrete sidewalk is: **\$5.17/L. F.**

Where Property Classification is WSR-II (Multifamily)

The rate for 10-inch adjusted to 8-inch thick reinforced concrete pavement 18.5 feet wide with curb: **\$133.57/L. F.**

The rate for 4-inch thick reinforced concrete sidewalk is: **\$10.35/L.F.**

All assessments, however, are to be made and levied by the City Council as it may deem just and equitable, having in view the special benefits in enhanced value to be received by such parcels of property and owners thereof, the equities of such owners, and the adjustment of the apportionment of the cost of improvements so as to produce a substantial equality of benefits received and burdens imposed.

May 10, 2017

SECTION 3. That a hearing shall be given to said owners of abutting property, or their agents or attorneys and all persons interested in said matter, as to the amount to be assessed against each owner and his abutting property and railways and street railways and as to the benefits to said property by reason of said improvement, or any other matter of thing in connection therewith, which hearing shall be held in the Council Chamber of the City Hall of the City of Dallas, County of Dallas, on the **14th** day of **June**, A.D. **2017**, at **1:00** O'clock P.M., at which time all the said owners, their agents or attorneys or other interested persons are notified to appear and be heard, and at said hearing said owners and other persons may appear, by counsel or in person, and may offer evidence, and said hearing shall be adjourned from day to day until fully accomplished.

That the City shall give notice of the time and place of such hearing and of other matters and facts in accordance with the terms of provisions of the Act passed at the First called session of the Fortieth Legislature of the State of Texas, and known as

Chapter 106 of the Acts of said session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law, as an alternative method for the construction of street improvements in the City of Dallas, Texas, has been adopted and made a part of the charter of said City, being Chapter XX of said Charter. Said notice shall be by advertisement inserted at least three times in a newspaper published in the City of Dallas, Texas, the first publication to be made at least twenty-one (21) days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Act.

That the City shall give additional written notice of said hearing by mailing to said owners a copy of said notice deposited in the Post Office at Dallas, Texas, at least fourteen (14) days prior to the date of said hearing, provided however, that any failure of the property owners to receive said notice, shall not invalidate these proceedings.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

South Ewing Avenue from Genoa Avenue to McDowell Street to Winters Street to 18th Street to E. Waco Avenue to Galloway Avenue

Total Property Owners' Cost – Assessments	\$193,994.23
Total Estimated City of Dallas' Cost - Paving	\$688,522.77
Total Estimated City of Dallas' Cost - Drainage	\$104,333.00
Total Estimated Water Utilities Department Cost Water and Wastewater Main Improvements	\$707,466.06
Total Estimated City of Dallas' Cost	\$1,500,321.83
Total Estimated Cost of Improvements	\$1,694,316.06

The Director of Mobility and Street Services reports that representatives of this Department have studied the actual existing conditions on this street, and found that the existing roadway have a narrow asphalt surface with shallow earth ditches; which have accessibility and drainage issues. Taking this into consideration, plans and specifications have been prepared for these improvements. We believe that this paving will improve the properties abutting on said street, and the proposed assessment is equitable for the enhancement value achieved on the abutting properties. Final determination of assessments will be made based on analysis of enhancement.

Respectfully submitted,



Director, Mobility & Street Services Department

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 10, 2017
COUNCIL DISTRICT(S): 3
DEPARTMENT: Mobility and Street Services
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 61BT BU

SUBJECT

Authorize **(1)** the receipt and deposit of funds in an amount not to exceed \$200,000 from the Thomas M. Gaubert Irrevocable Trust for the construction of a new traffic signal at Clark Road and Clarkridge Drive; and **(2)** an increase in appropriations in an amount not to exceed \$200,000 in the Capital Projects Reimbursement Fund - Not to exceed \$200,000 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

The intersection of Clark Road and Clarkridge Drive was previously studied by the City of Dallas in October 2015 and was found to meet traffic volume criteria for warranting a new traffic signal. The Thomas M. Gaubert Irrevocable Trust has agreed to contribute funds in the amount of \$200,000 towards the construction of a traffic signal at this location. The signal will be constructed using an existing City of Dallas master agreement contractor.

The Thomas M. Gaubert Irrevocable Trust understands that, upon City Council approval of the required funding, in an amount not to exceed \$200,000 are to be deposited with the City of Dallas before any construction activity by the City's contractor can begin.

It is understood that the final construction costs will be determined by the City upon completion of the project, and that the Thomas M. Gaubert Irrevocable Trust will be refunded any unused funds.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	May 2017
Complete Construction	December 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 8, 2017.

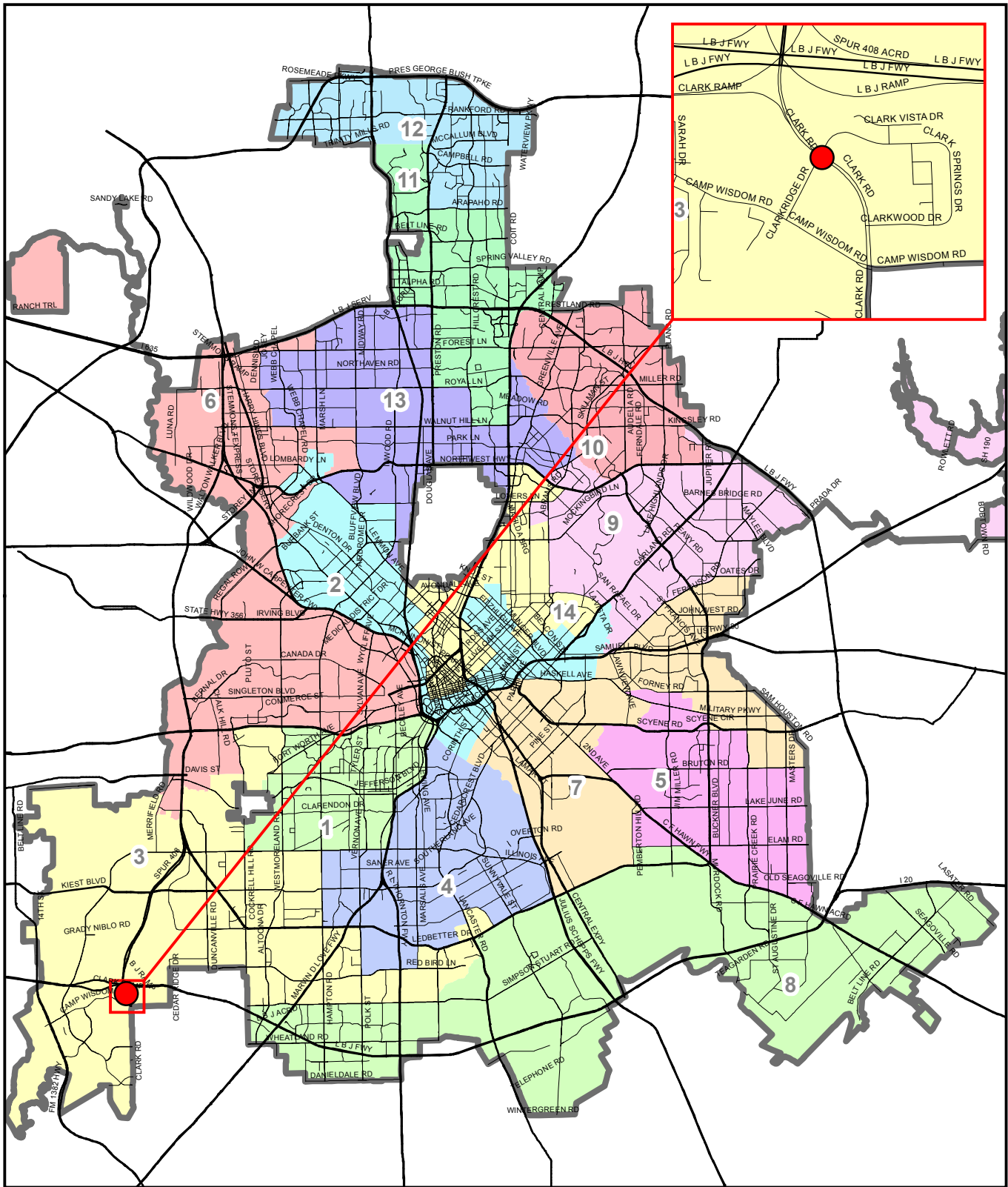
FISCAL INFORMATION

Capital Projects Reimbursement Funds - \$200,000

MAP

Attached

New Traffic Signal Clark Road and Clarkridge Drive



Council District 3
Mapsco Page 61BT 61BU

May 10, 2017

WHEREAS, the Thomas M. Gaubert Irrevocable Trust is contributing \$200,000 of the construction costs for a new traffic signal at the intersection at Clark Road and Clarkridge Drive; and

WHEREAS, the intersection was studied by the City of Dallas in October 2015 and was found to meet the traffic volume criteria for warranting a new traffic signal; and

WHEREAS, the Thomas M. Gaubert Irrevocable Trust has agreed to reimburse the City of Dallas for material, equipment and labor costs related to the construction of the traffic signal being built at the intersection of Clark Road and Clarkridge Drive, in an amount not to exceed \$200,000.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the Chief Financial Officer is hereby authorized to receive and deposit funds from the Thomas M. Gaubert Irrevocable Trust, in an amount not to exceed \$200,000 in the Capital Projects Reimbursement Fund, Fund 0556, Department STS, Unit W172, Revenue Code 8492.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$200,000 in the Capital Projects Reimbursement Fund, Fund 0556, Department STS, Unit W171, Object 4820, Activity THRG, Program TP17W172.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds received from the Thomas M. Gaubert Irrevocable Trust in an amount not to exceed \$200,000 from Capital Projects Reimbursement Fund, Fund 0556, Department STS, Unit W172, Object 4820, Activity THRG, Program TP17W172 for services related to the construction of the new traffic signal.

SECTION 4. That the Chief Financial Officer is hereby authorized to refund the Thomas M. Gaubert Irrevocable Trust any unused funds.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 10, 2017
COUNCIL DISTRICT(S): 9
DEPARTMENT: Mobility and Street Services
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 37 E J N P X

SUBJECT

Authorize **(1)** the Third Amendment to the Project Supplemental Agreement with Dallas County for the East Dallas Veloway Phase III Project from Lawther Drive to Mockingbird Lane and the SoPAC Trail Gaston Avenue YMCA Connection Trail Project improvements; and **(2)** payment to Dallas County for the City's share of estimated final design and construction costs - Not to exceed \$818,600 - Financing: General Obligation Commercial Paper Funds

BACKGROUND

On December 9, 2009, City Council authorized a Project Supplemental Agreement (PSA) with Dallas County for a Master Plan Study and the preliminary design for the East Dallas Veloway (SoPAC Trail) Phase III Project from Lawther Drive to Mockingbird Lane, Phase IV from Northwest Highway to north of Royal Lane, and the YMCA Connection Trail Project near the intersection of Gaston Avenue and Garland Road trail improvement projects. Per the PSA, Dallas County is the lead agency responsible for administering the design and construction for the trail improvement projects, and project costs are split 50/50 between the City and the County. The YMCA Connection Trail Project was completed in May 2015. SoPAC Trail Phase IV-A is currently under construction. The design for Phase III has been completed and construction is anticipated to start Fall 2017. The City has made two previous Council-authorized project payments to Dallas County in the amounts of \$368,400.00 and \$2,081,700.00 in 2009 and 2014, respectively, based on previous project cost estimates. However, due to escalating construction prices and additional needed drainage and erosion control improvements that have been included in the project, the City's share of the project costs has increased to \$3,268,700.00. Thus an additional payment to the County in the amount of \$818,600 is needed at this time. This action will authorize the Third Amendment with Dallas County for the City's share of estimated final design and construction costs for the trail improvements projects.

