

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** February 22, 2017  
**COUNCIL DISTRICT(S):** Outside City Limits  
**DEPARTMENT:** Water Utilities  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 11B A B C

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## **SUBJECT**

Authorize an Interlocal Agreement with the City of Coppell to allow the City of Dallas to construct, own, and operate a 24-inch wastewater force main pipeline, referred to as the Force Main Project, within the corporate limits of Coppell to serve the Cypress Waters Development in Dallas - Financing: No cost consideration to the City

## **BACKGROUND**

In 2010, the City of Dallas entered into a Memorandum of Understanding with Cypress Waters Land Development, LLC, an affiliate of Billingsley Development Company and Billingsley LD, Ltd., and created the Cypress Waters Tax Increment Financing (TIF) District for the economic development of an undeveloped 1,661-acre area surrounding North Lake, referred to as the Cypress Waters Project.

The Force Main Project is necessary for the City of Dallas to transfer untreated wastewater from the Cypress Waters Development in Dallas to the Trinity River Authority's wastewater system in Coppell, at Belt Line Road west of the Trinity River.

The City of Coppell is located within Dallas Water Utilities' service area and purchases wholesale treated water from the City of Dallas, and shall continue to contract with the City of Dallas for wholesale treated water services provided under the terms of a separate contract.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On November 18, 1987, the City Council authorized a Wholesale Treated Water Contract with the City of Coppell, by Resolution No. 87-3715.

On May 26, 2010, the City Council authorized a master agreement outlining strategies, future steps, and conditions for funding infrastructure improvements related to the Cypress Waters area, by Resolution No. 10-1348.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)** (Continued)

On May 11, 2015, the Cypress Waters TIF District Board of Directors recommended approval of the proposed TIF District and Project Plan amendments, a modification in the geographical boundary, and changes to the budget of the District.

On November 8, 2016, the Coppell City Council authorized an Interlocal/License Agreement for the Cypress Waters 24-inch wastewater Force Main Project.

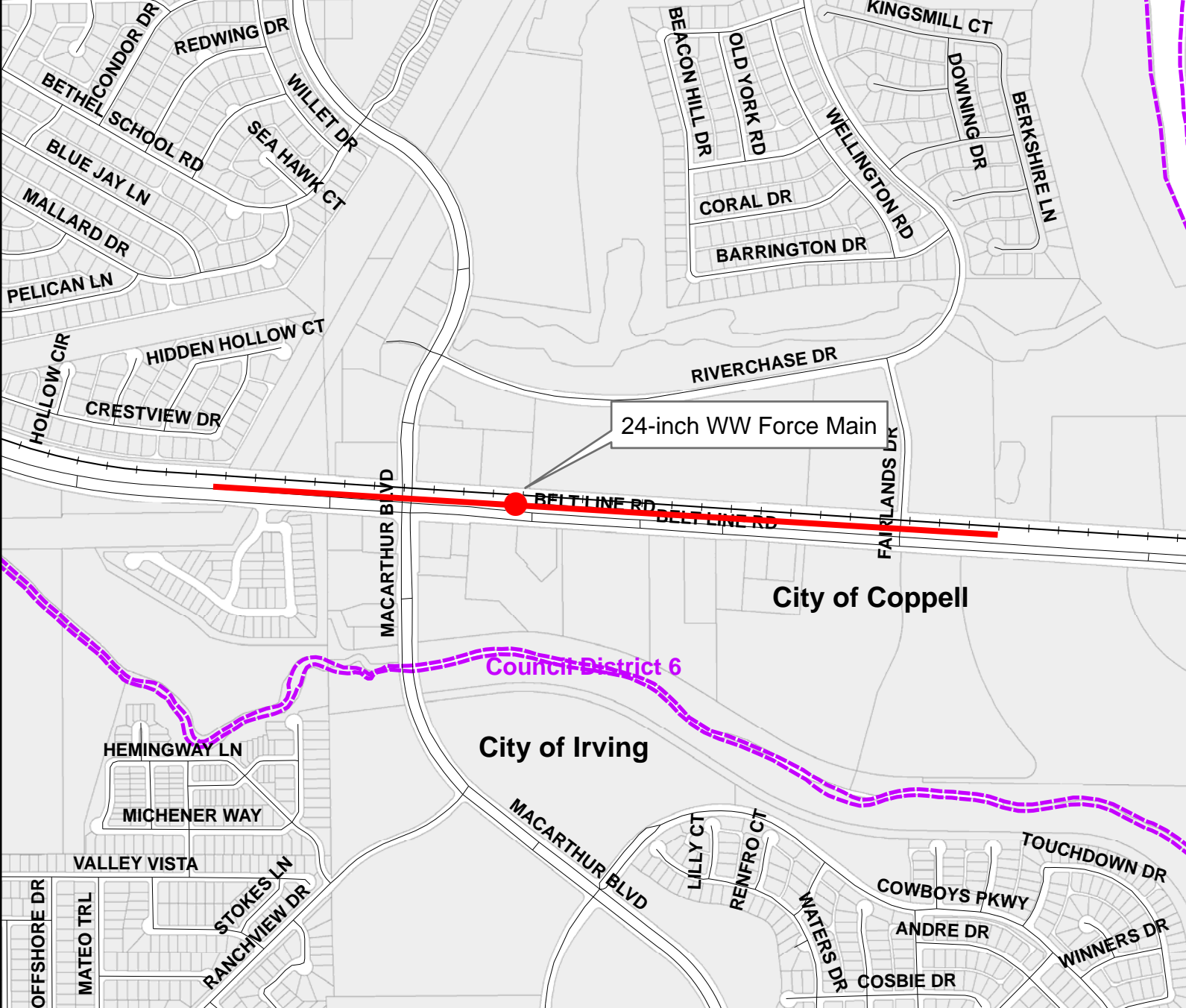
Information about this item will be provided to the Transportation & Trinity River Project Committee on February 13, 2017.

**FISCAL INFORMATION**

No cost consideration to the City

**MAP**

Attached



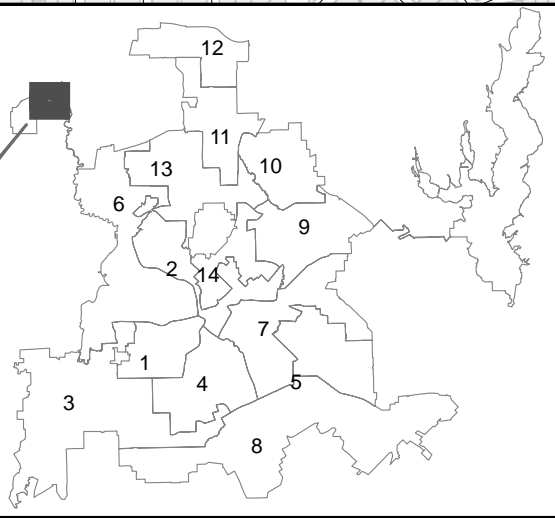
24-inch WW Force Main

City of Coppell

Council District 6

City of Irving

Mapsc0: 11B A, B, C



Council District: Outside City Limits

**Dallas Water Utilities  
Interlocal Agreement with City of Coppell  
Installation of 24-inch Wastewater Force Main in Belt Line Road**

February 22, 2017

**WHEREAS**, the City of Dallas plans to design and construct a 24-inch wastewater force main pipeline within the corporate limits of Coppell, referred to as the Force Main Project; and,

**WHEREAS**, the Force Main Project is necessary for the City of Dallas to transfer untreated wastewater from the Cypress Waters Development in Dallas to the Trinity River Authority's wastewater system in Coppell, at Belt Line Road west of the Trinity River; and,

**WHEREAS**, the City of Dallas desires to enter into an agreement with the City of Coppell for the use of existing public right-of-way, and to allow the City of Dallas to construct, own, and operate a 24-inch wastewater force main within the corporate limits of Coppell; and,

**WHEREAS**, the City of Dallas will procure the necessary property rights for those portions of the Force Main Project crossing private properties within the corporate limits of Coppell; and,

**WHEREAS**, both parties agree that the approval of this agreement is in the public interest; and,

**WHEREAS**, there is no cost consideration to the City of Dallas associated with this agreement.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to enter into an Interlocal Agreement with the City of Coppell to allow the City of Dallas to construct, own, and operate a 24-inch wastewater force main pipeline within the corporate limits of Coppell, after approval of the contract documents by the City Attorney.

**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:** February 22, 2017  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Water Utilities  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 79 C D

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## **SUBJECT**

Authorize a contract for the construction of grit removal improvements at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of three - Not to exceed \$14,893,000 - Financing: Water Utilities Capital Improvement Funds

## **BACKGROUND**

Removal of inorganic material in the wastewater stream called “grit” is a critical step in the treatment process. Because of its abrasive nature, grit must be screened out to protect mechanical equipment at the plant. If improperly screened, grit accumulates throughout the treatment system and causes buildup and clogging. Ultimately it leads to a reduction in treatment capacity and more frequent downtime associated with grit cleaning activities, which is a very intensive manual process. The Southside Wastewater Treatment Plant has two grit removal facilities, constructed in 1979 and 1988. Improvements to these facilities will extend their service life and utilize newer technologies that provide for more efficient operation of the grit systems.

This action consists of grit removal improvements at both grit facilities at the Southside Wastewater Treatment Plant. These improvements include the replacement of deteriorated mechanical equipment that has exceeded its service life, with newer, more efficient technology. The work also includes structural modifications to the grit classification and dumpster rooms to accommodate the new equipment and provide adequate space for maintenance activities. Also included are improvements to the electrical, heating, ventilation, air conditioning and odor control subsystems to extend the service life of the two grit facilities.

**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	1	4	0
Change Orders	1	8	1
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

**ESTIMATED SCHEDULE OF PROJECT**

Began Study	June 2014
Completed Study	December 2014
Began Design	October 2015
Completed Design	October 2016
Begin Construction	April 2017
Complete Construction	April 2019

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

Authorized a professional services contract with CP&Y, Inc. for preliminary engineering services associated with improvements to the grit removal and screenings handling processes at the Southside Wastewater Treatment Plant on May 14, 2014, by Resolution No. 14-0765.

Authorized Supplemental Agreement No. 1 to the engineering services contract with CP&Y, Inc. to provide engineering services associated with grit removal improvements at the Southside Wastewater Treatment Plant on August 26, 2015, by Resolution No. 15-1581.

Information about this item will be provided to the Transportation & Trinity River Project Committee on February 13, 2017.