BACKGROUND (continued)

The SoPAC Trail Phase III and Phase IV projects were submitted and selected in Dallas County’s Major Capital Improvement Program (MCIP) Fourth Call for Projects in 2006. The various phases of the SoPAC Trail System make up a proposed network of 14-foot wide concrete hike-and-bike trails along Dallas Area Rapid Transit (DART) owned right-of-way (formerly Southern Pacific Railroad right-of-way) from Lawther Drive to north of Royal Lane. Once completed, the trail will provide a continuous connection between the Santa Fe Trail and Katy Trail.

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2009
Completed Design	March 2017
Begin Construction	September 2017
Complete Construction	March 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 10, 2001, City Council authorized a Master Agreement with Dallas County by Resolution No. 01-0104.

On August 24, 2005, City Council authorized Dallas County’s Fourth Call for Projects by Resolution No. 05-2432.

On December 9, 2009, City Council authorized a Project Agreement with Dallas County for preliminary design and the master plan study on the East Dallas Veloway Phase III from Lawther Drive to Mockingbird Lane and Phase IV from Northwest Highway to north of Royal Lane, including the YMCA Extension near the intersection of Gaston Avenue and Garland Road; and payment to Dallas County for the City's share of design costs, in an amount not to exceed \$500,000, by Resolution No. 09-2965.

On April 13, 2011, City Council authorized a ten-year Master Agreement with Dallas County governing transportation Major Capital Improvement Projects (MCIP) by Resolution No. 11-0927.

On December 10, 2014, City Council authorized the First Amendment to the Project Supplemental Agreement with Dallas County for the final design and construction of the East Dallas Veloway (SoPAC Trail) Phase III from Lawther Drive to Mockingbird Lane and the YMCA Extension near the intersection of Gaston Avenue and Garland Road; and payment to Dallas County for the City's share of final design and construction costs, in an amount not to exceed \$2,081,700, by Resolution No. 14-2110.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On May 11, 2016, City Council authorized the Second Amendment to the Project Supplemental Agreement with Dallas County for the design and construction of the East Dallas Veloway (SoPAC Trail) Phase IV-A and IV-B, a 14-foot wide concrete hike-and-bike-trail from Northwest Highway to north of Royal Lane by Resolution No. 16-0741.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 8, 2017.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - \$818,600

SoPAC 3 Project Cost Estimate:

Design	\$ 550,000
Construction	\$4,100,000
Administrative Cost (County)	\$ 457,000
Material Testing	<u>\$ 75,000</u>
Estimated Total Cost	\$5,182,000

SoPAC YMCA Connection Project Cost Estimate:

Design	\$ 150,000
Construction	\$ 750,000
Administrative Cost (County)	\$ 230,400
Material Testing	<u>\$ 25,000</u>
Estimated Total Cost	\$1,155,400

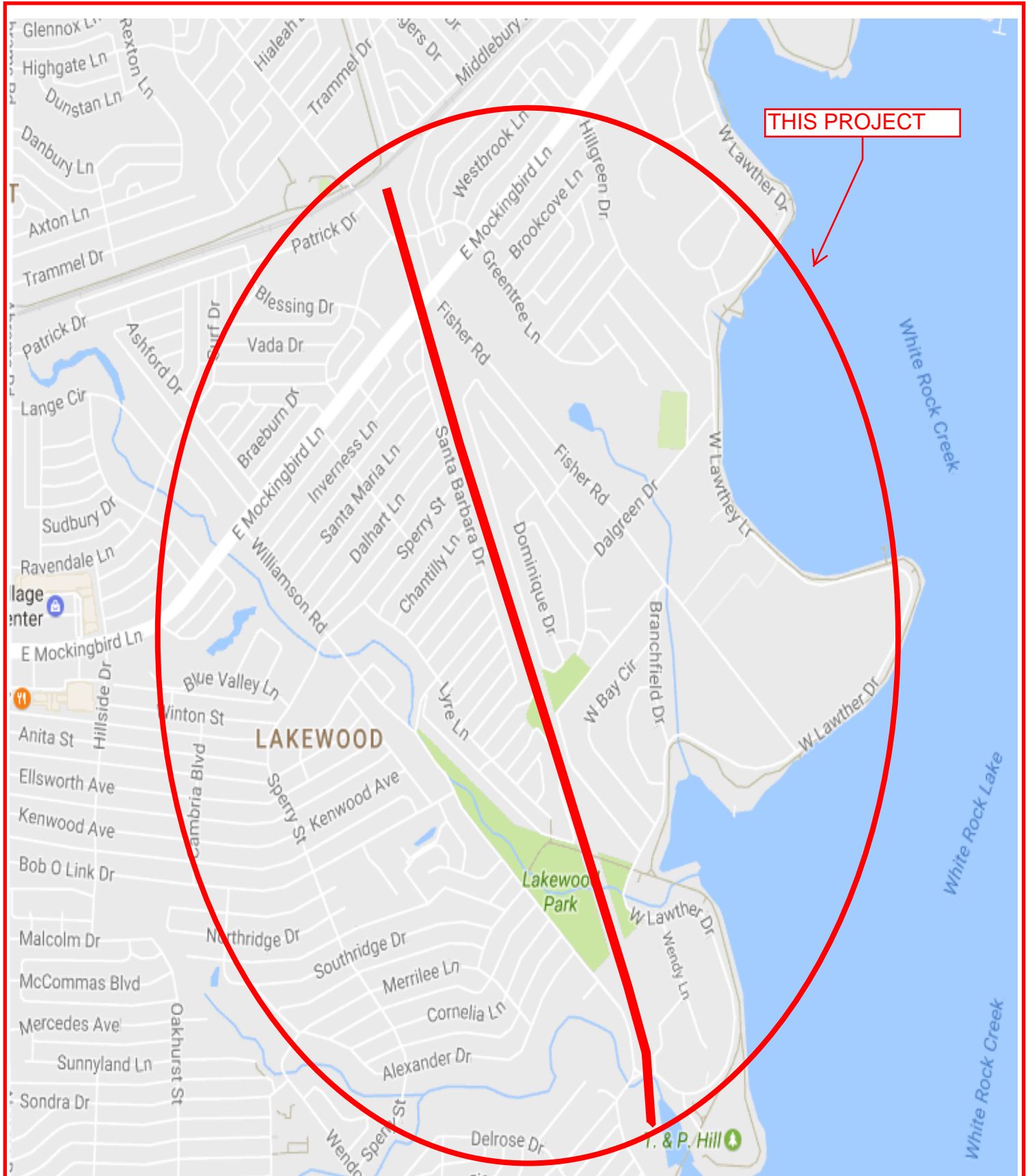
Total Project Cost Estimate (SoPAC Phase 3 + YMCA Connection) \$6,337,400.

*City's share of project cost \$3,268,700 (\$2,450,100 was authorized by Council previously)

MAPS

Attached

East Dallas Veloway (SoPAC Trail) Phase 3 From Lawther Drive to Mockingbird Lane



MAPSCO 37E,J,N,P,X

May 10, 2017

WHEREAS, on January 10, 2001, City Council authorized the Master Agreement with Dallas County governing future transportation major improvement projects between the City of Dallas and Dallas County by Resolution No. 01-0104; and

WHEREAS, on August 24, 2005, City Council authorized submission, acceptance, and implementation of the list of City of Dallas candidate projects to Dallas County for Dallas County's Major Capital Improvement Fund Thoroughfare Program's 2005 Call for Projects by Resolution No. 05-2432; and

WHEREAS, the East Dallas Veloway Phase III Project from Lawther Drive to Mockingbird Lane and Phase IV from Northwest Highway to north of Royal Lane were selected for participation and funding by Dallas County in the Fourth Call for Projects in 2006; and

WHEREAS, on December 9, 2009, City Council authorized the Project Supplemental Agreement with Dallas County for preliminary design and the master plan study on the East Dallas Veloway, Phase III from Lawther Drive to Mockingbird Lane and Phase IV from Northwest Highway to north of Royal Lane, including the YMCA Extension near the intersection of Gaston Avenue and Garland Road; and payment to Dallas County for the City's share of design costs, in an amount not to exceed \$500,000.00 by Resolution No. 09-2965; and

WHEREAS, on April 13, 2011, City Council authorized a new ten-year Master Agreement with Dallas County governing transportation Major Transportation Capital Improvement Projects by Resolution No. 11-0927; and

WHEREAS, Dallas County is the lead agency administering the design and construction of the East Dallas Veloway (SoPAC Trail) Phase III, Phase IV, and the YMCA Connection Trail Projects; and

WHEREAS, on December 10, 2014, City Council authorized the First Amendment to the Project Supplemental Agreement with Dallas County for the final design and construction of the East Dallas Veloway (SoPAC Trail), Phase III from Lawther Drive to Mockingbird Lane and the YMCA Extension near the intersection of Gaston Avenue and Garland Road, and payment to Dallas County for the City's share of the final design and construction costs, in an amount not to exceed \$2,081,700.00 by Resolution No. 14-2110; and

WHEREAS, on May 11, 2016, City Council authorized the Second Amendment to the Project Supplemental Agreement with Dallas County for the design and construction of the East Dallas Veloway (SoPAC Trail), Phase IV-A and IV-B, a 14-foot wide concrete hike-and-bike-trail from Northwest Highway to north of Royal Lane by Resolution No. 16-0741; and

May 10, 2017

WHEREAS, it is now necessary to authorize the Third Amendment to the Project Supplemental Agreement with Dallas County and payment to Dallas County for the City's share of the estimated final design and construction costs associated with the East Dallas Veloway (SoPAC Trail) Phase III from Lawther Drive to Mockingbird Lane and YMCA Connection Trail Project in an amount not exceed \$818,600.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is authorized to sign the Third Amendment to the Project Supplemental Agreement with Dallas County, approved as to form by the City Attorney, for the City's share of estimated final design and construction costs associated with the East Dallas Veloway (SoPAC Trail) Phase III Project from Lawther Drive to Mockingbird Lane and the YMCA Connection Trail Project in an amount not to exceed \$818,600.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds, in an amount not to exceed \$818,600 to Dallas County, in accordance with the terms and conditions of the agreement from Street and Transportation Improvements Fund, Fund 4T22, Department STS, Unit. S621, Activity INGV, Object 4510, Program PB12S621, Encumbrance CT - PBW06U208C1.

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit any unused bond funds advanced to Dallas County pertaining to this project into the Street and Transportation Improvements Fund, Fund 4T22, Department STS, Unit S621, Activity INGV, Object 4510.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 10, 2017
COUNCIL DISTRICT(S): 14
DEPARTMENT: Trinity Watershed Management
CMO: Jody Puckett, 670-3390
MAPSCO: 45H

SUBJECT

Authorize acquisition from Dallas Independent School District, of a subsurface easement located under a total of approximately 11,455 square feet of land located on Ross Avenue at its intersection with Washington Avenue for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed \$55,442 (\$51,942, plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of a subsurface easement located under a total of approximately 11,455 square feet of land from Dallas Independent School District. This property is located on Ross Avenue at its intersection with Washington Avenue and will be used for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 8, 2017.

FISCAL INFORMATION

2006 Bond Funds - \$55,442 (\$51,942 plus closing costs and title expenses not to exceed \$3,500)

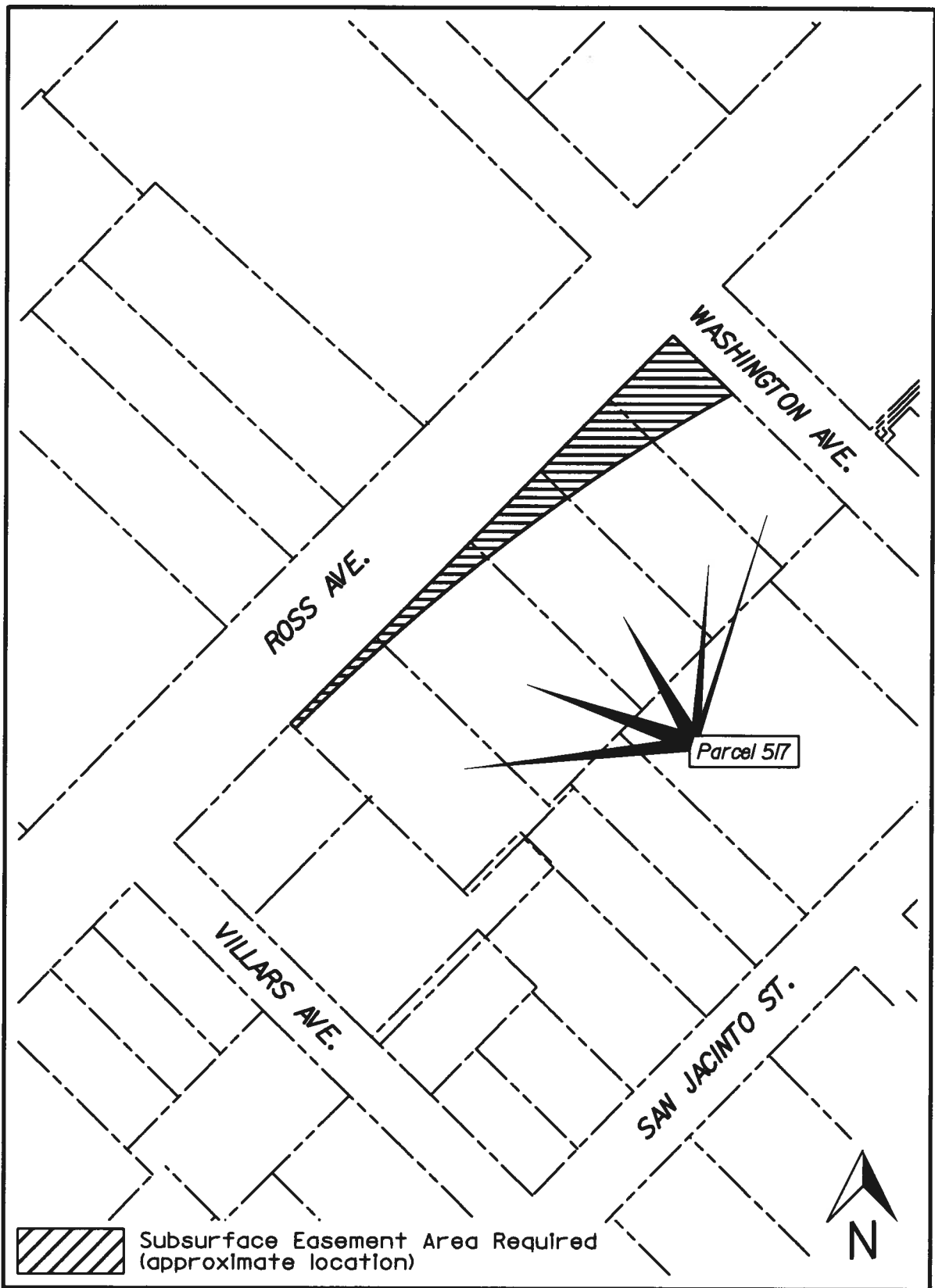
OWNER

Dallas Independent School District

Michael Hinojosa, Superintendent

MAP

Attached



May 10, 2017

A RESOLUTION AUTHORIZING THE NEGOTIATION AND ACQUISITION OF REAL PROPERTY FOR A PUBLIC USE.

All capitalized terms are defined in Section 1 below.

WHEREAS, the Dallas City Council desires to authorize the City Manager and/or the City Manager's designees to engage in good faith negotiations with OWNER for the PROPERTY INTEREST in the PROPERTY; and

WHEREAS, the OFFICIAL OFFER AMOUNT is based on a written appraisal from a certified appraiser of the value of the PROPERTY INTEREST in the PROPERTY, together with damages, if any, to any remaining property; and

WHEREAS, the Dallas City Council desires to authorize the City Manager and/or the City Manager's designees to make an offer to purchase the PROPERTY INTEREST in the PROPERTY for the OFFICIAL OFFER AMOUNT stated herein:

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. For the purposes of this resolution, the following definitions shall apply:

"CITY": The City of Dallas

"PROPERTY": Located under a total of approximately 11,455 square feet in area, lying between the subsurface elevations of 232 feet and 407 feet (U.S. Survey Feet), inclusive, North American Vertical Datum of 1988, located in Dallas County, Texas, the boundary of which property being more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROPERTY INTEREST": Flood Control Tunnel Easement

"PROJECT": Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project

"USE": The below ground construction, installation, use, and maintenance of a deep tunnel for storage and transmission of storm drainage.

"OWNER": Dallas Independent School District, provided, however, that the term "OWNER" as used in this resolution means all persons or entities having an ownership interest, regardless of whether those persons or entities are actually named herein.

May 10, 2017

"OFFICIAL OFFER AMOUNT": \$51,942

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,500

"AUTHORIZED AMOUNT": \$55,442 (OFFICIAL OFFER AMOUNT plus CLOSING COSTS AND TITLE EXPENSES)

"DESIGNATED FUNDS": OFFICIAL OFFER AMOUNT payable out of 2006 Bond Funds: Fund 3T23, Department TWM, Unit T525, Activity SDRS, Program PB06T525, Object 4210, Encumbrance CT-TWM06T525H17, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund 3T23, Department TWM, Unit T525, Activity SDRS, Program PB06T525, Object 4230, Encumbrance CT-TWM06T525H18.

SECTION 2. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 3. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 4. That the City Manager and/or the City Manager's designees are hereby authorized to make an initial and final offer to the OWNER to purchase the PROPERTY INTEREST in the PROPERTY for the OFFICIAL OFFER AMOUNT, and if said offer is accepted, to purchase, consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in "Exhibit B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating the transaction.

SECTION 5. That to the extent the PROPERTY INTEREST in the PROPERTY is being purchased wholly or partly with bond proceeds, CITY has obtained an independent appraisal of the market value of the PROPERTY INTEREST in the PROPERTY.

SECTION 6. That OWNER has been and/or will be provided with a copy of the Landowner's Bill of Rights as contemplated by applicable statute.

SECTION 7. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the OFFICIAL OFFER AMOUNT payable to OWNER, the then current owner(s) of record, or the title company closing the transaction described herein and another check payable to the title company closing the transaction described herein, in the amount of the CLOSING COSTS and TITLE EXPENSES. The OFFICIAL OFFER AMOUNT and the CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

May 10, 2017

SECTION 8. That CITY is to have possession and/or use, as applicable, of the PROPERTY INTEREST in the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY _____
Assistant City Attorney

FIELD NOTES DESCRIBING A 9,968 SQUARE FOOT (0.2288 ACRE)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 517A)
TO BE DEDICATED IN CITY OF DALLAS BLOCK 514
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM THE CITY OF DALLAS

Exhibit A

BEING a 9,968 square foot (0.2288 acre) tract of land (unplatted) situated in the John Grigsby Survey, Abstract No. 495, in City Block 514 of the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Warranty Deed to the City of Dallas recorded in Volume 634, Page 543 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) as affected by City of Dallas Ordinance No. 6034 recorded in Volume 3955, Page 628, D.R.D.C.T., and being part of that tract of land described in Warranty Deed to the City of Dallas recorded in Volume 358, Page 295, D.R.D.C.T. as affected by said City of Dallas Ordinance No. 6034, and being part of that tract of land described in Warranty Deed to the City of Dallas recorded in Volume 358, Page 296, D.R.D.C.T. as affected by said City of Dallas Ordinance No. 6034, said tract being further described in Warranty Deed to the City of Dallas recorded in Volume 340, Page 130, D.R.D.C.T. as affected by said City of Dallas Ordinance No. 6034, and being more particularly described as follows:

(Note: Subsurface easement corners are not monumented.)