**FISCAL INFORMATION**

\$14,893,000.00 - Water Utilities Capital Improvement Funds

Study	\$ 850,000.00
Design - Supplemental Agreement No. 1	\$ 1,779,270.00
Construction (this action)	<u>\$14,893,000.00</u>
Total Project Cost	\$17,522,270.00

**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 November 18, 2016:

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
*Archer Western Construction, LLC 1411 Greenway Drive Irving, Texas 75038	\$14,893,000.00
Pepper Lawson Waterworks, LLC	\$15,996,000.00
MWH Constructors, Inc.	\$17,055,000.00

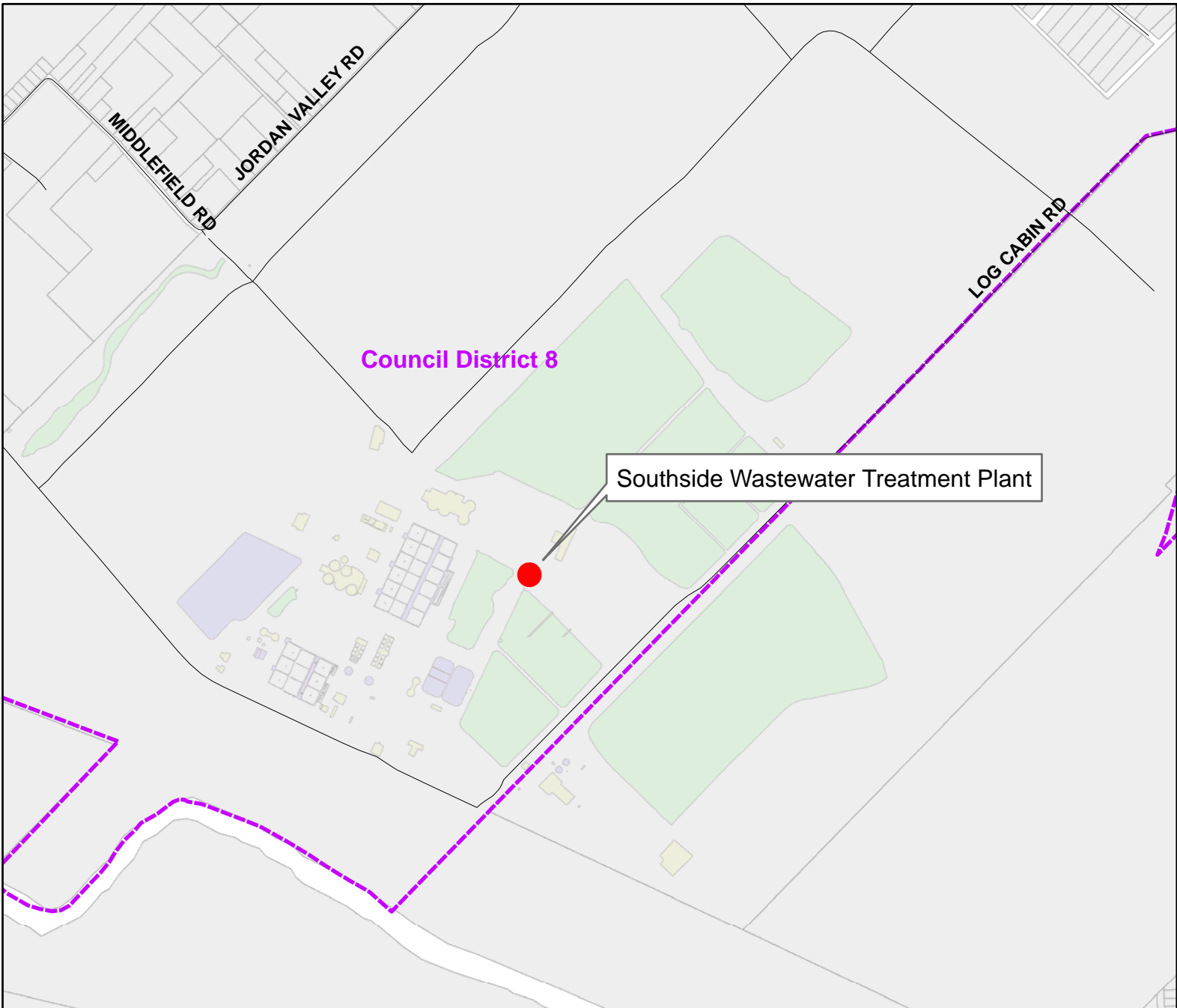
**OWNER**

**Archer Western Construction, LLC**

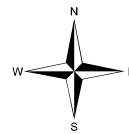
Daniel P. Walsh, President

**MAP**

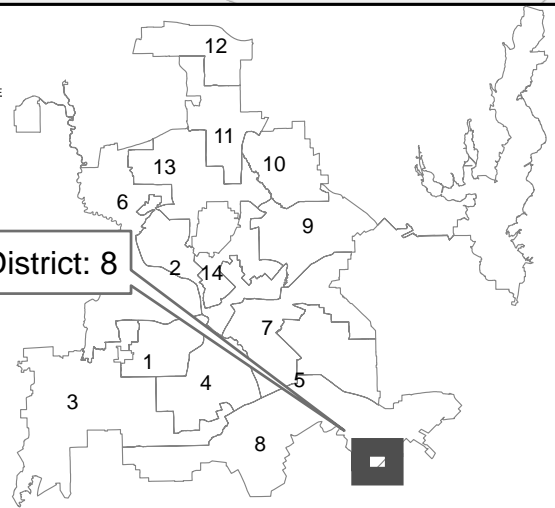
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Mapsc0: 79 C D



Council District: 8



**Dallas Water Utilities  
Contract No. 16-174  
Southside Wastewater Treatment Plant  
Grit Removal Improvements**



## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a contract for the construction of grit removal improvements at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of three - Not to exceed \$14,893,000 - 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

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### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$10,600,970.00	71.18%
Total non-local contracts	\$4,292,030.00	28.82%
<b>TOTAL CONTRACT</b>	<b>\$14,893,000.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
James C. Paris	NMDB10973Y0717	\$522,821.45	4.93%
<b>Total Minority - Local</b>		<b>\$522,821.45</b>	<b>4.93%</b>

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
C. Greenscaping, LP	HFDB63808Y0817	\$3,032.00	0.07%
Bazan Roofing Inc	HMDB63183N1217	\$33,750.00	0.79%
JML Distributing Inc	WFDB72845Y0417	\$2,726,263.00	63.52%
H & H Restoration	WFWB48395N0818	\$375,000.00	8.74%
Lowe Precast Inc	WFWBC160011017	\$142,080.00	3.31%
<b>Total Minority - Non-local</b>		<b>\$3,280,125.00</b>	<b>76.42%</b>

**BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**  
**Page 2**

**TOTAL M/WBE CONTRACT PARTICIPATION**

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$36,782.00	0.25%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$522,821.45	4.93%	\$522,821.45	3.51%
WBE	\$0.00	0.00%	\$3,243,343.00	21.78%
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Total	\$522,821.45	4.93%	\$3,802,946.45	25.54%

February 22, 2017

**WHEREAS**, bids were received on November 18, 2016 for the construction of grit removal improvements at the Southside Wastewater Treatment Plant, Contract No. 16-174, listed as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Archer Western Construction, LLC	\$14,893,000.00
Pepper Lawson Waterworks, LLC	\$15,996,000.00
MWH Constructors, Inc.	\$17,055,000.00

**WHEREAS**, the bid submitted by Archer Western Construction, LLC, 1411 Greenway Drive, Irving, Texas 75038, in the amount of \$14,893,000.00, 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 \$14,893,000.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 16-174, be accepted.

**Section 2.** That the City Manager is hereby authorized to execute a contract with Archer Western Construction, LLC in the amount of \$14,893,000.00, for the construction of grit removal improvements at the Southside Wastewater Treatment Plant, after approval as to form by the City Attorney.

**Section 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$14,893,000.00 from the Wastewater Capital Improvement Fund:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
3116	DWU	PS31	4330	716174	CT-DWU716174CP	VS0000064407

Archer Western Construction, LLC - (Contract No. 16-174) - \$14,893,000.00

**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:** February 22, 2017  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Mobility and Street Services  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 43H

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## **SUBJECT**

Authorize Supplemental Agreement No. 1 to the professional services contract with Hayden Consultants, Inc. for additional engineering design services for improvements to the intersections of Hampton Road at Canada Drive and Hampton Road at Calypso Street - Not to exceed \$187,772, from \$611,569 to \$799,341 - Financing: General Obligation Commercial Paper Funds

## **BACKGROUND**

On March 25, 2015, Resolution No. 15-0490 authorized a professional services contract with Hayden Consultants, Inc. for the engineering design services of street improvements on Canada Drive from Westmoreland Road to Hampton Road, and the development of Integrated Stormwater Management Standards and training services for City Staff.

Recent development in the vicinity of the Hampton Road at Calypso Street intersection has resulted in congestion and traffic operational issues on the surrounding local streets. A traffic study was conducted to determine available options to improve traffic operations for the area. The study recommended reconfiguring the intersections of Hampton Road at Canada Drive and Hampton Road at Calypso Street in order to help facilitate keeping traffic on the thoroughfares and off the local/residential streets. Traffic signals are also planned for these two intersections, as recommended by the study.

This action will authorize Supplemental Agreement No. 1 to the professional services contract with Hayden Consultants, Inc. for additional engineering design of improvements to the intersections of Hampton Road and Canada Drive and Hampton Road at Calypso Street.

**ESTIMATED SCHEDULE OF PROJECTS**

Began Design	May 2015
Complete Design	July 2017
Begin Construction	October 2017
Complete Construction	February 2019

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

Authorized a professional services contract with Hayden Consultants, Inc. on March 25, 2015, by Resolution No. 15-0490.

Information about this item will be provided to the Transportation and Trinity River Project Committee on February 13, 2017.

**FISCAL INFORMATION**

2012 Bond Program (General Obligation Commercial Paper Funds) - \$187,772.00

Design	\$ 611,569.00
Supplemental Agreement No. 1 (this action)	\$ 187,772.00
Construction	
Paving & Drainage - STS	\$ 9,035,524.84 (est.)
Bridge - PBW	\$ 2,027,870.00 (est.)
Water & Wastewater - DWU	<u>\$ 312,977.50 (est.)</u>
Total Project Cost	\$12,175,713.34 (est.)

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Hayden Consultants, Inc.

Hispanic Female	3	Hispanic Male	2
African-American Female	1	African-American Male	0
Other Female	3	Other Male	2
White Female	8	White Male	13

**OWNER**

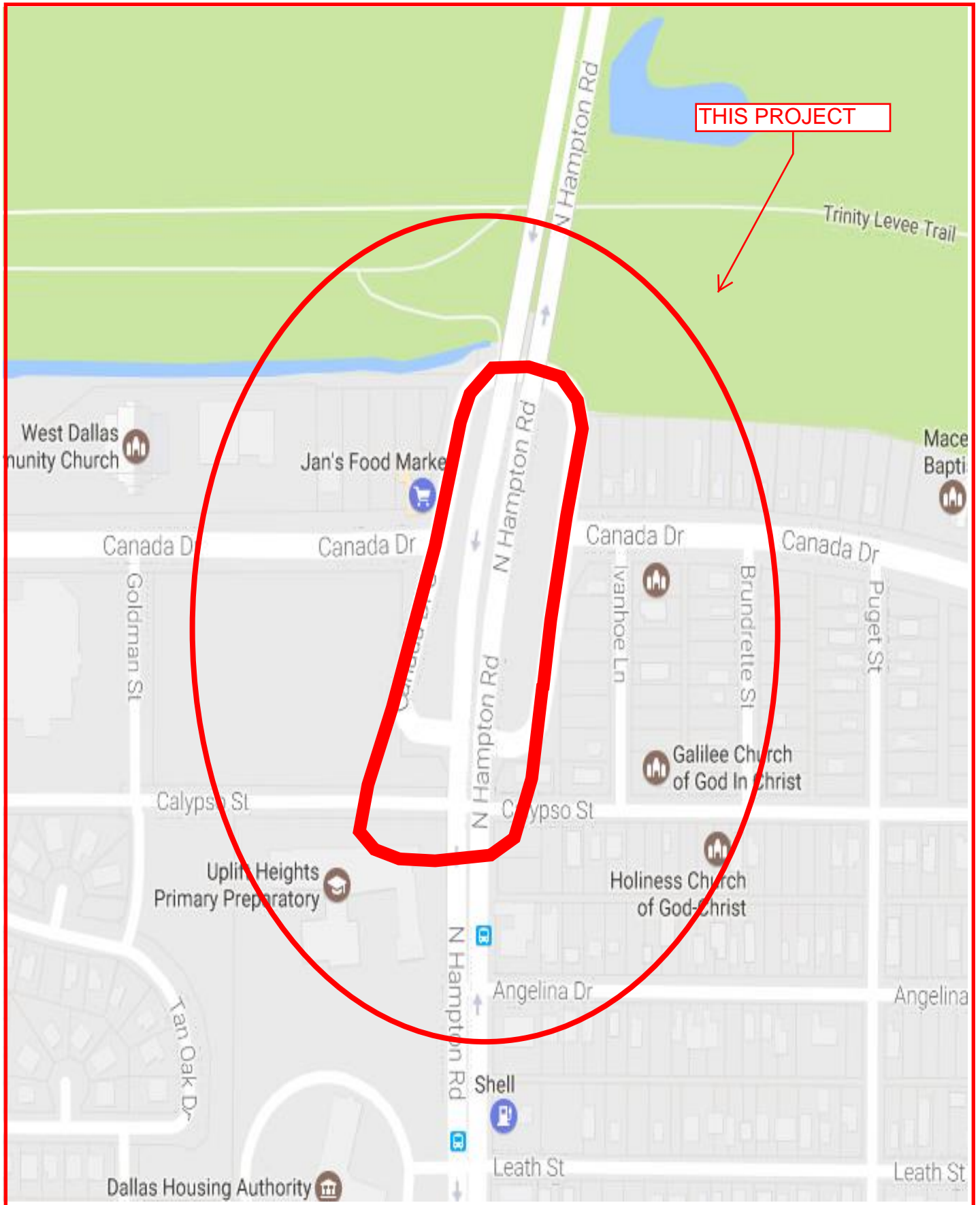
**Hayden Consultants, Inc.**

Rachel R. Hayden, P.E., President

**MAP**

Attached.