BEGINNING at the intersection of the southeast right-of-way line of Ross Avenue (a variable width right-of-way, 65.2 feet wide at this point), same being the northwest line of said City of Dallas tract recorded in Volume 634, Page 543 and the northwest line of said City Block 514, with the southwest right-of-way line of Washington Avenue (a variable width right-of-way, 50 feet wide at this point), same being the northeast line of said City of Dallas tract recorded in Volume 634, Page 543 and the northeast line of said City Block 514, for the north corner of said City of Dallas tract recorded in Volume 634, Page 543 having coordinates of N=6977472.7972, E=2495079.3679 (not monumented), same being the north corner of said City Block 514, from whence a 2.5-inch diameter brass monument stamped "RAYMOND L. GOODSON JR. INC." found (controlling monument) on the projection of said southwest right-of-way line of Washington Avenue for the most easterly corner of a right-of-way dedication by the plat of Pilgrim Rest Baptist Church, an addition to the City of Dallas recorded in Volume 89234, Page 3084, D.R.D.C.T. bears North 45 degrees 50 minutes 41 seconds West a distance of 464.96 feet;

THENCE South 45 degrees 50 minutes 41 seconds East, with said southwest right-of-way line of Washington Avenue, same being said northeast line of said City of Dallas tract recorded in Volume 634, Page 543 and said northeast line of said City Block 514, a distance of 72.88 feet to the beginning of a non-tangent curve to the left having coordinates of N=6977422.0363, E=2495131.6483 (not monumented), said curve having a central angle of 08 degrees 46 minutes 08 seconds, a radius of 1,355.00 feet, a tangent of 103.89 feet and a chord which bears South 55 degrees 55 minutes 33 seconds West a distance of 207.17 feet;



FIELD NOTES APPROVED:

OSR 4/17/15

FIELD NOTES DESCRIBING A 9,968 SQUARE FOOT (0.2288 ACRE)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 517A)
TO BE DEDICATED IN CITY OF DALLAS BLOCK 514
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM THE CITY OF DALLAS

THENCE Southwesterly, departing said southwest right-of-way line of said Washington Avenue, said northeast line of said City of Dallas tract recorded in Volume 634, Page 543 and said northeast line of said City Block 514 and with said curve to the left, over and across said City of Dallas tract recorded in Volume 634, Page 543, at an arc distance of 65.14 feet passing the southwest line of said City of Dallas tract recorded in Volume 634, Page 543, same being the northeast line of said City of Dallas tract recorded in Volume 358, Page 295, and continuing with said curve to the left and over and across said City of Dallas tract recorded in Volume 358, Page 295, at a cumulative arc distance of 136.60 feet passing the southwest line of said City of Dallas tract recorded in Volume 358, Page 295, same being the northeast line of said City of Dallas tract recorded in Volume 358, Page 296 and Volume 340, Page 130, and continuing with said curve to the left and over and across said City of Dallas tract recorded in Volume 358, Page 296 and Volume 340, Page 130 for a total arc distance of 207.37 feet to the end of said curve having coordinates of N=6977305.9807, E=2494960.0676 (not monumented), said end of curve being in the southwest line of said City of Dallas tract recorded in Volume 358, Page 296 and Volume 340, Page 130, same being the northeast line of that called 0.365 acre tract described in warranty deed to the Dallas Independent School District recorded in Volume 273, Page 443, D.R.D.C.T.;

THENCE North 45 degrees 47 minutes 10 seconds West, departing said curve and with said southwest line of said City of Dallas tract recorded in Volume 358, Page 296 and Volume 340, Page 130 and said northeast line of said called 0.365 acre tract and over a portion of said City Block 514, at a distance of 15.82 feet passing the east corner of that tract of land whose title is vested in the City of Dallas by judgment according to Cause No. 59308-B recorded in Volume 19, Page 422, County Court-at Law No. 2, same being an ell corner in said southeast right-of-way line of Ross Avenue (80.2 feet wide at this point) and the northwest line of said City Block 514, from whence a 5/8-inch iron rod with cap stamped "GSES INC. RPLS 4804" (controlling monument) bears South 44 degrees 12 minutes 50 seconds West a distance of 295.38 feet, and from which said 5/8-inch iron rod with cap stamped "GSES INC. RPLS 4804" an "X" cut in concrete found (controlling monument) at the intersection of the northeast right-of-way line of Villars Street (a variable width right-of-way, 40.1 feet wide at this point) with the northwest right-of-way line of San Jacinto Street (a variable width right-of-way) for the south corner of that tract of land condemned and acquired by the Dallas Independent School District according to Judgment rendered in Cause No. CC-67-6180-D recorded in Volume 7, Page 642, County Court At Law No. 4, same being the south corner of said City Block 514, bears South 45 degrees 30 minutes 18 seconds East a distance of 352.31 feet, and with the northeast line of said Cause No. 59308-B tract and continuing with said southeast right-of-way line of Ross Avenue, said northwest line of said City Block 514 and said southwest line of said City of Dallas tract recorded in Volume 358, Page 296 and Volume 340, Page 130 for a total distance of 30.82 feet to the west corner of said City of Dallas tract recorded in Volume 358, Page 296 and Volume 340, Page 130, having coordinates of N=6977327.4728, E=2494937.9776 (not monumented), same being the north corner of said Cause No. 59308-B tract and an ell corner in said southeast right-of-way line of Ross Avenue (65.2 feet wide at this point) and said northwest line of said City Block 514;



FIELD NOTES APPROVED:

DER 4/17/15

FIELD NOTES DESCRIBING A 9,968 SQUARE FOOT (0.2288 ACRE)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 517A)
TO BE DEDICATED IN CITY OF DALLAS BLOCK 514
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM THE CITY OF DALLAS

THENCE North 44 degrees 12 minutes 50 seconds East, departing said northeast line of said Cause No. 59308-B and said southwest line of said City of Dallas tract recorded in Volume 358, Page 296 and Volume 340, Page 130 and with said southeast right-of-way line of Ross Avenue and said northwest line of said City Block 514, at a distance of 69.93 feet passing the north corner of said City of Dallas tract recorded in Volume 358, Page 296 and Volume 340, Page 130, same being the west corner of said City of Dallas tract recorded in Volume 358, Page 295, and continuing with said southeast right-of-way line of Ross Avenue and said northwest line of said City Block 514 and with the northwest line of said City of Dallas tract recorded in Volume 358, Page 295, at a cumulative distance of 139.86 feet passing the north corner of said City of Dallas tract recorded in Volume 358, Page 295, same being the west corner of said City of Dallas tract recorded in Volume 634, Page 543, and continuing with said southeast right-of-way line of Ross Avenue and said northwest line of said City Block 514 and with the northwest line said City of Dallas tract recorded in Volume 634, Page 543 for a total distance of 202.78 feet to the POINT OF BEGINNING and containing 9,968 square feet (0.2288 acre) of land, more or less.

Basis of Bearings is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506

For Nathan D. Maier Consulting Engineers, Inc.


Gary W. Matthews
Registered Professional Land Surveyor
Texas No. 5534 4.9.2015



FIELD NOTES APPROVED:

 4/17/15

FIELD NOTES DESCRIBING A 1,487 SQUARE FOOT (0.0341 ACRE)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 517B)
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 514
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM THE DALLAS INDEPENDENT SCHOOL DISTRICT

BEING a 1,487 square foot (0.0341 acre) tract of land (unplatted) situated in the John Grigsby Survey, Abstract No. 495, in City Block 514 of the City of Dallas, Dallas County, Texas, and being part of that tract of land described in Special Warranty Deed to the Dallas Independent School District recorded in Volume 332, Page 1352 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being part of that called 0.365 acre tract of land described in Warranty Deed to the Dallas Independent School District recorded in Volume 273, Page 443, D.R.D.C.T., and being more particularly described as follows:

(Note: Subsurface easement corners are not monumented.)

COMMENCING at a 5/8-inch iron rod with cap stamped "GSES INC. RPLS 4804" found (controlling monument) having coordinates of N=6977105.3312, E=2494742.7748 (not monumented) for the intersection of the northeast right-of-way line of Villars Street (a variable width right-of-way, 39.9 feet wide at this point) with the southeast right-of-way line of Ross Avenue (a variable width right-of-way, 80.2 feet wide at this point) and the west corner of said City Block 514, same being the west corner of that tract of land condemned and acquired by the Dallas Independent School District according to Judgment rendered in Cause No. CC-66-6902-b recorded in Volume 28, Page 820, County Court At Law No. 2, from whence an "X" cut in concrete found (controlling monument) at the intersection of the northeast right-of-way line of said Villars Street (40.1 feet wide at this point) with the northwest right-of-way line of San Jacinto Street (a variable width right-of-way) for the south corner of that tract of land condemned and acquired by the Dallas Independent School District according to Judgment rendered in Cause No. CC-67-6180-D recorded in Volume 7, Page 642, County Court At Law No. 4, same being the south corner of said City Block 514, bears South 45 degrees 30 minutes 18 seconds East a distance of 352.31 feet;

THENCE North 44 degrees 12 minutes 50 seconds East, with said southeast right-of-way line of Ross Avenue, the northwest line of said City Block 514 and the northwest line of said Cause No. CC-66-6902-b tract, a distance of 116.56 feet to the POINT OF BEGINNING having coordinates of N=6977188.8639, E=2494824.0462 (not monumented), same being the most northerly corner of said Cause No. CC-66-6902-b tract and the west corner of said Dallas Independent School District tract recorded in Volume 332, Page 1352;



FIELD NOTES APPROVED:

DR 4/17/15

FIELD NOTES DESCRIBING A 1,487 SQUARE FOOT (0.0341 ACRE)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 517B)
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 514
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM THE DALLAS INDEPENDENT SCHOOL DISTRICT

THENCE North 44 degrees 12 minutes 50 seconds East, continuing with said southeast right-of-way line of Ross Avenue and said northwest line of said City Block 514 and with the northwest line of said Dallas Independent School District tract recorded in Volume 332, Page 1352, at a distance of 84.92 feet passing the north corner of said Dallas Independent School District tract recorded in Volume 332, Page 1352, same being the west corner of said called 0.365 acre tract, and continuing with said southeast right-of-way line of Ross Avenue and said northwest line of said City Block 514 and with the northwest line of said called 0.365 acre tract for a total distance of 178.82 feet to the north corner of said called 0.365 acre tract having coordinates of N=6977317.0142, E=2494948.7272 (not monumented), said corner being in the southwest line of that tract of land described in Warranty Deed to the City of Dallas recorded in Volume 358, Page 296, D.R.D.C.T., as affected by City of Dallas Ordinance No. 6034 recorded in Volume 3955, Page 628, D.R.D.C.T., said tract being further described in Warranty Deed to the City of Dallas recorded in Volume 340, Page 130, D.R.D.C.T. as affected by said City of Dallas Ordinance No. 6034, from which north corner a 2.5-inch diameter brass monument stamped "RAYMOND L. GOODSON JR. INC." found (controlling monument) on the projection of said southwest right-of-way line of Washington Avenue for the most easterly corner of a right-of-way dedication by the plat of Pilgrim Rest Baptist Church, an addition to the City of Dallas recorded in Volume 89234, Page 3084, D.R.D.C.T. bears North 45 degrees 47 minutes 10 seconds West a distance of 15.00 feet, North 44 degrees 12 minutes 50 seconds East a distance of 202.78 feet and North 45 degrees 50 minutes 41 seconds West a distance of 464.96 feet;

THENCE South 45 degrees 47 minutes 10 seconds East, departing said southeast right-of-way line of Ross Avenue, said northwest line of said City Block 514 and said northwest line of said called 0.365 acre tract, and with the northeast line of said called 0.365 acre tract and said southwest line of said City of Dallas tract recorded in Volume 358, Page 296 and Volume 340, Page 130, a distance of 15.82 feet to the beginning of a non-tangent curve to the left having coordinates of N=6977305.9807, E=2494960.0676 (not monumented), said curve having a central angle of 07 degrees 19 minutes 40 seconds, a radius of 1,355.00 feet, a tangent of 86.77 feet and a chord which bears South 47 degrees 52 minutes 40 seconds West, a distance of 173.18 feet;

THENCE Southwesterly, departing said northeast line of said called 0.365 acre tract and said southwest line of said City of Dallas tract recorded in Volume 358, Page 296 and Volume 340, Page 130 and with said curve to the left, over and across said called 0.365 acre tract, at an arc distance of 94.33 feet passing the southwest line of said called 0.365 acre tract and the northeast line of said Dallas Independent School District tract recorded in Volume 332, Page 1352, and continuing with said curve to the left, over and across said Dallas Independent School District tract recorded in Volume 332, Page 1352 for a total arc distance of 173.29 feet to the point of tangency having coordinates of N=6977189.8451, E=2494831.6380 (not monumented);



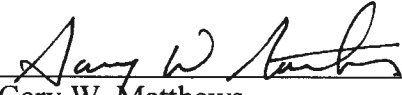
FIELD NOTES DESCRIBING A 1,487 SQUARE FOOT (0.0341 ACRE)
SUB-SURFACE DRAINAGE TUNNEL EASEMENT
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 517B)
TO BE ACQUIRED IN CITY OF DALLAS BLOCK 514
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM THE DALLAS INDEPENDENT SCHOOL DISTRICT

THENCE South 44 degrees 12 minutes 50 seconds West, departing said curve and continuing over and across said Dallas Independent School District tract recorded in Volume 332, Page 1352 with a line parallel to and 4.76 feet southeast of said southeast right-of-way line of Ross Avenue, said northwest line of said Dallas Independent School District tract recorded in Volume 332, Page 1352 and said northwest line of said City Block 514, a distance of 6.00 feet to the intersection of said parallel line with the southwest line of said Dallas Independent School District tract recorded in Volume 332, Page 1352 and the northeast line of the aforementioned Cause No. CC-66-6902-b tract, said intersection having coordinates of N=6977185.5466, E=2494827.4559 (not monumented);

THENCE North 45 degrees 47 minutes 10 seconds West, departing said parallel line and with said southwest line of said Dallas Independent School District tract recorded in Volume 332, Page 1352 and said northeast line of said Cause No. CC-66-6902-b tract and over a portion of said City Block 514, a distance of 4.76 feet to the POINT OF BEGINNING and containing 1,487 square feet (0.0341 acre) of land, more or less.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506


For Nathan D. Maier Consulting Engineers, Inc.



Gary W. Matthews
Registered Professional Land Surveyor
Texas No. 5534 4.9.2015



FIELD NOTES APPROVED:

 4/17/15

JOHN GRIGSBY
SURVEY
ABSTRACT
NUMBER 495

PILGRIM REST
BAPTIST CHURCH
VOL. 89234, PG. 3084
D.R.D.C.T.
6' RIGHT-OF-WAY
DEDICATION
VOL. 89234, PG. 3084
D.R.D.C.T.

2.5" DIA. BRASS MONUMENT STAMPED
"RAYMOND L. GOODSON JR. INC."
(CM)

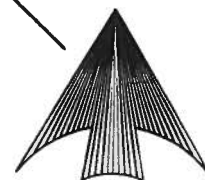
BLOCK
2/600

ROSS AVENUE
(VARIABLE WIDTH RIGHT-OF-WAY)

BLOCK
641

JCJ INVESTMENTS, LTD.
VOL. 97235, PG. 2514
D.R.D.C.T.
(UNPLATTED)

NORTH
SCALE: 1"=100'



WASHINGTON STREET
TOWNHOMES ADDITION
VOL. 2001153, PG. 44
D.R.D.C.T.

WASHINGTON AVENUE
(VARIABLE WIDTH RIGHT-OF-WAY)

BLOCK
597

PARCEL 517B
SUB-SURFACE DRAINAGE
TUNNEL EASEMENT
1,487 SQ. FT.
(0.0341 ACRE)

CRP/MAPLE ROSS
ARTS OWNER, L.P.
INST. NO.
201300059280
O.P.R.D.C.T.
(UNPLATTED)

POINT OF
BEGINNING
N=6977188.8639
E=2494824.0482

POINT OF
COMMENCING
N=6977105.3312
E=2494742.7748

N=6977317.0142
E=2494948.7272

N=6977303.9807
E=2494980.0878

A=0719°40'
R=1,355.00'
T=86.77'
L=173.29'
CB=S 47°52'40" W
CL=173.18'

S 44°12'50" W 6.00'

N 45°47'10" W 4.76'

5/8" IRF W/CAP
"GSES INC, RPLS 4804"
(CM)

DALLAS INDEPENDENT
SCHOOL DISTRICT
CAUSE NO. CC-66-6902-b
VOL. 28, PG. 820
COUNTY COURT
AT LAW NO. 2
(UNPLATTED)

DALLAS INDEPENDENT
SCHOOL DISTRICT
VOL. 4576, PG. 41
D.R.D.C.T.
(UNPLATTED)

DALLAS INDEPENDENT
SCHOOL DISTRICT
VOL. 4007, PG. 133
D.R.D.C.T.
(UNPLATTED)

DALLAS INDEPENDENT
SCHOOL DISTRICT
VOL. 4008, PG. 648
D.R.D.C.T.
(UNPLATTED)

DALLAS INDEPENDENT
SCHOOL DISTRICT
TRACT 2
VOL. 84216, PG. 1285
D.R.D.C.T.
(UNPLATTED)

DALLAS INDEPENDENT
SCHOOL DISTRICT
CAUSE NO. CC-67-6180-D
VOL. 7, PG. 642
COUNTY COURT
AT LAW NO. 4
(UNPLATTED)

JAMES B. PARKER, SR.
VOL. 86022, PG. 1389
D.R.D.C.T.
(UNPLATTED)

BLOCK
513

VILLARS STREET
(VARIABLE WIDTH RIGHT-OF-WAY)

SAN JACINTO STREET
(VARIABLE WIDTH RIGHT-OF-WAY)

BLOCK
511



LAST FIELD INSPECTION: 5-16-2013

PAGE 4 OF 4

NOTE: SUBSURFACE EASEMENT CORNERS ARE NOT MONUMENTED.

Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

LEGEND

D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS	---	RIGHT-OF-WAY LINE
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS	---	EASEMENT LINE
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS	---	SUBDIVISION LINE
INST. NO.	INSTRUMENT NUMBER	---	PROPERTY LINE
VOL., PG.	VOLUME, PAGE	IRF	IRON ROD FOUND
ESMT.	EASEMENT	IPF	IRON PIPE FOUND
SQ. FT.	SQUARE FEET	CM	CONTROLLING MONUMENT
		FPK	FOUND PK NAIL
		FX	FOUND "X"
		O	MONUMENT (AS NOTED)

1,487 SQ. FT. (0.0341 ACRE) SUB-SURFACE DRAINAGE TUNNEL EASEMENT CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 517B) TO BE ACQUIRED IN CITY OF DALLAS BLOCK 514, JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495, CITY OF DALLAS, DALLAS COUNTY, TEXAS, FROM THE DALLAS INDEPENDENT SCHOOL DISTRICT.

NDM

TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00

Two Harbors, / 8090 Pecos Lane / Suite 500
Dallas, Texas 75231 / (214) 739-4741

04/09/2015

PARCEL-517B.DWG

FLOOD CONTROL TUNNEL EASEMENT

**STATE OF TEXAS §
 §
COUNTY OF DALLAS §**

KNOW ALL MEN BY THESE PRESENTS:

That Dallas Independent School District, a political subdivision of the State of Texas, of the County of Dallas, State of Texas, (hereinafter called "GRANTOR"), for and in consideration of the sum of FIFTY-ONE THOUSAND NINE HUNDRED FORTY-TWO AND NO/100 DOLLARS (\$51,942.00) in hand paid by **City of Dallas, a Texas municipal corporation, whose address is 1500 Marilla Street, Dallas, Dallas County, Texas 75201**, (hereinafter called "GRANTEE"); the potential benefits to be derived by GRANTOR's property as a result of the projected public improvements for which this easement is intended; and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, sold, and conveyed and does hereby grant, sell, and convey to GRANTEE, for the purposes described below, an exclusive, irrevocable, and perpetual subsurface easement (the "Easement") as to the area lying between the elevations of 232 feet and 407 feet (U.S. Survey Feet) North American Vertical Datum of 1988, located under the surface of and through the lots, tracts, or parcels of land described in Exhibit "A", attached hereto and incorporated herein for all purposes (the "Property"). The above described consideration for the Easement herein conveyed shall be considered full and complete compensation for same.

GRANTEE shall have the right to use the Easement for any and all purposes necessary, incidental, or convenient to GRANTEE's construction, reconstruction, repair, replacement, operation, and maintenance of a subsurface flood control tunnel and any and all related facilities (individually and collectively, herein called the "Tunnel Facilities") and related uses GRANTEE may now or hereafter deem appropriate. GRANTEE will access the subsurface area subject to the Easement from shafts located on other GRANTEE-controlled properties and easements and not from the surface of the Property. Construction, reconstruction, repair, replacement, operation and maintenance of the Tunnel Facilities will be accomplished by typical tunneling machinery and techniques, including but not limited to rotary tunnel boring machine, road header, and other mechanical, mining-type excavators. GRANTEE shall have the right to remove, keep, use, and dispose of, as its property and without further compensation to GRANTOR, any and all sand, gravel, dirt, rock, soil, and other materials and spoils, associated with or produced by GRANTEE's use of the Easement.

GRANTOR reserves and retains full and unqualified ownership and right to use the Property (aerial, surface and subsurface) other than the subsurface area comprising this Easement for any and all purposes that will not adversely impact, endanger, obstruct or interfere with this Easement and GRANTEE's use of same, now or in the future. No use of the Property by GRANTOR shall penetrate or otherwise physically enter or encroach upon the subsurface area comprising this Easement.

This Easement may be enforced by injunctive and other equitable relief prohibiting interference and commanding compliance, without the necessity of proof of inadequacy of legal remedies or irreparable harm. The act of obtaining injunctive or other equitable relief will not be deemed to be an election of remedies or a waiver of any other rights or remedies at law or in equity.

This Easement is appurtenant to and shall run with all real property now owned or hereafter acquired by GRANTEE as a part of this project, which includes underground tunnels and related facilities constituting a part of the project, and shall inure to the benefit of GRANTEE, its successors and assigns. The Easement shall be binding on the Property, GRANTOR, and GRANTOR's heirs, successors and assigns.

This instrument may be executed in any number of counterparts with the same effect as if all signatory parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument. This instrument contains the complete agreement of the parties and cannot be varied except by written agreement of the parties. The parties agree that there are no oral agreements, representations, or warranties that are not expressly set forth in this instrument. If any provision in this instrument is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this instrument will be construed as if the unenforceable provision had never been a part of the instrument. Whenever context requires, the singular will include the plural and the neuter will include the masculine or feminine gender, and vice versa. This instrument will not be construed more or less favorably between the parties by reason of authorship or origin of language.