**CANADA DRIVE FROM WESTMORELAND ROAD TO HAMPTON ROAD  
(CANADA DRIVE TO CALYPSO STREET CONNECTION)**



**MAPSCO 43H**

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize Supplemental Agreement No. 1 to the professional services contract with Hayden Consultants, Inc. for additional engineering design services for improvements to the intersections of Hampton Road at Canada Drive and Hampton Road at Calypso Street - Not to exceed \$187,772, from \$611,569 to \$799,341 - Financing: General Obligation Commercial Paper Funds

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

**PROJECT CATEGORY:** Architecture & Engineering

### **LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY**

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$187,772.00	100.00%
Non-local contracts	\$0.00	0.00%
<b>TOTAL THIS ACTION</b>	<b>\$187,772.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
HVJ & Associates	IMDB60714N0617	\$15,647.00	8.33%
Hayden Consultants, Inc.	WFDB43038Y0817	\$115,530.00	61.53%
Nathan D. Maier Consulting	WFWB62664Y0918	\$29,005.00	15.45%
<b>Total Minority - Local</b>		<b>\$160,182.00</b>	<b>85.31%</b>

#### **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	\$15,647.00	8.33%	\$24,684.00	3.09%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$144,535.00	76.97%	\$544,489.00	68.12%
<b>Total</b>	<b>\$160,182.00</b>	<b>85.31%</b>	<b>\$569,173.00</b>	<b>71.21%</b>



February 22, 2017

**WHEREAS**, on March 25, 2015, Resolution No. 15-0490 authorized a professional services contract with Hayden Consultants, Inc. for the engineering design services for Canada Drive from Westmoreland Road to Hampton Road and provide standards of low impact development and training services for City staff.

**WHEREAS**, it is now necessary to authorize Supplemental Agreement No. 1 to the professional services contract with Hayden Consultants, Inc. for additional engineering design services for improvements to the intersections of Hampton Road at Canada Drive and Hampton Road at Calypso Street in the amount of \$187,772.00, from \$611,569.00 to \$799,341.00.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with Hayden Consultants, Inc. for additional engineering design services for improvements to the intersections of Hampton Road at Canada Drive and Hampton Road at Calypso Street in the amount of \$187,772.00, from \$611,569.00 to \$799,341.00, after it has been approved as to form by the City Attorney.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Transportation Improvements Fund	
Fund 4U22, Department STS, Unit S309, Act. SREC	
Obj. 4111, Program #PB12S309, CT PBW12S309F1	
Vendor #352614, in an amount not to exceed	\$187,772.00

**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:** February 22, 2017

**COUNCIL DISTRICT(S):** 6, 13

**DEPARTMENT:** Mobility and Street Services  
Water Utilities

**CMO:** Jill A. Jordan, P.E., 670-5299  
Mark McDaniel, 670-3256

**MAPSCO:** 23R 24N 34A 42G

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## **SUBJECT**

A benefit assessment hearing to receive comments on street paving, drainage, water and wastewater main improvements, and alley paving for Project Group 12-3001; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Camino Construction, L.P., lowest responsible bidder of four (list attached) - Not to exceed \$2,044,928 - Financing: 2012 Bond Funds (\$1,254,801), Water Utilities Capital Construction Funds (\$652,725) and Water Utilities Capital Improvement Funds (\$137,402)

## **BACKGROUND**

Palacios Avenue from Ottawa Road to Canada Drive was requested by property owner petition and accepted on April 24, 2007. The alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane was requested by property owner petition and accepted on December 14, 2007. The alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane was requested by property owner petition and accepted on May 27, 2008. The alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane was requested by property owner petition and accepted on November 17, 2010. All of these projects were subsequently funded in the 2012 Bond Program. A professional services contract for the design was authorized by City Council on January 22, 2014, by Resolution No. 14-0190. This action will allow the public hearing to be held and will authorize the levying of assessments and contract for construction. The street improvements will consist of upgrading the existing unimproved two-lane asphalt street with 26-foot wide concrete pavement with curbs, sidewalks, drive approaches, drainage installation system, water and wastewater main improvements. The alley improvements will consist of upgrading the unimproved gravel and/or dirt alleys with 10-foot wide concrete pavement, drainage improvements where needed and water main improvements.

**BACKGROUND** (Continued)

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

This is the 3rd and final step in the process.

The following chart shows Camino Construction, L.P., completed contractual activities for the past three years.

	<b><u>STS</u></b>	<b><u>WTR</u></b>	<b><u>PKR</u></b>
Projects Completed	2	1	0
Change Orders	3	0	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	March 2014
Completed Design	October 2016
Begin Construction	May 2017
Complete Construction	May 2018

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

Authorized a professional services contract for engineering services on January 22, 2014, by Resolution No. 14-0190.

Authorized street paving improvements and a benefit assessment hearing on January 11, 2017, by Resolution No. 17-0080.

Information about this item will be provided to the Transportation and Trinity River Project Committee on February 13, 2017.

**FISCAL INFORMATION**

- 2012 Bond Funds - \$1,254,801.00
- Water Utilities Capital Construction Funds - \$652,725.00
- Water Utilities Capital Improvement Funds - \$137,402.00

**FISCAL INFORMATION** (Continued)

Design	\$ 109,355.50
Construction	
Paving (STS) (this action)	\$1,254,801.00
Water & Wastewater (DWU) (this action)	<u>\$ 790,127.00</u>
Total Project Cost	\$2,154,283.50

<b><u>Council District</u></b>	<b><u>Amount</u></b>
6	\$ 160,135.00
13	<u>\$1,884,793.00</u>
Total	\$2,044,928.00

This project does involve assessments.

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Camino Construction, L.P.

Hispanic Female	2	Hispanic Male	34
African-American Female	0	African-American Male	2
Other Female	0	Other Male	0
White Female	1	White Male	2

**BID INFORMATION**

The following bids with quotes were received and opened on December 2, 2016.

\*Denotes successful bidder

<b><u>BIDDERS</u></b>	<b><u>BID AMOUNT</u></b>
* Camino Construction, L.P. 1208 Metro Park Lewisville, TX 75057	\$2,044,928.00
MACVAL Associates LLC	\$2,108,948.00
ARK Contracting Services	\$2,157,155.00
Jeske Construction Co.	\$2,249,561.00

**BID INFORMATION** (Continued)

Original estimate: STS	\$1,030,285.00
WTR	<u>\$ 527,324.30</u>
Total Project	\$1,557,609.30

**OWNER**

**Camino Construction, L.P.**

Roy Ayala, General Manager

**MAPS**

Attached.