TO HAVE AND TO HOLD the above described Easement, together with all and singular the rights and appurtenances thereto in anywise belonging, unto GRANTEE, its successors and assigns forever, and GRANTOR binds GRANTOR and GRANTOR's heirs, executors, successors and assigns, to Warrant and Forever Defend all and singular the said Easement unto GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, 2017.

GRANTOR:

Dallas Independent School District,
a political subdivision of the State of Texas

Dan Micciche, Board President

Grantor's Address:
3701S. Lamar
Dallas, Texas 75215

* * * * *

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on _____ day of _____, 2017
by Dan Micciche, Board President of Dallas Independent School District, a political subdivision
of the State of Texas, on behalf of said political subdivision.

Notary Public, State of Texas

* * * * *

After recording return to:
City of Dallas
Trinity Watershed Management
Real Estate Division
1500 Marilla Street, 6B South
Dallas, Texas 75201
Attn.: Ann Carraway Bruce

Flood Control Tunnel Easement Log No. MC 517A and B

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 10, 2017
COUNCIL DISTRICT(S): 6
DEPARTMENT: Trinity Watershed Management
CMO: Jody Puckett, 670-3390
MAPSCO: 34W

SUBJECT

Authorize an increase in the contract with Omega Contracting, Inc. for modifications to the construction of storm drainage improvements along Knights Branch channel between the Dallas Area Rapid Transit and the Fort Worth Transportation Authority rail line and Interstate Highway 35 Frontage Road, and the extension of an existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House - Not to exceed \$209,400, from \$921,667 to \$1,131,067 - Financing: Stormwater Drainage Management Capital Construction Funds

BACKGROUND

The existing channel banks along Knights Branch channel between the Dallas Area Rapid Transit (DART) and the Fort Worth Transportation Authority rail line and Interstate Highway (IH) 35 Frontage Road and the channel banks located at Inwood Road and Lupo Drive at the Hampton Gate House are in poor condition and have significant erosion. The drainage improvements will repair the channel banks to prevent damage to roads and other public infrastructure.

During construction of the culvert at Inwood Road and Lupo Drive, it was determined that the existing field conditions require increased bedding material under the culvert for foundation support. It was also determined that extending the proposed culvert in lieu of a manhole would provide better conditions for maintenance. This change order is to provide additional bedding material, concrete headwall, concrete wingwalls, box culvert, channel excavation and other miscellaneous items necessary to complete the project.

This action will authorize Change Order No. 1 to the contract with Omega Contracting, Inc. for modifications to the construction of storm drainage improvements along Knights Branch channel between the DART and the Fort Worth Transportation Authority rail line and IH 35 Frontage Road, and extension of the existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House.

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2014
Completed Design	December 2015
Began Construction	October 2016
Complete Construction	May 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 23, 2013, City Council authorized a professional services contract for emergency repairs to a 72-inch drainage pipe in an alley between Gaston Avenue and Swiss Avenue from Grigsby Avenue and Annex Street and channel repairs along the Hampton/Oak lawn Sump and Baker Sump by Resolution No. 13-1894.

On March 23, 2016, City Council authorized a contract with Omega Contracting, Inc. for the construction of storm drainage improvements along Knights Branch channel between the DART and the Fort Worth Transportation Authority rail line and Interstate Highway 35 Frontage Road and extension of the existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House by Resolution No. 16-0452.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 8, 2017.

FISCAL INFORMATION

Stormwater Drainage Management Capital Construction Funds - \$209,400.00

Design	\$ 204,366.00
Original Construction Contract	\$ 921,666.93
Change Order No. 1 (this action)	<u>\$ 209,400.00</u>
Total Project Cost	\$1,131,066.93

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Omega Contracting, Inc.

Hispanic Female	3	Hispanic Male	104
African-American Female	0	African-American Male	6
Other Female	0	Other Male	0
White Female	0	White Male	10

OWNER

Omega Contracting, Inc.

Mark Reinhardt, Vice President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Omega Contracting, Inc. for modifications to the construction of storm drainage improvements along Knights Branch channel between the Dallas Area Rapid Transit and the Fort Worth Transportation Authority rail line and Interstate Highway 35 Frontage Road, and the extension of an existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House - Not to exceed \$209,400, from \$921,667 to \$1,131,067 - Financing: Stormwater Drainage Management Capital Construction Funds

Omega Contracting, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$209,400.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$209,400.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Quick Set Concrete, Inc.	HMDB53039Y0617	\$158,299.48	75.60%
Omega Contracting, Inc.	HMMB86253Y1118	\$51,100.52	24.40%
Total Minority - Local		\$209,400.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$209,400.00	100.00%	\$1,131,066.93	100.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$209,400.00	100.00%	\$1,131,066.93	100.00%

May 10, 2017

WHEREAS, on October 23, 2013, City Council authorized a professional services contract with Lim & Associates, Inc. for emergency repairs to a 72-inch drainage pipe in an alley between Gaston Avenue and Swiss Avenue from Grigsby Avenue and Annex Street and channel repairs along the Hampton/Oak Lawn Sump and Baker Sump, in an amount not to exceed \$204,366, by Resolution No. 13-1894; and

WHEREAS, on March 23, 2016, City Council authorized a contract with Omega Contracting, Inc. for the construction of storm drainage improvements along Knights Branch channel between the Dallas Area Rapid Transit (DART) and the Fort Worth Transportation Authority rail line and Interstate Highway 35 Frontage Road and extension of the existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House, in an amount not to exceed \$921,979.83, by Resolution No. 16-0452; and

WHEREAS, this action will authorize Change Order No. 1 to the contract with Omega Contracting, Inc. for the construction of storm drainage improvements along Knights Branch channel between the DART and the Fort Worth Transportation Authority rail line and Interstate Highway 35 Frontage Road, and the extension of an existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House, in an amount not to exceed \$209,400.00, from \$921,979.83 to \$1,131,379.83.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign Change Order No. 1 with Omega Contracting, Inc., approved as to form by the City Attorney, for the construction of storm drainage improvement along Knights Branch channel between the DART and the Fort Worth Transportation Authority rail line and Interstate Highway 35 Frontage Road, and the extension of an existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House, in an amount not to exceed \$209,400.00, increasing the contract amount from \$921,979.83, to \$1,131,379.83.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$209,400 to Omega Contracting, Inc. from Storm Water Drainage Management Capital Construction Fund, Fund 0063, Department SDM, Unit 4793, Activity SD01, Object 4599, Program SDMFC002, Encumbrance CT SDM4793VHF2, Vendor 345379.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 10, 2017

COUNCIL DISTRICT(S): 8

DEPARTMENT: Trinity Watershed Management
Mobility and Street Services

CMO: Jody Puckett, 670-3390
Majed Al-Ghafry, 670-3302

MAPSCO: 65Z 75C D

SUBJECT

Authorize Supplemental Agreement No. 3 to the professional services contract with Lockwood, Andrews, & Newnam, Inc. for additional engineering design services necessary to modify the project limits of Wheatland Road from the Lancaster city limits to Lancaster Road - Not to exceed \$33,973, from \$490,374 to \$524,347 - Financing: 2003 Bond Funds

BACKGROUND

On April 9, 2008, City Council authorized a professional services contract with Lockwood, Andrews, & Newnam, Inc. for the engineering design of a thoroughfare project for Wheatland Road from the Lancaster city limits to Lancaster Road, in an amount not to exceed \$399,397, by Resolution No. 08-1057. On April 14, 2010, Administrative Action No. 10-2200 authorized Supplemental Agreement No. 1 for placing monuments at property corners, in an amount not to exceed \$6,534, from \$399,397 to \$405,931. On April 23, 2014, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Lockwood, Andrews, & Newnam, Inc. for additional surveying and engineering design services necessary for the realignment of Wheatland Road from the Lancaster city limits to Lancaster Road at Plaza Drive, in an amount not to exceed \$84,443, from \$405,931 to \$490,374, by Resolution No. 14-0674.

The construction plans were completed in November 2015. During the right-of-way acquisition process, constraints were encountered which negatively impact the construction start date. In order to begin construction in early 2017, it was determined that the project limits need to be modified.

BACKGROUND (continued)

This Supplemental Agreement includes additional engineering design work to redesign portions of the drainage, paving plan and profile, cross sections, typical sections and pavement markings needed to modify the original project limits so that construction can be phased. The additional design work will allow for an accelerated construction start date.

This action will authorize Supplemental Agreement No. 3 with Lockwood, Andrews, & Newnam, Inc. for additional engineering design services necessary to modify the project limits of Wheatland Road from the Lancaster city limits to Lancaster Road.

ESTIMATED SCHEDULE OF PROJECT

Began Design	May 2008
Completed Design	December 2016
Began Construction	March 2017
Complete Construction	June 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 9, 2008, City Council authorized a professional services contract by Resolution No. 08-1057.

On April 23, 2014, City Council authorized Supplemental Agreement No. 2 to the professional services contract by Resolution No. 14-0674.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 8, 2017.

FISCAL INFORMATION

2003 Bond Funds - \$33,972.06

Engineering Design Contract	\$ 399,397.00
Supplemental Agreement No. 1	\$ 6,534.00
Supplemental Agreement No. 2	\$ 84,443.00
Supplemental Agreement No. 3 (this action)	<u>\$ 33,972.06</u>
Total Cost	\$ 524,346.06

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Lockwood, Andrews & Newnam, Inc.

Hispanic Female	21	Hispanic Male	34
African-American Female	4	African-American Male	14
Other Female	13	Other Male	19
White Female	167	White Male	55

OWNER

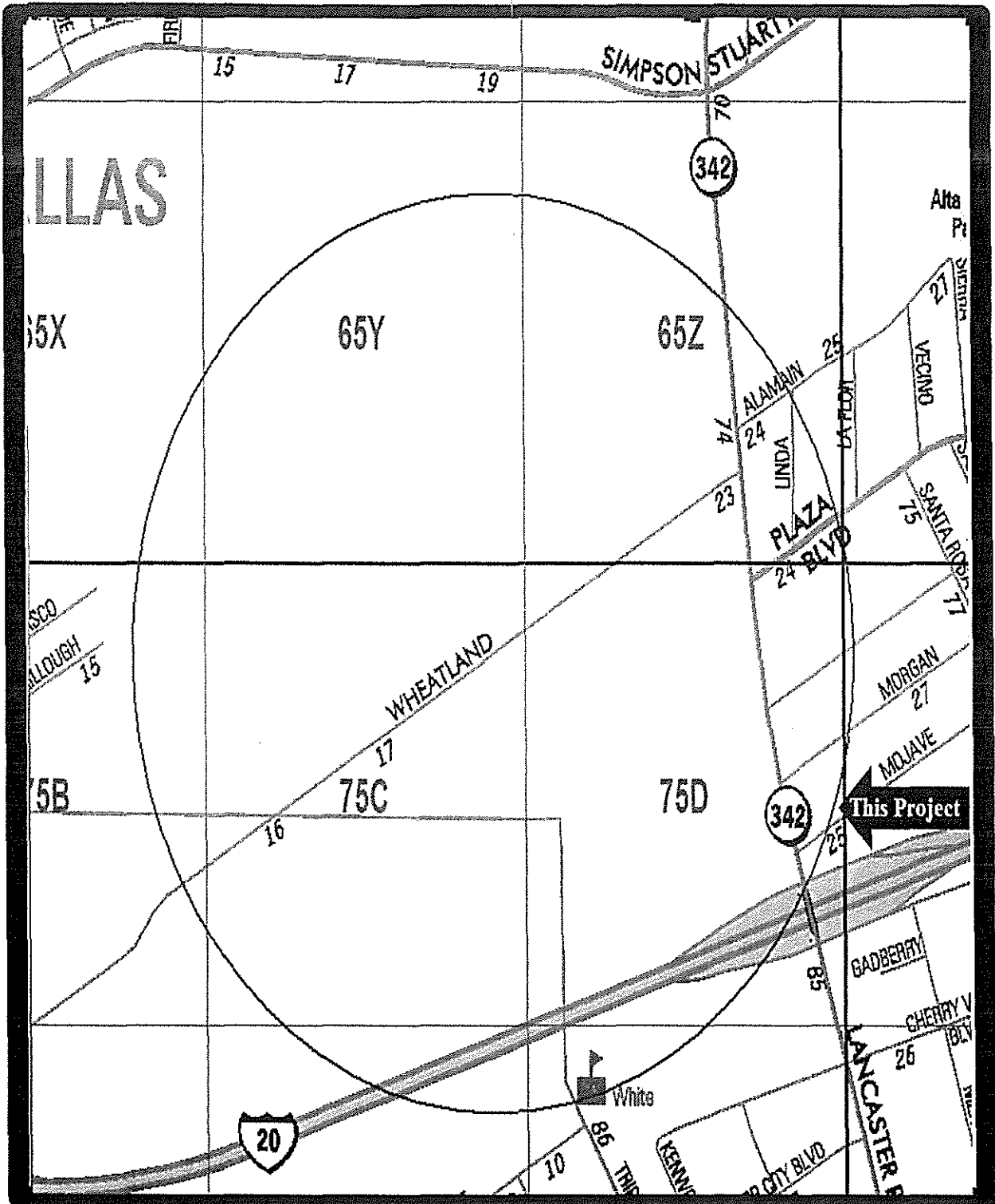
Lockwood, Andrews & Newnam, Inc.

Devarati Rastogi, P.E., Vice President

MAP

Attached

**WHEATLAND ROAD
FROM LANCASTER CITY LIMITS TO LANCASTER ROAD**



MAPSCO 65 Z, 75C, D

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 3 to the professional services contract with Lockwood, Andrews, & Newnam, Inc. for additional engineering design services necessary to modify the project limits of Wheatland Road from the Lancaster city limits to Lancaster Road - Not to exceed \$33,973, from \$490,374 to \$524,347 - Financing: 2003 Bond Funds

Lockwood, Andrews, & Newnam, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$33,972.06	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$33,972.06	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$120,650.00	23.01%
Total	\$0.00	0.00%	\$120,650.00	23.01%

May 10, 2017

WHEREAS, on April 9, 2008, City Council authorized a professional services contract with Lockwood, Andrews & Newnam, Inc. for the engineering design of a thoroughfare project for Wheatland Road from the Lancaster city limits to Lancaster Road, in an amount not to exceed \$399,397, by Resolution No. 08-1057; and

WHEREAS, on April 14, 2010, Administrative Action No. 10-2200 authorized Supplemental Agreement No. 1 to the professional services contract for placing monuments at property corners, in an amount not to exceed \$6,534, from \$399,397 to \$405,931; and

WHEREAS, on April 23, 2014, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Lockwood, Andrews & Newnam, Inc. for additional surveying and engineering design services necessary for the realignment of Wheatland Road from the Lancaster city limits to Lancaster Road at Plaza Drive, in an amount not to exceed \$84,443, from \$405,931 to \$490,374; and

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 3 to the professional services contract for additional engineering design services to modify the project limits of Wheatland Road from the Lancaster city limits to Lancaster Road.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No. 3 to the professional services contract with Lockwood, Andrews, & Newnam, Inc., approved as to form by the City Attorney, for additional engineering design services necessary to modify the project limits of Wheatland Road from the Lancaster city limits to Lancaster Road, in an amount not to exceed of \$33,972.06, increasing the contract amount from \$490,374.00 to \$524,346.06.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$33,972.06 to Lockwood, Andrews, & Newnam, Inc. from Street and Transportation Improvements Fund, Fund 6R22, Department STS, Unit U803, Activity THRF, Object 4111, Program PB06U803, Encumbrance CT PBW06U803F1, Vendor 181310.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 10, 2017
COUNCIL DISTRICT(S): 11
DEPARTMENT: Trinity Watershed Management
CMO: Jody Puckett, 670-3390
MAPSCO: 5S

SUBJECT

A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 5.9 acres of the current 14.7 acres of land, located at 5800 Keller Springs, within the floodplain of White Rock Creek, Fill Permit 15-05 - Financing: No cost consideration to the City

BACKGROUND

This request is to fill approximately 5.9 acres of the current 14.7 acres of land, to be used for a future residential development. The proposed fill is located at 5800 Keller Springs, within the floodplain of White Rock Creek.

A neighborhood meeting was held at the Campbell Green Recreation Center on November 3, 2015. There were two nearby property owners present. Attendees included the developer's engineer, the developer's representative, the developer's attorney, and six city staff members. There has been no objection to the fill permit.

The fill permit application meets all engineering requirements for filling in the floodplain as specified in Part II of the Dallas Development Code, Section 51A-5.105(h). The applicant has not requested a waiver of any criteria. Accordingly, City Council should approve this application; or, it may pass a resolution to authorize acquisition of the property under the laws of eminent domain and may then deny the application in order to preserve the status quo until acquisition.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

OWNER/APPLICANT

Mr. Steve Dieb
171720 Dallas Parkway, Suite 235
Dallas, Texas 75248

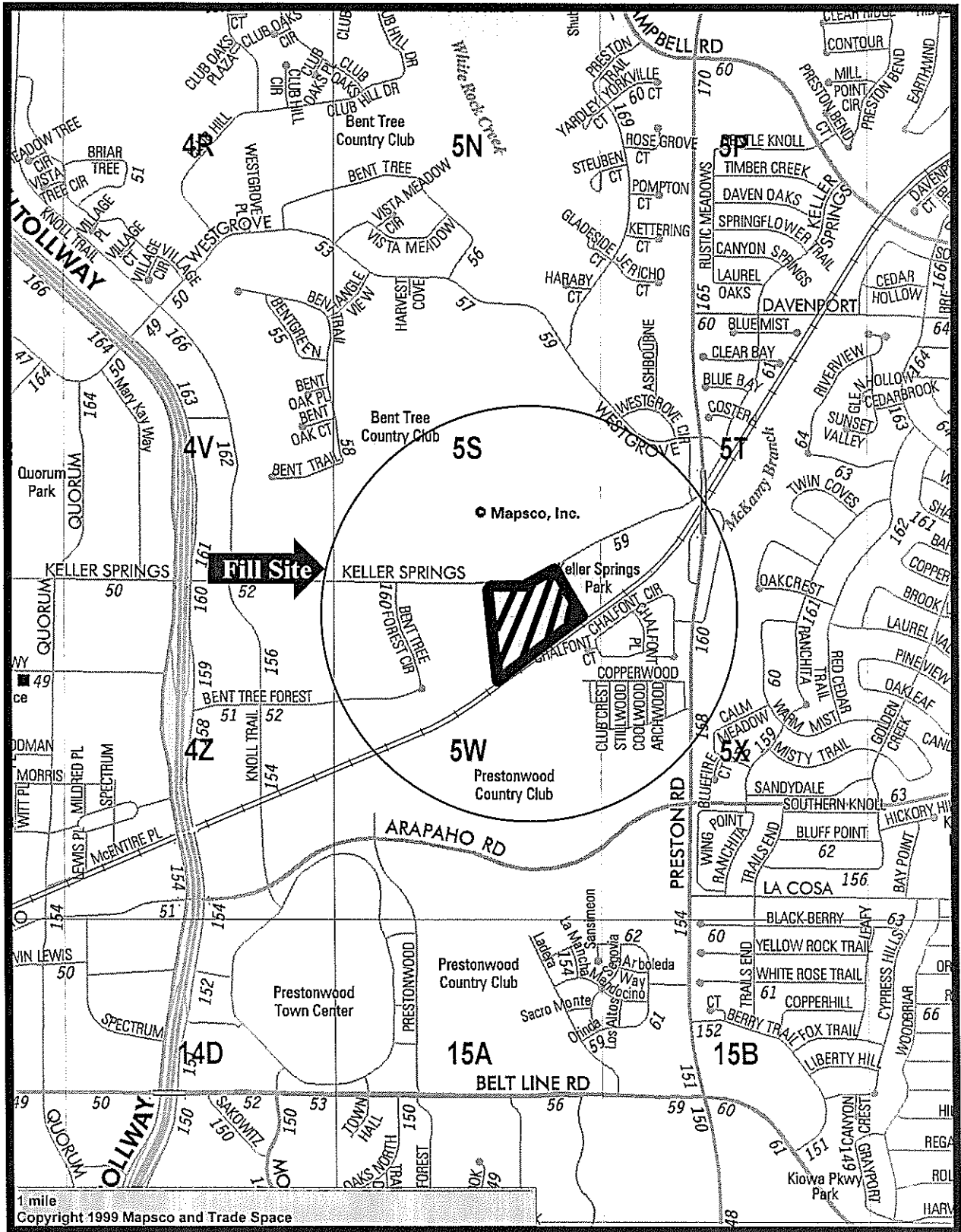
ENGINEER

Mr. Victor Lissiak, Jr.
Viewtech Inc.
4205 Beltway Drive
Addison, Texas 75001

MAP

Attached

Fill Permit 15-05



Mapsco 5-S

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 10, 2017
COUNCIL DISTRICT(S): Outside City Limits
DEPARTMENT: Water Utilities
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 2 T

SUBJECT

Authorize a contract for the construction of a new residuals handling facility at the Elm Fork Water Treatment Plant located at 1440 Whitlock Lane - Archer Western Construction, LLC, lowest responsible bidder of five - Not to exceed \$25,486,500 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This action will authorize the construction of a new residuals handling facility at the Elm Fork Water Treatment Plant. Residuals are a normal by-product of the drinking water treatment process and consist of solids removed from the source water by the addition of coagulants and a sedimentation process. On May 27, 2015, City Council authorized a contract for the cleaning and rehabilitation of a 145 acre residuals basin site to be used for the collection of treatment process residuals by Resolution No. 15-0978. This project will construct a new residuals pump station and transfer lines to connect to the new residuals basin site. Both projects were recommended by the 2010 Water Quality Study and are the first two projects associated with the \$300 million dollar Elm Fork Water Quality Improvements program.