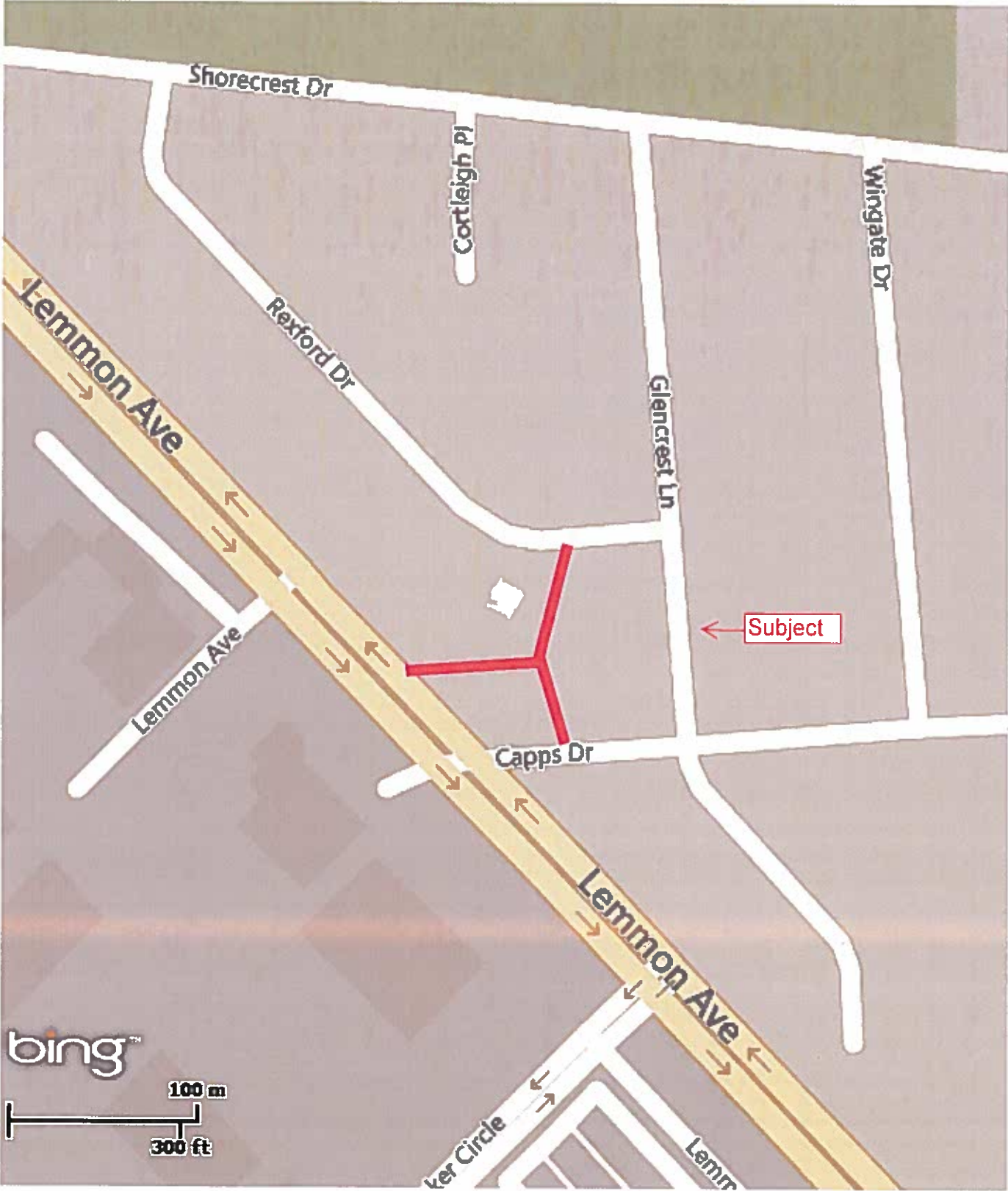
**PROJECT GROUP 12-3001**



**MAPSCO 42G**



**PROJECT GROUP 12-3001**



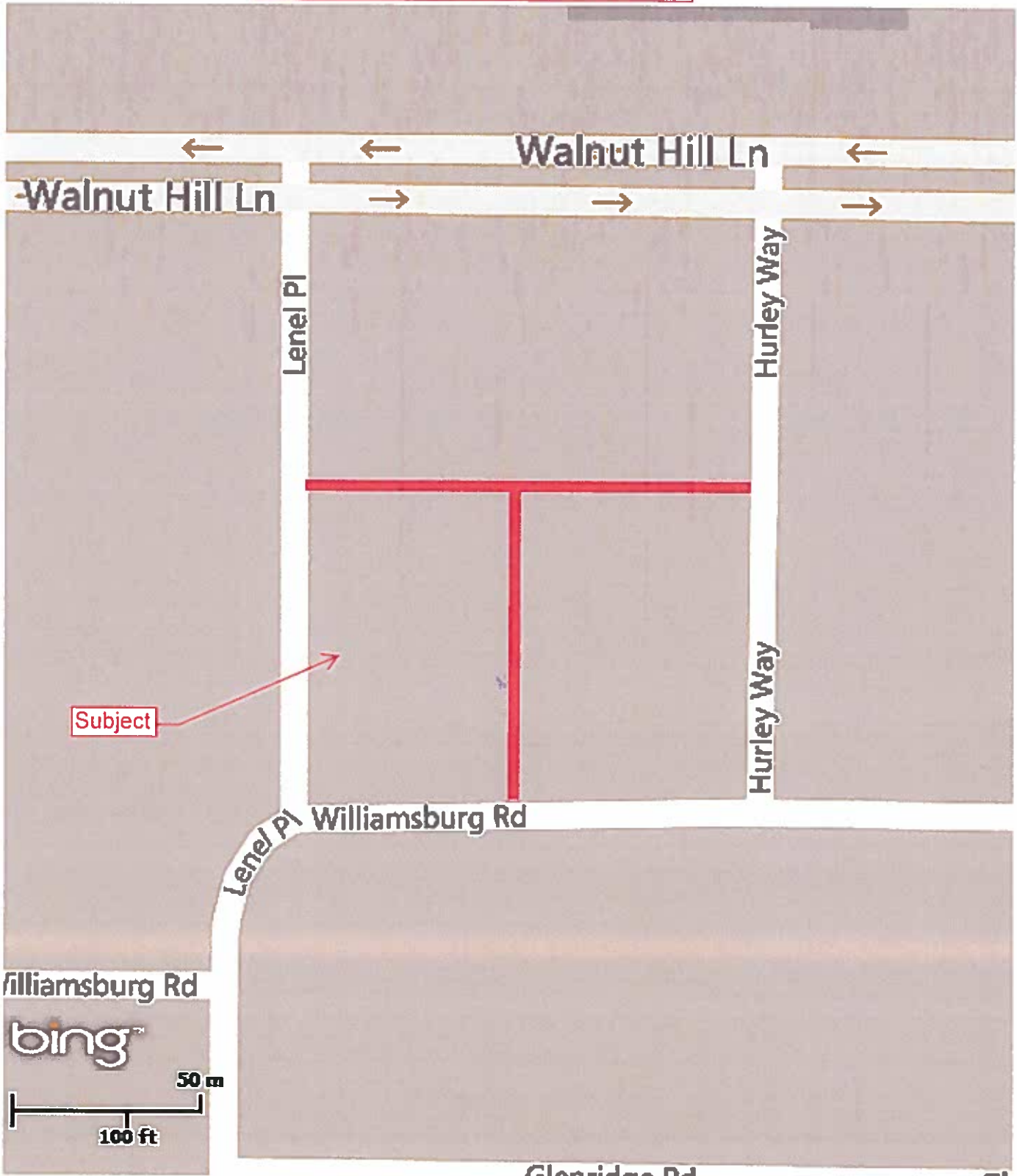
bing™

100 m  
300 ft

**MAPSCO 34A**



**PROJECT GROUP 12-3001**



**Subject**

Williamsburg Rd

bing™



Glendora Rd

**MAPSCO 24N**





PROJECT GROUP 12-3001



MAPSCO 23R



**Project Group 12-3001**

<b><u>Project</u></b>	<b><u>Limits</u></b>	<b><u>Council District</u></b>
Palacios Avenue	from Ottawa Road to Canada Drive	6
Alley between Capps Drive and Rexford Drive	from Lemmon Avenue parallel to Glencrest Lane	13
Alley between Hurley Way and Lenel Place	from Williamsburg Road to "T" alley south of Walnut Hill Lane	6
Alley between Manana Drive and Park Lane	from Larga Drive to Marsh Lane	6

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** A benefit assessment hearing to receive comments on street paving, drainage, water and wastewater main improvements, and alley paving for Project Group 12-3001; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Camino Construction, L.P., lowest responsible bidder of four (list attached) - Not to exceed \$2,044,928 - Financing: 2012 Bond Funds (\$1,254,801), Water Utilities Capital Construction Funds (\$652,725) and Water Utilities Capital Improvement Funds (\$137,402)

Camino Construction is a non-local, 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	\$310,549.00	15.19%
Total non-local contracts	\$1,734,379.00	84.81%
<b>TOTAL CONTRACT</b>	<b>\$2,044,928.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION**

#### **Local Contractors / Sub-Contractors**

None

#### **Non-Local Contractors / Sub-Contractors**

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Camino Construction	HMDB64714Y1217	\$1,565,471.00	90.26%
Miller Surveying	WFDB64425N0317	\$18,000.00	1.04%
<b>Total Minority - Non-local</b>		<b>\$1,583,471.00</b>	<b>91.30%</b>

### **TOTAL M/WBE CONTRACT PARTICIPATION**

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$1,565,471.00	76.55%
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%	\$18,000.00	0.88%
<b>Total</b>	<b>\$0.00</b>	<b>0.00%</b>	<b>\$1,583,471.00</b>	<b>77.43%</b>

February 22, 2017

**WHEREAS**, on January 11, 2017, Resolution No. 17-0080 authorized improvements and the public hearing; and,

**WHEREAS**, bids were received on December 2, 2016, for street and alley paving, storm drainage, water and wastewater main improvements for Project Group 12-3001, as follows:

<b><u>BIDDERS</u></b>	<b><u>BID AMOUNT</u></b>
Camino Construction, L.P.	\$2,044,928.00
MACVAL Associates, LLC	\$2,108,948.00
ARK Contracting Services	\$2,157,155.00
Jeske Construction Co.	\$2,249,561.00

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to execute a construction contract with Camino Construction, L.P. for the construction of street and alley paving, storm drainage and water and wastewater main improvements for Project Group 12-3001, in an amount not to exceed \$2,044,928.00, this being the lowest responsive bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Transportation Improvements Fund Fund 2U22, Department STS, Unit S424, Act. STPT Obj. 4510, Program #PB12S424, CT STS12S203E1 Vendor # 144735, in an amount not to exceed	\$149,090.00
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Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S424, Act. STPT Obj. 4510, Program #PB12S424, CT STS12S203E1 Vendor # 144735, in an amount not to exceed	\$399,805.00
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Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S210, Act. APET Obj. 4510, Program #PB12S210, CT STS12S203E1 Vendor # 144735, in an amount not to exceed	\$160,135.00
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February 22, 2017

Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S203, Act. APET, Obj. 4510, Program #PB12S203, CT-ST512S203E1, Vendor #144735, in an amount not to exceed	\$184,740.00
Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S205, Act. APET Obj. 4510, Program #PB12S205, CT ST512S203E1 Vendor #144735, in an amount not to exceed	\$361,031.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42, Obj. 4550, Program #717007, CT-PBW717007CP, Vendor #144735, in an amount not to exceed	\$642,775.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42, Obj. 3221, Program #717007X, CT-PBW717007EN, Vendor #144735, in an amount not to exceed	\$6,050.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42, Obj. 3222, Program #717008X, CT-PBW717008EN, Vendor #144735, in an amount not to exceed	\$3,900.00
Wastewater Capital Improvement Fund Fund 3116, Department DWU, Unit PS42, Obj. 4560, Program #717008, CT-PBW717008CP, Vendor #144735, in an amount not to exceed	<u>\$137,402.00</u>
Total in an amount not to exceed	\$2,044,928.00

**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.

February 22, 2017

**WHEREAS**, heretofore, a resolution was duly adopted by the City Council of the City of Dallas for the improvement of the following street and alleys between the limits set forth, out of materials specified, ordering that bids be taken for the construction, and ordering that an estimate of the cost of such improvements be prepared, to wit:

**Project Group 12-3001**

**Street:**

1. Palacios Avenue from Ottawa Road to Canada Drive

**Alleys:**

2. Alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane
3. Alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane
4. Alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane; and

**WHEREAS**, by resolution such estimate and specifications were duly adopted therefore, and the Purchasing Agent was authorized to advertise for bids for such construction; and,

**WHEREAS**, by resolution the City Council determined the necessity for assessing a portion of the cost of such improvements against the property abutting such improvements, and the owners thereof, and duly and legally set a time and place for a public hearing thereon, and provided for notice to be given to such owners, as provided by law; and,

**WHEREAS**, the said hearing was duly held at said time and place; and,

**WHEREAS**, the City Council, after fully considering said proposed assessments, and fully considering the benefits that each property owner and his property receive from making said improvements, is of the opinion that the said proposed assessments determined to be levied are fair and equitable, and in accordance with the enhancement report submitted by Con-Real, LP, an independent appraiser, representing the benefits that the said property receives in enhanced values from the making of the said improvements, and that the said assessments should be made; and,

**WHEREAS**, the Council having no further protest, remonstrance, or objection before it, is of the opinion that the said hearing should be closed.

February 22, 2017

**Now, Therefore,**

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

**SECTION 1.** That the said hearing held on the 22nd day of February A.D. 2017 be and the same is hereby ordered closed.

**SECTION 2.** That the City Attorney is hereby directed to prepare an ordinance assessing against the several owners of the abutting property, and against their property abutting upon the street and alleys hereinabove mentioned, the proportionate part of said cost herein adjudged against the said respective owners and their property, such assessments to be in accordance with the attached enhancement report. That the said ordinance shall fix a lien upon said property, and shall declare said respective owners thereof to be respectively liable for the amounts so adjudged against them. Said ordinance shall in all respects comply with the applicable law in such cases made and provided.

**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.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE LEVYING ASSESSMENTS AGAINST VARIOUS PERSONS AND THEIR PROPERTY FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING AND PAVING PORTIONS OF THE FOLLOWING STREET AND ALLEYS IN THE CITY OF DALLAS, TEXAS, TO WIT:

**Project Group 12-3001**

**Street:**

1. Palacios Avenue from Ottawa Road to Canada Drive

**Alleys:**

2. Alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane
3. Alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane
4. Alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane

PROVIDING FOR THE TIME WHEN SUCH ASSESSMENTS BECOME DUE AND PAYABLE, THE RATE OF INTEREST, AND FIXING A CHARGE AND LIEN AGAINST SAID PROPERTY AND MAKING SAID CHARGE A PERSONAL LIABILITY OF THE PROPERTY OWNERS OWNING PROPERTY ABUTTING ON SAID STREET AND ALLEYS, AND PROVIDING FOR THE COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

**WHEREAS**, heretofore a resolution was duly adopted by the City Council ordering the improvements of

**Project Group 12-3001**

**Street:**

1. Palacios Avenue from Ottawa Road to Canada Drive

**Alleys:**

2. Alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane
3. Alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane
4. Alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane

by filling, raising, grading, and paving same; and,

**WHEREAS**, pursuant to said resolution, specifications and an estimate of the cost of such improvements were prepared for said work by the Director of Mobility and Street Services (City Engineer), filed with said Council, examined, approved, and adopted by it, all as required by applicable law; and,



**WHEREAS**, in compliance with the law the City Engineer prepared his statements or lists showing the names of property owners upon said street and alleys the description of their property, the total cost of the said improvements, the cost there of per front foot and cost to each property owner, said statements possessing all the other requisites required by law; and,

**WHEREAS**, thereafter the said statements were filed with the City Council and by them examined and approved and a resolution was passed by said Council determining the necessity of making an assessment for part of the cost of said pavement against property owners and their property, and fixing a time and providing for a hearing to such property owners, all in accordance with the terms of applicable law, at which hearing to such property owners were to be heard as to the benefits of the said improvements to their property, as to any error or invalidity in said proceedings, or to any matter or thing connected with the said improvements; and,

**WHEREAS**, the said resolution in connection with the improvement of said street and alleys was duly adopted in compliance with the law on the 11th day of January, 2017; and,

**WHEREAS**, in accordance with the terms of the law, the City of Dallas gave notice to the property owners on said street and alleys of said hearing, by publishing a copy of said notice in the Dallas Morning News, a daily paper of general circulation in the City of Dallas, for three successive days prior to the days set for the hearing, to wit, the 22nd day of February, 2017; and the City also gave notice of said hearing by mailing letters containing the same to said property owners at least fourteen (14) days before the said hearing; provided, however, that any failure of the property owners to receive said notices shall not invalidate these proceedings; and,

**WHEREAS**, said hearing was held at the time and place mentioned in the said resolution and notice, to wit, on the 22nd day of February, 2017 at 1:00 o'clock P.M. at the Council Chamber in the City Hall of the City of Dallas, Texas, which hearing was then closed; and,

**WHEREAS**, at said hearing, all desiring to contest the said assessments, correct the same, or in any manner be heard concerning the benefits thereof, or in any related matter, were heard, and errors and all matters of error or mistake or inequalities or other matters requiring rectification which were called to the attention of the Council were rectified and corrected.