This project also includes gravity thickeners which will improve overall efficiency of the solids handling process, reduce the use of raw water and improve the overall quality of the treated water. Also included are polymer feed systems, mechanical piping, and site grading necessary for a complete and functional facility. This project will improve residuals handling operations at the plant and allow for the implementation of the remaining water quality projects.

BACKGROUND (continued)

Archer Western Construction, LLC completed contractual activities in the past three years:

	<u>STS</u>	<u>DWU</u>	<u>PKR</u>
Projects Completed	0	4	0
Change Orders	0	8	1
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2011
Completed Design	November 2016
Begin Construction	June 2017
Complete Construction	March 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 23, 2010, City Council authorized a professional services contract with Malcolm Pirnie, Inc. to provide engineering services for the Elm Fork Water Treatment Plant water quality improvements by Resolution No. 10-1641.

On September 14, 2011, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services for the Elm Fork Water Treatment Plant water quality improvements by Resolution No. 11-2422.

On August 28, 2013, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services associated with water quality improvements at the Elm Fork Water Treatment Plant by Resolution No. 13-1469.

On May 27, 2015, City Council authorized a contract for the cleaning and rehabilitation of a residuals basins site at the Elm Fork Water Treatment Plant by Resolution No. 15-0978.

Information about this item will be provided to the Transportation & Trinity River Project Committee on May 8, 2017.

FISCAL INFORMATION

Water Utilities Capital Improvement Funds - \$25,486,500

Design	\$ 7,562,770
Supplemental Agreement No. 1	\$ 6,500,000
Supplemental Agreement No. 2	\$ 5,622,236
Construction	\$46,464,646
Construction (this action)	<u>\$25,486,500</u>
 Total Project Cost	 \$91,636,152

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Archer Western Construction, LLC

Hispanic Female	38	Hispanic Male	1,258
Black Female	26	Black Male	219
White Female	38	White Male	575
Other Female	9	Other Male	87

BID INFORMATION

The following bids with quotes were opened on January 20, 2017:

*Denotes successful bidder

<u>Bidders</u>	<u>Bid Amount</u>
*Archer Western Construction, LLC 1411 Greenway Drive Irving, Texas 75038	\$25,486,500
Quest Civil Constructors, Inc.	\$28,633,633
BAR Constructors, Inc.	\$29,838,700
Oscar Renda Contracting, Inc.	\$29,929,000
Eagle Contracting, LP	\$29,983,000

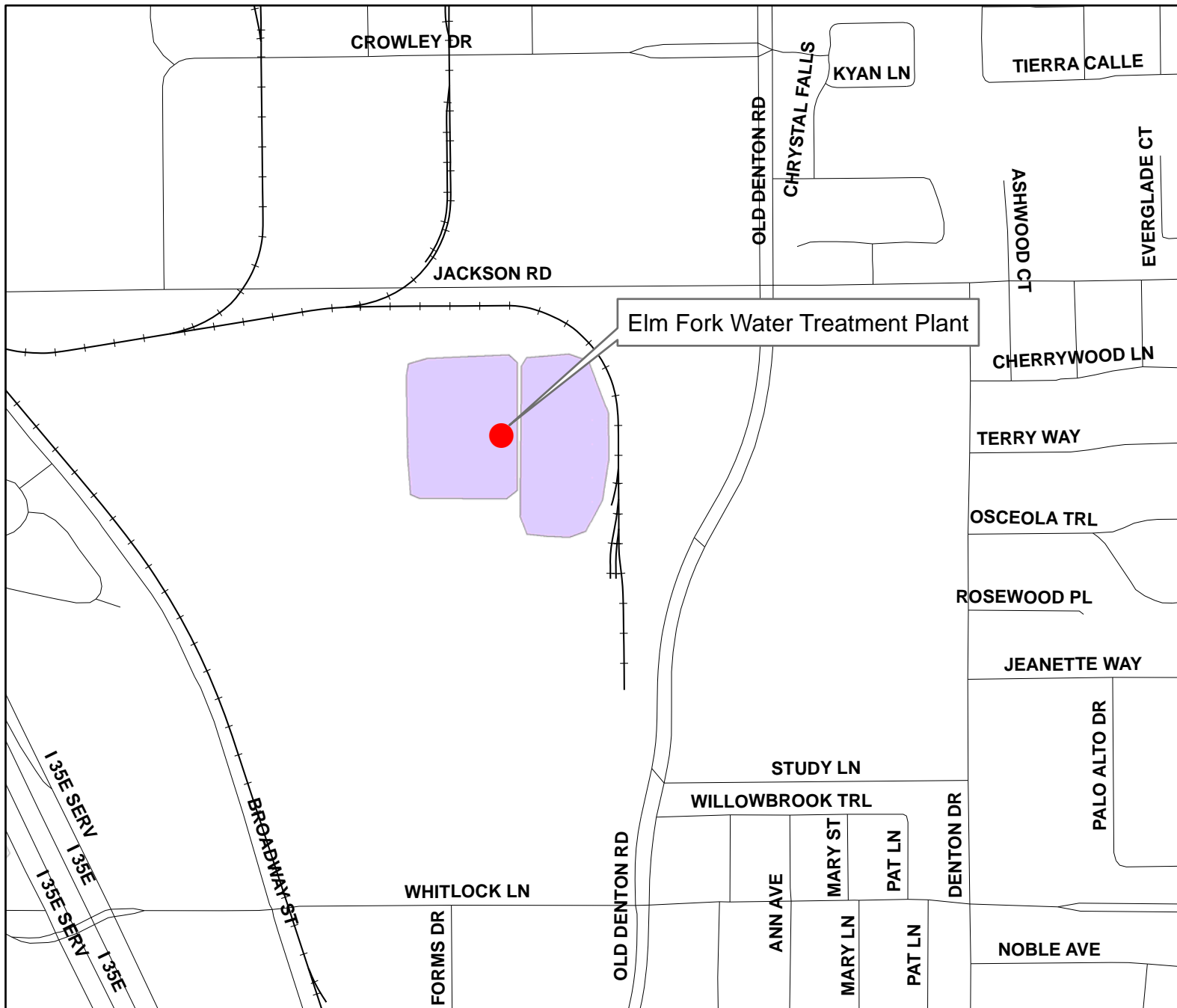
OWNER

Archer Western Construction, LLC

Daniel P. Walsh, President

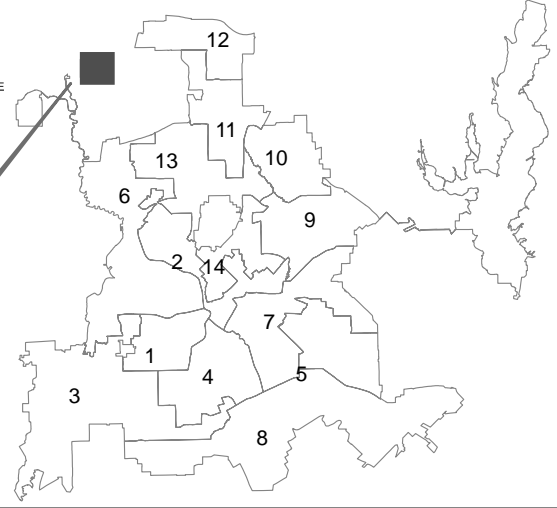
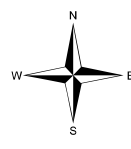
MAP

Attached



Mapsc0: 2 T

Council District: Outside City Limits



**Dallas Water Utilities
 Contract No. 16-305
 Elm Fork Water Treatment Plant
 Residuals Handling Facility**

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for the construction of a new residuals handling facility at the Elm Fork Water Treatment Plant located at 1440 Whitlock Lane - Archer Western Construction, LLC, lowest responsible bidder of five - Not to exceed \$25,486,500 - Financing: Water Utilities Capital Improvement Funds

Archer Western Construction, LLC is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$22,129,588.00	86.83%
Total non-local contracts	\$3,356,912.00	13.17%
TOTAL CONTRACT	\$25,486,500.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Texas Star Trucking	HFDB73806Y0218	\$297,747.00	1.35%
Romero Steel	HMMB75966N1118	\$479,695.00	2.17%
James C. Paris	NMDB10973Y0717	\$729,220.00	3.30%
Total Minority - Local		\$1,506,662.00	6.81%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Greenscaping	HFDB63808Y0817	\$12,250.00	0.36%
Partnering for Success	HFMB42467Y0618	\$7,000.00	0.21%
JML Distributing, Inc.	WFDB72845Y0417	\$503,742.00	15.01%
Ram Tool	WFWB10044N0518	\$274,129.00	8.17%
JD Bodine	WFWB22904N0618	\$156,532.00	4.66%
Eagle Aggregate Transportation	WFDB33718Y0617	\$73,008.00	2.17%
Ricochet Fuel Distributors	WFWB69066Y0219	\$60,000.00	1.79%
Brock Environmental	WFWB96114Y1118	\$2,000.00	0.06%
Total Minority - Non-local		\$1,088,661.00	32.43%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

Page 2

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$777,442.00	3.51%	\$796,692.00	3.13%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$729,220.00	3.30%	\$729,220.00	2.86%
WBE	\$0.00	0.00%	\$1,069,411.00	4.20%
Total	<u>\$1,506,662.00</u>	<u>6.81%</u>	<u>\$2,595,323.00</u>	<u>10.18%</u>

May 10, 2017

WHEREAS, bids were received on January 20, 2017 for the construction of a new residuals handling facility at the Elm Fork Water Treatment Plant, Contract No. 16-305, listed as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Archer Western Construction, LLC	\$25,486,500
Quest Civil Constructors, Inc.	\$28,633,633
BAR Constructors, Inc.	\$29,838,700
Oscar Renda Contracting, Inc.	\$29,929,000
Eagle Contracting, LP	\$29,983,000

WHEREAS, the bid submitted by Archer Western Construction, LLC, 1411 Greenway Drive, Irving, Texas 75038, in the amount of \$25,486,500, is the lowest and best of all bids received.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the bid submitted by Archer Western Construction, LLC in the amount of \$25,486,500, for doing the work covered by the plans, specifications, and contract documents, Contract No. 16-305, be accepted.

SECTION 2. That the City Manager is hereby authorized to sign a contract with Archer Western Construction, LLC, approved as to form by the City Attorney, for the construction of a new residuals handling facility at the Elm Fork Water Treatment Plant, in an amount not to exceed \$25,486,500.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$25,486,500 to Archer Western Construction, LLC from the Water Capital Improvement Fund, Fund 2115, Department DWU, Unit PW31, Object 4320, Program 716305, Encumbrance CT-DWU716305CP, Vendor VS0000064407.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.