**Now, Therefore,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:**

**SECTION 1.** That the action of the City Council closing the hearing and overruling the protests at the public hearing on the 22nd day of February, 2017, in these proceedings is hereby ratified and confirmed by this ordinance. That the City Council, from the evidence, finds that the assessments herein levied should be made and levied against the respective parcels of property abutting upon the street and alleys herein below mentioned and against the owners thereof; that such assessments and charges are right and proper, and are substantially in proportion to the benefits to the respective parcels of property by means of the improvement in the unit or district for which such assessments are levied, and establish substantial justice, equality, and uniformity between the respective owners of the respective properties between all parties concerned, considering the benefits received and burdens imposed. The Council further finds that in each case the abutting property assessed is specially benefited in enhanced value to the said properties by means of the said improvements in the unit or district upon which the particular property abuts, and for which assessment is levied and charge made, in a sum in excess of the said assessment and charge made against the same by this ordinance. The Council further finds that the apportionment of the cost of the improvements is in accordance with the law in force in this City and that the proceedings of the City heretofore had with reference to said improvements are in all respects valid and regular.

**SECTION 2.** That there shall be and is hereby levied and assessed against the parcels of property hereinbelow mentioned, and against the real and true owners thereof (whether such owners be correctly named herein or not), the sums of money below mentioned and itemized shown opposite the description of the respective parcels of property, and the several amounts assessed against the same and the owners thereof, as far as such owners are known, being as follows:

**Project Group 12-3001**

**Street:**

1. Palacios Avenue from Ottawa Road to Canada Drive

**Alleys:**

2. Alley between Capps Drive and Rexford Drive from Lemmon Avenue parallel to Glencrest Lane
3. Alley between Hurley Way and Lenel Place from Williamsburg Road to "T" alley south of Walnut Hill Lane
4. Alley between Manana Drive and Park Lane from Larga Drive to Marsh Lane

Grand Total Property Owners' Cost - Assessments	\$196,122.58	
Adjustments Per Enhancement Evaluation	\$138,713.71	
Grand Net Due by Owner		\$57,408.87
Grand Total City of Dallas' Cost - Paving	\$1,095,162.13	
Grand Total City of Dallas' Cost - Drainage	\$102,230.00	
Grand Total Water Utilities Department Cost Water and Wastewater Mains	\$790,127.00	
Grand Total City of Dallas' Cost		\$1,987,519.13
Grand Total Cost of Improvements		\$2,044,928.00

**SECTION 3.** That where more than one person, firm or corporation owns an interest in any property above described, each said person, firm or corporation shall be personally liable for its, his or her pro rata of the total assessment against such property in proportion as its, his or her respective interest bears to the total ownership of such property, and its, his or her respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

**SECTION 4.** That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight per centum (8.00%) per annum, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners be named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first paramount lien thereon, superior to all other liens and claims except State, County, School District and City ad valorem taxes.

That the cost shall be assessed against said owners and their property respectively, in accordance with what is known as the "Front-Foot Plan", in proportion as the frontage of the property of each owner is to the whole frontage improved and shall be payable in monthly installments not to exceed one hundred twenty (120) in number, the first of which shall be payable within thirty (30) days from the date of the completion of said improvements and their acceptance by the City of Dallas, and one installment each month thereafter until paid, together with interest thereon at the current rate established and adopted by the City Council applicable to Public Improvement Assessment Accounts being paid by installments and not to exceed the statutory rate, with the provision that any of said installments may be paid at any time before maturity by the payment of the principal and the accrued interest thereon. Any property owner against whom and whose property assessment has been levied may pay the whole assessment chargeable to him without interest within thirty (30) days after the acceptance and completion of said improvements.

**SECTION 5.** That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof shall be enforced either by suit in any court having jurisdiction or by lien foreclosure.

**SECTION 6.** That for the purpose of evidencing the several sums payable by said property owners and the time and terms of payment, and to aid in the enforcement thereof, assignable certificates may be issued by the City of Dallas upon the completion and acceptance of the said work of improvement, which shall be executed by the Mayor, signing the same or by his facsimile signature impressed thereon, attested by the City Secretary, under the impress of the corporate seal, and shall be payable to the City of Dallas, or its assigns, which certificate shall declare the said amounts and the time and terms of payment thereof, and the said rate of interest payable thereof, and shall contain the name of the owner and the description of his property by Lot or Block Number of front feet thereof, or such description as may otherwise identify the same by reference to any other fact, and if said property shall be owned by an estate, then the description thereof as so owned shall be sufficient.

And that the said certificates shall further provide that if default shall be made in the payment of any installment of principal or interest thereon, when due then at the option of the said City of Dallas being the owner and holder thereof, the whole of the said assessment shall at once become due and payable and shall be collectible with reasonable attorney's fees and costs if incurred.

And that the said certificates shall further set forth and evidence the said personal liability of the owner and the lien upon his premises and shall provide that if default shall be made in the payment thereof, the same may be enforced as above provided.

And the said certificates shall further recite that the proceedings with reference to making said improvements have been regularly in compliance with the terms of the applicable law, and that all prerequisites to the fixing of the lien and claims of personal liability evidenced by such certificates have been performed, which recitals shall be prima facie evidence of the facts so recited and no further proof thereof shall be required.

That the said certificates shall also provide that the amounts payable thereunder shall be paid to the City Controller of the City of Dallas, who shall credit said payments upon the said certificates, and shall immediately deposit the amounts so collected with the City Treasurer of the City of Dallas, to be kept and held by him in a special fund, which is hereby designated as Capital Assessments Fund and which payments shall be by the Treasurer paid to the said City of Dallas or other holder of the said certificates, on presentation thereof to him, duly credited by the City Controller the said credit by said City Controller being the Treasurer's Warranty for making such payment and the said City of Dallas or other holder of said certificate, shall receipt in writing to said Treasurer when paid in full, together with all costs of collection.

**SECTION 6.** (Continued)

And that the said certificates shall further provide that the City of Dallas shall exercise all legal power, when requested so to do by the holder of said certificate, to aid in the collection thereof; but the City of Dallas shall in nowise be liable to the holder of said certificates in any manner for payment of the amount evidenced by the said certificates or for any costs or expense in the premises, or for any failure of the said City Council or any of its officers in connection therewith.

Full power to make and levy reassessments, and to correct mistakes, errors, invalidates or irregularities, either in the assessments or in the certificates issued in evidence thereof, is in accordance with the law in force in this City, vested in the City.

**SECTION 7.** That all assessments levied are a personal liability and charged against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

**SECTION 8.** That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of an Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, known as Chapter 106 of the Acts of said Session, with amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law has been adopted as an alternative method for the construction of street and alleys improvements in the City of Dallas, Texas, by Chapter XX of the Charter of the City of Dallas.

**SECTION 9.** That the assessments so levied are for the improvements in the particular unit or district upon which the property described abuts, and the assessments for the improvements in one unit or district are in nowise related to or connected with the improvements in any other unit or district, and in making assessments and in holding said hearing, the amounts assessed for improvements in one unit or district have been in nowise affected by any fact in anywise connected with the improvements or the assessments therefore in any other unit or district.

**SECTION 10.** That the City Manager, or his designee, is hereby authorized to execute releases of any paving assessment liens herein levied and assessed against the parcels of property and owners thereof, if same are fully paid, such releases to be approved as to form by the City Attorney and attested by the City Secretary.

**SECTION 11.** That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly ordained.

APPROVED AS TO FORM:  
LARRY E. CASTO  
City Attorney

BY \_\_\_\_\_  
Assistant City Attorney

Prepared by \_\_\_\_\_  
Project Coordinator

Approved by \_\_\_\_\_  
Director, Mobility and Street Services Department

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** February 22, 2017

**COUNCIL DISTRICT(S):** 9, 10

**DEPARTMENT:** Mobility and Street Services  
Water Utilities

**CMO:** Jill A. Jordan, P.E., 670-5299  
Mark McDaniel, 670-3256

**MAPSCO:** 27T U 38L

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## **SUBJECT**

A benefit assessment hearing to receive comments on street paving, drainage, water and wastewater main improvements, and alley paving for Project Group 12-3004; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with MACVAL Associates, LLC, lowest responsible bidder of five (list attached) - Not to exceed \$873,052 - Financing: 2012 Bond Funds (\$712,610), Water Utilities Capital Construction Funds (\$96,681) and Water Utilities Capital Improvement Funds (\$63,761)

## **BACKGROUND**

Stevens Street from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street was requested by property owner petition and accepted on August 9, 2010. The alley southwest and parallel to Shoreview Road from Forest Trail to Eagle Trail to Nimrod Trail was requested by property owner petition and accepted on January 22, 2009. These projects were subsequently funded in the 2012 Bond Program. A professional services contract for the design was authorized by City Council on January 22, 2014, by Resolution No. 14-0190. This action will allow the public hearing to be held and will authorize the levying of assessments and contract for construction. The street improvements will consist of upgrading the existing unimproved two-lane asphalt street with 26-foot wide concrete pavement with curbs, sidewalks, drive approaches, drainage installation system, water and wastewater main improvements. The alley improvements will consist of upgrading the unimproved gravel and dirt alleys with 10-foot wide concrete pavement.



**BACKGROUND** (Continued)

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

This is the 3rd and final step in the process.

The following chart shows MACVAL Associates, LLC completed contractual activities for the past three years.

	<b><u>STS</u></b>	<b><u>WTR</u></b>	<b><u>PKR</u></b>
Projects Completed	0	0	0
Change Orders	0	0	5
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	March 2014
Completed Design	October 2016
Begin Construction	May 2017
Complete Construction	May 2018

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

Authorized a professional services contract for engineering services on January 22, 2014, by Resolution No. 14-0190.

Authorized street paving improvements and a benefit assessment hearing on January 11, 2017, by Resolution No. 17-0081.

Information about this item will be provided to the Transportation and Trinity River Project Committee on February 13, 2017.

**FISCAL INFORMATION**

- 2012 Bond Funds - \$712,610.00
- Water Utilities Capital Construction Funds - \$96,681.00
- Water Utilities Capital Improvement Funds - \$63,761.00

**FISCAL INFORMATION** (Continued)

Design	\$ 61,069.75
Construction	
Paving (STS) (this action)	\$712,610.00
Water & Wastewater (DWU) (this action)	<u>\$160,442.00</u>
Total Project Cost	\$934,121.75

<b><u>Council District</u></b>	<b><u>Amount</u></b>
9	\$629,227.00
10	<u>\$243,825.00</u>
Total	\$873,052.00

This project does involve assessments.

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

**MACVAL Associates, LLC**

Hispanic Female	0	Hispanic Male	6
African-American Female	1	African-American Male	6
Other Female	0	Other Male	0
White Female	0	White Male	0

**BID INFORMATION**

The following bids with quotes were received and opened on December 2, 2016.

\*Denotes successful bidder

<b><u>BIDDERS</u></b>	<b><u>BID AMOUNT</u></b>
*MACVAL Associates, LLC 8500 N. Stemmons Frwy., Suite 5060 Dallas, TX 75247	\$ 873,052.00
Jeske Construction Co.	\$ 911,793.00
Axis Contracting, Inc.	\$1,005,144.00
Camino Construction, LP	\$1,024,979.50
ARK Contracting Services	\$1,107,892.00

**BID INFORMATION** (Continued)

Original estimate: STS	\$733,805.00
WTR	<u>\$152,923.76</u>
Total Project	\$886,728.76

**OWNER**

**MACVAL Associates, LLC**

Al A. Attah, President

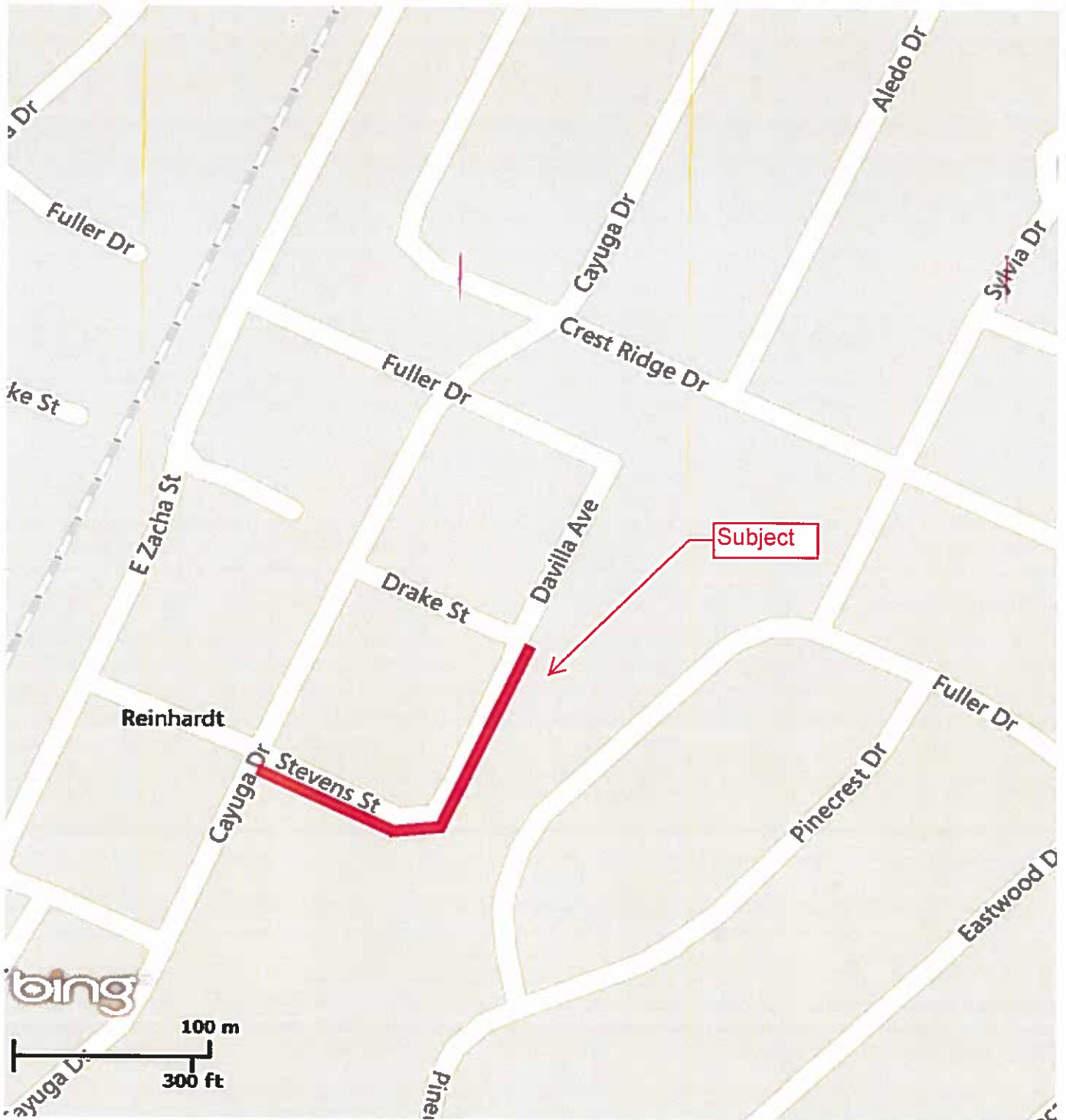
**MAPS**

Attached.

**Project Group 12-3004**

<b><u>Project</u></b>	<b><u>Limits</u></b>	<b><u>Council District</u></b>
Stevens Street	from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street	9
Alley southwest and parallel to Shoreview Road	from Forest Trail to Eagle Trail to Nimrod Trail	10

**PROJECT GROUP 12-3004**



**MAPSCO 38L**



**PROJECT GROUP 12-3004**



**MAPSCO 27T, U**



## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** A benefit assessment hearing to receive comments on street paving, drainage, water and wastewater main improvements, and alley paving for Project Group 12-3004; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with MACVAL Associates, LLC, lowest responsible bidder of five (list attached) - Not to exceed \$873,052 - Financing: 2012 Bond Funds (\$712,610), Water Utilities Capital Construction Funds (\$96,681) and Water Utilities Capital Improvement Funds (\$63,761)

MACVAL Associates, 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	\$873,052.00	100.00%
Total non-local contracts	\$0.00	0.00%
<b>TOTAL CONTRACT</b>	<b>\$873,052.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Flow Line Utilities	HMMB64155N0217	\$228,739.00	26.20%
<b>Total Minority - Local</b>		<b>\$228,739.00</b>	<b>26.20%</b>

#### **Non-Local Contractors / Sub-Contractors**

None

### **TOTAL M/WBE CONTRACT PARTICIPATION**

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$228,739.00	26.20%	\$228,739.00	26.20%
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%
<b>Total</b>	<b>\$228,739.00</b>	<b>26.20%</b>	<b>\$228,739.00</b>	<b>26.20%</b>

February 22, 2017

**WHEREAS**, on January 11, 2017, Resolution No. 17-0081 authorized improvements and the public hearing; and,

**WHEREAS**, bids were received on December 2, 2016, for street and alley paving, storm drainage, water and wastewater main improvements for Project Group 12-3004, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
MACVAL Associates LLC	\$ 873,052.00
Jeske Construction Co.	\$ 911,793.00
Axis Contracting, Inc.	\$1,005,144.00
Camino Construction, LP	\$1,024,979.50
ARK Contracting Services	\$1,107,892.00

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to execute a construction contract with MACVAL Associates, LLC for the construction of street and alley paving, storm drainage and water and wastewater main improvements for Project Group 12-3004, in an amount not to exceed \$873,052.00, this being the lowest responsive bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S208, Act. APET Obj. 4510, Program #PB12S208, CT STS12S208E1 Vendor # VS0000025999, in an amount not to exceed	\$187,460.00
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Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S426, Act. STPT Obj. 4510, Program # PB12S426, CT STS12S208E1 Vendor # VS0000025999, in an amount not to exceed	\$525,150.00
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February 22, 2017

Water Construction Fund Fund 0102, Department DWU, Unit CW42, Obj. 4550, Program #717009, CT-PBW717009CP, Vendor #VS0000025999, in an amount not to exceed	\$86,971.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42, Obj. 3221, Program #717009X, CT-PBW717009EN, Vendor #VS0000025999, in an amount not to exceed	\$6,490.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42, Obj. 3222, Program #717010X, CT-PBW717010EN, Vendor #VS0000025999, in an amount not to exceed	\$3,220.00
Wastewater Capital Improvement Fund Fund 3116, Department DWU, Unit PS42, Obj. 4560, Program #717010, CT-PBW717010CP, Vendor #VS0000025999, in an amount not to exceed	<u>\$63,761.00</u>
Total in an amount not to exceed	\$873,052.00

**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.

February 22, 2017

**WHEREAS**, heretofore, a resolution was duly adopted by the City Council of the City of Dallas for the improvement of the following street and alley between the limits set forth, out of materials specified, ordering that bids be taken for the construction, and ordering that an estimate of the cost of such improvements be prepared, to wit:

**Project Group 12-3004**

**Street:**

1. Stevens Street from Cayuga Drive to Davilla Avenue and Davilla Avenue from Stevens Street to Drake Street

**Alley:**

2. Alley southwest and parallel to Shoreview Road from Forest Trail to Eagle Trail to Nimrod Trail; and

**WHEREAS**, by resolution such estimate and specifications were duly adopted therefore, and the Purchasing Agent was authorized to advertise for bids for such construction; and,

**WHEREAS**, by resolution the City Council determined the necessity for assessing a portion of the cost of such improvements against the property abutting such improvements, and the owners thereof, and duly and legally set a time and place for a public hearing thereon, and provided for notice to be given to such owners, as provided by law; and,

**WHEREAS**, the said hearing was duly held at said time and place; and,

**WHEREAS**, the City Council, after fully considering said proposed assessments, and fully considering the benefits that each property owner and his property receive from making said improvements, is of the opinion that the said proposed assessments determined to be levied are fair and equitable, and in accordance with the enhancement report submitted by Con-Real, LP, an independent appraiser, representing the benefits that the said property receives in enhanced values from the making of the said improvements, and that the said assessments should be made; and,

**WHEREAS**, the Council having no further protest, remonstrance, or objection before it, is of the opinion that the said hearing should be closed.

February 22, 2017

**Now, Therefore,**

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

**SECTION 1.** That the said hearing held on the 22nd day of February A.D. 2017 be and the same is hereby ordered closed.

**SECTION 2.** That the City Attorney is hereby directed to prepare an ordinance assessing against the several owners of the abutting property, and against their property abutting upon the street and alley hereinabove mentioned, the proportionate part of said cost herein adjudged against the said respective owners and their property, such assessments to be in accordance with the attached enhancement report. That the said ordinance shall fix a lien upon said property, and shall declare said respective owners thereof to be respectively liable for the amounts so adjudged against them. Said ordinance shall in all respects comply with the applicable law in such cases made and provided.

**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:** February 22, 2017

**COUNCIL DISTRICT(S):** 8

**DEPARTMENT:** Trinity Watershed Management  
City Attorney's Office  
Mobility and Street Services

**CMO:** Mark McDaniel, 670-3256  
Larry Casto, 670-3491  
Jill A. Jordan, P.E., 670-5299

**MAPSCO:** 75C

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## **SUBJECT**

Authorize the second step of acquisition for condemnation by eminent domain, if such becomes necessary, from R.K.C.J., L.L.C. to acquire an improved tract of land containing approximately 25,727 square feet, four slope easements containing a total of approximately 23,330 square feet, and a drainage easement containing approximately 5,257 square feet, located on East Wheatland Road near its intersection with Lancaster Road for the Wheatland Road Improvement Project - Not to exceed \$136,944 (\$130,944, plus closing costs and title expenses not to exceed \$6,000) - Financing: General Obligation Commercial Paper Funds

## **BACKGROUND**

This item authorizes the second step of acquisition for condemnation by eminent domain, if such becomes necessary, to acquire an improved tract of land containing approximately 25,727 square feet, four slope easements containing a total of approximately 23,330 square feet, and a drainage easement containing approximately 5,257 square feet from R.K.C.J., L.L.C., the property owner. This property is improved with fencing, paving, other miscellaneous improvements and is located on East Wheatland Road near its intersection with Lancaster Road for the Wheatland Road Improvement Project. An offer was presented to the property owner on December 8, 2016 reflecting the appraised value of \$130,944 and the City's offer was declined. Negotiations between the City and the property owner are ongoing and to date, no amicable agreement has been reached.

The first resolution approved on January 25, 2017, by Resolution No. 17-0213, authorized the purchase in the amount of \$130,944, based upon an independent appraisal.

**BACKGROUND** (Continued)

No relocation benefits are associated with this acquisition.

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

Authorized acquisition on January 25, 2017, by Resolution No. 17-0213.

Information about this item will be provided to the Transportation and Trinity River Project Committee on February 13, 2017.

**FISCAL INFORMATION**

2006 Bond Program (General Obligation Commercial Paper Funds) - \$136,944 (\$130,944, plus closing costs and title expenses not to exceed \$6,000)

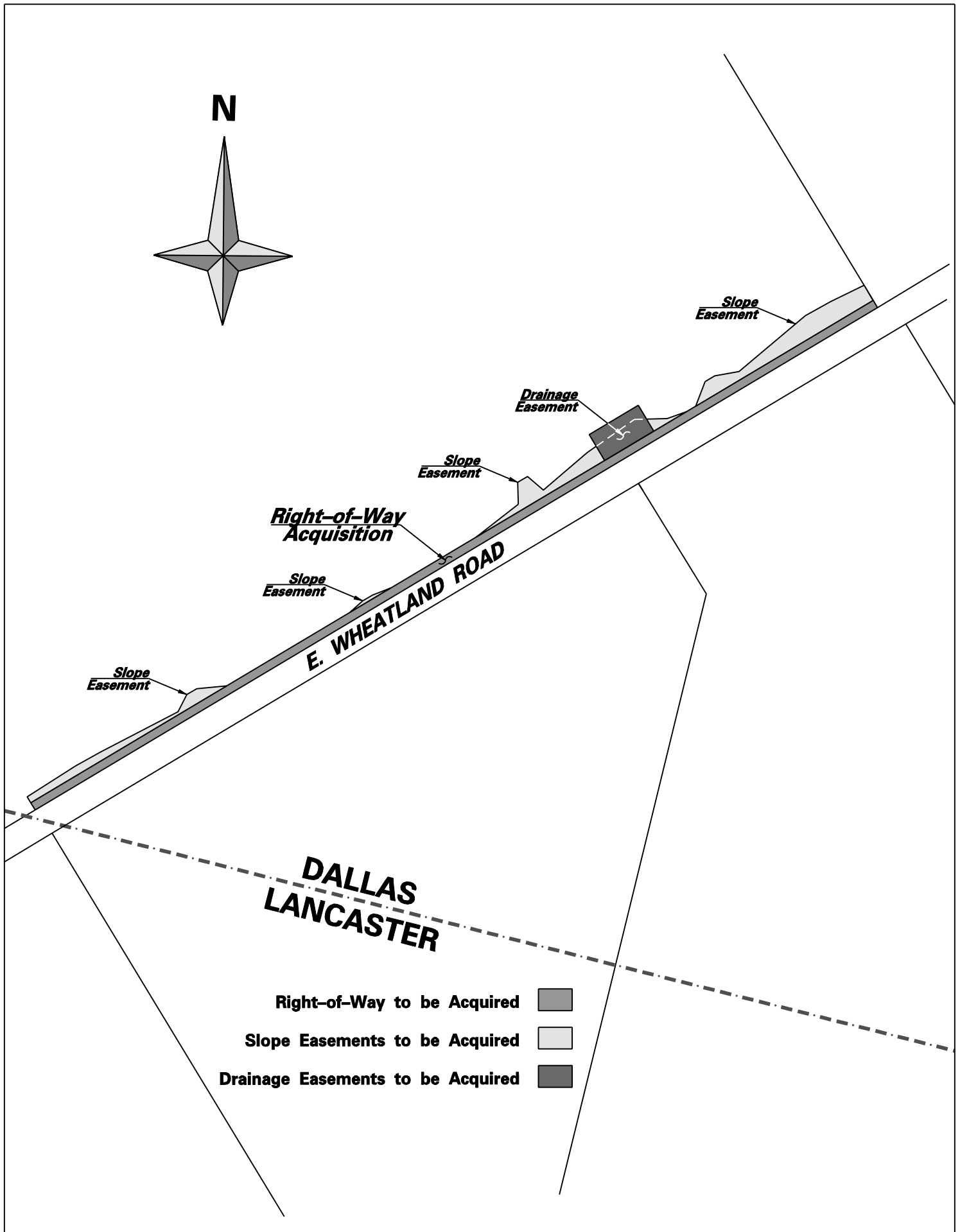
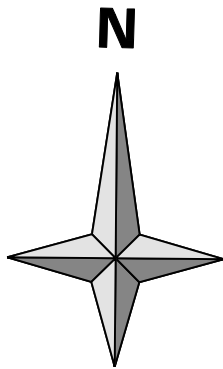
**OWNER**




**R.K.C.J., L.L.C.**

Robert J. Pitre, Manager  
Katrina Pitre, Manager

**MAP**

Attached



- Right-of-Way to be Acquired** 
- Slope Easements to be Acquired** 
- Drainage Easements to be Acquired** 

February 22, 2017

**A RESOLUTION AUTHORIZING CONDEMNATION FOR THE ACQUISITION OF REAL PROPERTY.**

*All capitalized items are defined in Section 1 below.*

**WHEREAS**, the Dallas City Council by the FIRST RESOLUTION found that the USE of the PROPERTY INTERESTS in and to the PROPERTY for the PROJECT is a public use; and

**WHEREAS**, Dallas City Council by the FIRST RESOLUTION found that a public necessity requires that CITY acquire the PROPERTY INTERESTS in and to the PROPERTY from OWNER for the PROJECT; and

**WHEREAS**, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase, of the PROPERTY INTERESTS in and to the PROPERTY held by OWNER for the PROJECT; and

**WHEREAS**, OWNER refused to sell the PROPERTY INTERESTS in and to the PROPERTY to CITY for the OFFICIAL OFFER AMOUNT contained in the FIRST RESOLUTION; and

**WHEREAS**, the Dallas City Council desires to authorize the City Attorney to acquire the PROPERTY INTERESTS in and to the PROPERTY by condemnation 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

“FIRST RESOLUTION”: Resolution No. 17-0213 approved by the Dallas City Council on January 25, 2017, which is incorporated herein by reference.

“PROPERTY”: Six tracts containing a total of approximately 54,314 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

February 22, 2017

"PROPERTY INTERESTS":

Parcel No. 11 – Fee Simple  
Parcel Nos. 11 - A, 11 -B, 11 - C & 11 - D – Slope Easement  
Parcel No. 11 - i – Drainage Easement

"PROJECT": Wheatland Road Improvement Project

"USE": The construction, installation, use, and maintenance of a realigned section of roadway, together with such appurtenant facilities as may be necessary, however, to the extent fee title to the PROPERTY is acquired through instrument, such title in and to the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided.

"OWNER": R.K.C.J., L.L.C., 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.

"OFFICIAL OFFER AMOUNT":

Fee Simple	\$ 32,159.00
Slope Easements -	\$ 22,703.00
Drainage Easement -	\$ 5,914.00
Improvements and Cost to Cure -	\$ 70,168.00
Total Amount -	\$130,944.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$6,000.00

"AUTHORIZED AMOUNT": \$136,944.00 (OFFICIAL OFFER AMOUNT plus CLOSING COSTS AND TITLE EXPENSES)

"DESIGNATED FUNDS": Payable out of 2006 Bond Funds: Fund No. 4T22, Department STS, Unit U803, Activity THRF, Program No. PB06U803, Object 4210, Encumbrance No. CT-ST06U803D1, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 4T22, Department STS, Unit U803, Activity THRF, Program No. PB06U803, Object 4230, Encumbrance No. CT-ST06U803D2. The OFFICIAL OFFER AMOUNT, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.



February 22, 2017

**SECTION 2.** That the CITY will pay court costs as may be assessed by the Special Commissioners or the Court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid out of and charged to the DESIGNATED FUNDS.

**SECTION 3.** That the City Attorney is authorized and requested to file the necessary proceeding and take the necessary action for the acquisition of the PROPERTY INTERESTS in and to the PROPERTY by condemnation or in any manner provided by law.

**SECTION 4.** That in the event it is subsequently determined that additional persons or entities other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceeding and/or suit.

**SECTION 5.** That in the event the Special Commissioners appointed by the Court return an award that is the same amount, or less, than the OFFICIAL OFFER AMOUNT, the City Attorney is hereby authorized to acquire the PROPERTY INTERESTS in and to the PROPERTY by instrument, or judgment, for the Special Commissioners' Award Amount. If the PROPERTY INTERESTS in and to the PROPERTY is being acquired by instrument, the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the Special Commissioners' Award Amount, made payable to OWNER, or the then current owner(s) of record, or to the title company insuring the transaction described herein. If the PROPERTY INTERESTS in and to the PROPERTY is not being acquired through instrument, the Chief Financial Officer is hereby authorized and directed to issue a check paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the Special Commissioners' Award Amount, made payable to the County Clerk of Dallas County, Texas, to be deposited into the registry of the Court, to enable CITY to take possession of the PROPERTY INTERESTS in and to the PROPERTY without further action of the Dallas City Council. The Chief Financial Officer is further authorized and directed to issue another check, to be paid out of and charged to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS AND TITLE EXPENSES payable to the title company insuring the transaction described herein. The Special Commissioners' Award Amount and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

February 22, 2017

**SECTION 6.** 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 25,727 Square Foot Tract of Land  
To Be Acquired in Block 7605  
From RKCJ, LLC**

Being a 25,727 Square Foot (0.5906 Acre) tract of land situated in the S.C. Atterbury Survey, Abstract No. 14, Dallas County, Texas, lying in Block 7605 (official City of Dallas Block Numbers), being a portion of the property conveyed to RKCJ, LLC by Warranty Deed dated April 1, 1996 and recorded in Volume 96066, Page 7234 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

**BEGINNING** at a 1" dia. iron rod found in the Northwest line of Wheatland Road, a Variable-Width Right-of-Way roadway, at the most Easterly corner of said RKCJ, LLC tract, being also the most Southerly corner of a tract of land conveyed to 261 CW Springs, Ltd., by Instrument No. 200600294768 of the Official Public Records of Dallas County, Texas:

**THENCE** South 59°11'08" West with the said Northwest line of Wheatland Road a distance of 1,714.89 feet to a 5/8 inch dia. iron rod with cap marked "CITY OF DALLAS" (hereinafter referred to as "5/8" I.R. w/COD cap") set at the South corner of said RKCJ, LLC tract, being also the East corner of a the Oak Cliff Plantations Addition, and addition to the City of Dallas recorded in Volume 8, Page 263 of the Map Records of Dallas County, Texas, and the South corner of the herein described tract of land:

**THENCE** North 31°04'30" West, departing the said Northwest line of Wheatland Road and with the common line between said RKCJ, LLC tract and the Oak Cliff Plantations Addition, a distance of 15.00 feet to a 5/8" I.R. w/COD cap set at the West corner of the herein described tract of land:

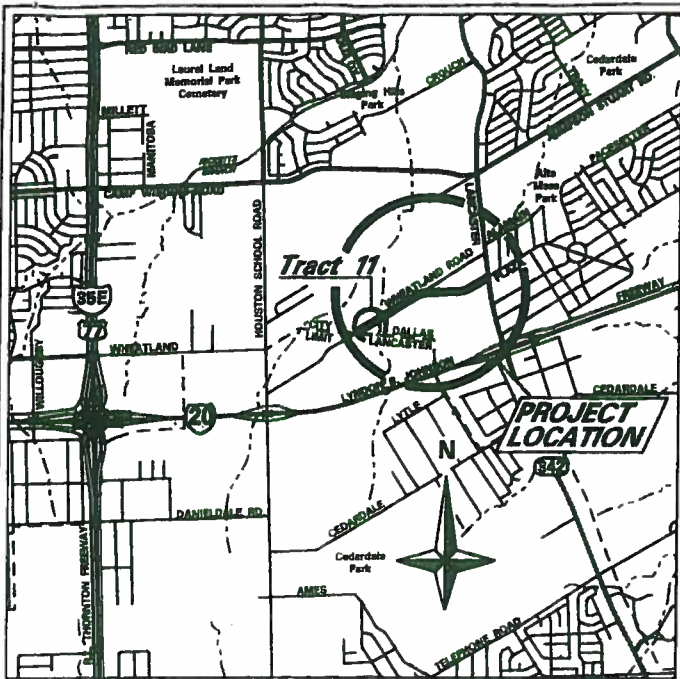
**THENCE** North 59°11'08" East, departing the last said common line with the Oak Cliff Plantations Addition and 15.00 feet perpendicularly from and parallel with the said Northwest line of Wheatland Road, a distance of 1,714.69 feet to a 5/8" I.R. w/COD cap set at an inside corner of the herein described tract of land:

**THENCE** North 58°47'35" East a distance of 0.52 feet to a 5/8" I.R. w/COD cap set in the above referenced common line with the 261 CW Springs, Ltd. tract, at the North corner of the herein described tract of land:

**THENCE** South 30°15'47" East with the said common line between the 261 CW Springs, Ltd. and RKCJ, LLC properties, a distance of 15.00 feet to the **POINT OF BEGINNING**, containing 25,727 Square Feet, or 0.5906 Acres of land.

**BASIS OF BEARINGS:** Bearings are based on the Northwest line of Wheatland Road, at North 59°11'08" East, monumented as noted and derived from Global Positioning System observations using the North Texas Cooperative Real Time Kinematic Survey, Virtual Reference Station System, North American Datum of 1983.



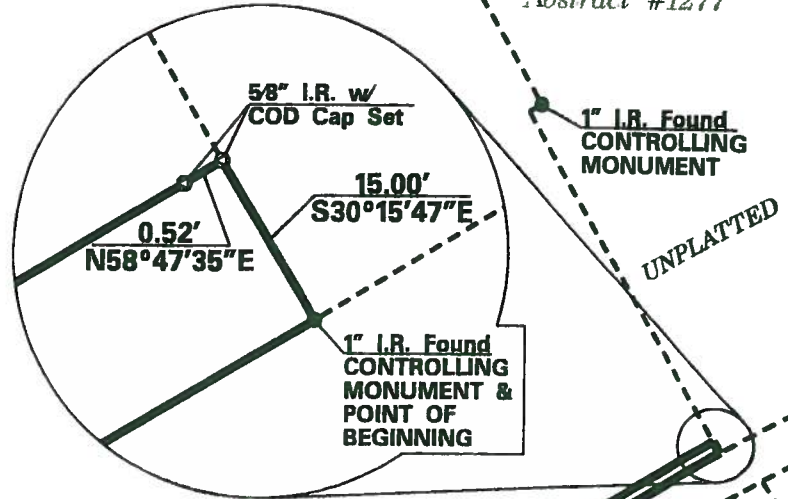


**LOCATOR MAP**  
NOT TO SCALE



261 CW Springs Ltd.  
Inst. No: 200600294768

ROBERT SIMONTON  
SURVEY  
Abstract #1277



UNPLATTED  
**BLOCK 7605**

RKCJ LLC  
Vol. 96066, Pg. 7234

25,727 Square Foot  
(0.5906 Acre) Tract  
To Be Acquired

George P. Shropulos  
Family Limited Partnership  
Vol. 94043, Pg. 2846

S. C. ATTERBURY SURVEY  
Abstract #14

1,714.69', N59°11'08"E  
1,714.89', S59°11'08"W

WHEATLAND ROAD (50' R.O.W.)  
247.38'

UNPLATTED

OAK CLIFF PLANTATIONS  
ADDITION  
Vol. 8, Pg. 263

Susan Wright Key  
Vol. 88021, Pg. 1852

**BLOCK 7608**

M. L. SWING SURVEY  
Abstract #1422

UNPLATTED


58" I.R. w/  
COD Cap Set  
15.00'  
N31°04'30"W

Dallas-Lancaster Corporate  
Limit Line. Dallas City  
Ordinance No. 6605 (8-27-55)

DALLAS  
LANCASTER

Susan Wright Key  
Vol. 88021, Pg. 1852

Sheet 2 of 2  
**LOCATOR MAP: Parcel No. 11**

 <b>Wheatland Road</b> From Lancaster City Limits to Lancaster Road			
OPER. NAME	DESIGN FILE NAME	SCALE	DATE
S. Holt	N:\ENGR\SURVEY\HOLT\Wheatland\Wheatland Field Notes.dgn	As Noted	4-15-10
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
J. Chambers	S. Holt	Block 7605	311D-4147-11

 **Property to be Acquired**

**Field Notes Describing Slope Easements  
To Be Acquired in Block 7605  
From RKCJ, LLC**

**PARCEL 11-A:**

Being a 9,761 Square Foot (0.224 Acre) tract of unplatted land situated in the S.C. Atterbury Survey, Abstract No. 14, Dallas County, Texas, lying in Block 7605 (official City of Dallas Block Numbers), being a portion of the property conveyed to RKCJ, LLC by Warranty Deed dated April 1, 1996 and recorded in Volume 96066, Page 7234 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

**COMMENCING** at a 1" dia. iron rod found in the current Northwest line of Wheatland Road (a 50-Foot Right-of-Way), at the most Easterly corner of said RKCJ, LLC tract, being also the most Southerly corner of a tract of land conveyed to 261 CW Springs, Ltd., by Instrument No. 200600294768 of the Official Public Records of Dallas County, Texas:

**THENCE** North 30°15'47" West, departing the last said Northwest line of Wheatland Road and with the common line between said RKCJ, LLC and 261 CW Springs, Ltd. properties, a distance of 15.00 feet to a 5/8 inch diameter Iron Rod with Cap marked "CITY OF DALLAS" set at the intersection with the Northwest line of the approved realignment location of Wheatland Road, being also the most Easterly corner and **POINT OF BEGINNING** of the herein described tract of land:

**THENCE** South 58°47'35" West, departing the said common line between 261 CW Springs, Ltd. and RKCJ, LLC properties and with the said approved Northwest line of Wheatland Road, over and across a portion of said RKCJ, LLC property, a distance of 0.52 feet to at 5/8 inch diameter Iron Rod with Cap marked "CITY OF DALLAS" set at an outside corner of the herein described tract of land:

**THENCE** South 59°11'08" West, continuing with the said approved Northwest line of Wheatland Road, over and across a portion of said RKCJ, LLC property, a distance of 360.69 feet to the most Westerly corner of the herein described tract of land (not monumented):

**THENCE** North 21°02'09" East departing the last said approved Northwest line of Wheatland Road, continuing over and across a portion of said RKCJ, LLC property a distance of 46.01 feet to an outside corner of the herein described tract of land (not monumented):

Field Notes Describing Slope Easements  
To Be Acquired in Block 7605  
From RKCJ, LLC

**PARCEL 11-A:**

**THENCE** continuing over and across a portion of said RKCJ, LLC property the following courses and distances:

North 59°11'08" East a distance of 20.00 feet to an outside corner of the herein described tract of land (not monumented):

North 79°55'13" East a distance of 42.77 feet to an inside corner of the herein described tract of land (not monumented):

North 49°55'36" East a distance of 151.98 feet to an outside corner of the herein described tract of land (not monumented):

North 61°03'52" East a distance of 50.03 feet to an outside corner of the herein described tract of land (not monumented):

North 63°59'52" East a distance of 65.56 feet to the intersection with the above said common line between the RKCJ, LLC and 261 CW Springs, Ltd. properties:

**THENCE** South 30°15'47" East with the common line between said RKCJ, LLC and 261 CW Springs, Ltd. properties a distance of 30.59 feet to the **POINT OF BEGINNING**, containing 9,761 Square Feet, or 0.224 Acres of land.

**BASIS OF BEARINGS:** Bearings are based on the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983.

*Scott Holt*  
9/9/2014





Field Notes Describing Slope Easements  
To Be Acquired in Block 7605  
From RKCJ, LLC

**PARCEL 11-B:**

Being an 8,437 Square Foot (0.194 Acre) tract of unplatted land situated in the S.C. Atterbury Survey, Abstract No. 14, Dallas County, Texas, lying in Block 7605 (official City of Dallas Block Numbers), being a portion of the property conveyed to RKCJ, LLC by Warranty Deed dated April 1, 1996 and recorded in Volume 96066, Page 7234 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

**COMMENCING** at a 1" dia. iron rod found in the current Northwest line of Wheatland Road (a 50-Foot Right-of-Way), at the most Easterly corner of said RKCJ, LLC tract, being also the most Southerly corner of a tract of land conveyed to 261 CW Springs, Ltd., by Instrument No. 200600294768 of the Official Public Records of Dallas County, Texas:

**THENCE** North 30°15'47" West, departing the last said Northwest line of Wheatland Road and with the common line between said RKCJ, LLC and 261 CW Springs, Ltd. properties, a distance of 15.00 feet to a 5/8 inch diameter Iron Rod with Cap marked "CITY OF DALLAS" set at the intersection with the Northwest line of the approved realignment location of Wheatland Road, at an angle point:

**THENCE** South 58°47'35" West, with the said approved Northwest line of Wheatland Road, a distance of 0.52 feet to at 5/8 inch diameter Iron Rod with Cap marked "CITY OF DALLAS" set at an angle point:

**THENCE** South 59°11'08" West, continuing with the said approved Northwest line of Wheatland Road a distance of 379.64 feet to the most Easterly corner and **POINT OF BEGINNING** of the herein described tract of land (not monumented):

**THENCE** South 59°11'08" West, continuing with the said approved Northwest line of Wheatland Road, a distance of 427.06 feet to the most Westerly corner of the herein described tract of land (not monumented):

**THENCE** North 52°03'31" East, departing the said approved Northwest line of Wheatland Road, over and across a portion of said RKCJ, LLC property a distance of 92.91 feet to an inside corner of the herein described tract of land (not monumented):

Field Notes Describing Slope Easements  
To Be Acquired in Block 7605  
From RKCJ, LLC

**PARCEL 11-B:**

**THENCE** continuing over and across a portion of said RKCJ, LLC property the following courses and distances:

North 01°48'13" West a distance of 38.23 feet to an outside corner of the herein described tract of land (not monumented):

North 59°11'08" East a distance of 20.00 feet to an outside corner of the herein described tract of land (not monumented):

South 49°08'19" East a distance of 36.45 feet to an inside corner of the herein described tract of land (not monumented):

North 49°31'27" East a distance of 101.44 feet to an outside corner of the herein described tract of land (not monumented):

North 54°53'37" East a distance of 100.28 feet to an outside corner of the herein described tract of land (not monumented):

North 88°24'47" East a distance of 57.29 feet to an inside corner of the herein described tract of land (not monumented):

**THENCE** North 70°23'56" East, continuing over and across a portion of said RKCJ, LLC property a distance of 35.55 feet to the **POINT OF BEGINNING**, containing 8,437 Square Feet, or 0.194 Acres of land.

**BASIS OF BEARINGS:** Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

*Scott Holt*  
9/9/2014





**Field Notes Describing Slope Easements  
To Be Acquired in Block 7605  
From RKCJ, LLC**

**PARCEL 11-C:**

Being a 293 Square Foot (0.007 Acre) tract of unplatted land situated in the S.C. Atterbury Survey, Abstract No. 14, Dallas County, Texas, lying in Block 7605 (official City of Dallas Block Numbers), being a portion of the property conveyed to RKCJ, LLC by Warranty Deed dated April 1, 1996 and recorded in Volume 96066, Page 7234 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

**COMMENCING** at a 1" dia. iron rod found in the current Northwest line of Wheatland Road (a Variable-Width Right-of-Way), at the most Easterly corner of said RKCJ, LLC tract, being also the most Southerly corner of a tract of land conveyed to 261 CW Springs, Ltd., by Instrument No. 200600294768 of the Official Public Records of Dallas County, Texas:

**THENCE** North 30°15'47" West, departing the last said Northwest line of Wheatland Road and with the common line between said RKCJ, LLC and 261 CW Springs, Ltd. properties, a distance of 15.00 feet to a 5/8 inch diameter Iron Rod with Cap marked "CITY OF DALLAS" set at the intersection with the Northwest line of the approved realignment location of Wheatland Road, at an angle point:

**THENCE** South 58°47'35" West, over and across a portion of said RKCJ, LLC property and with the said approved Northwest line of Wheatland Road, a distance of 0.52 feet to at 5/8 inch diameter Iron Rod with Cap marked "CITY OF DALLAS" set at an angle point:

**THENCE** South 59°11'08" West, continuing over and across a portion of said RKCJ, LLC property and with the said approved Northwest line of Wheatland Road, a distance of 981.77 feet to the most Easterly corner and **POINT OF BEGINNING** of the herein described tract of land (not monumented):

**THENCE** South 59°11'08" West, continuing over and across a portion of said RKCJ, LLC property and with the said approved Northwest line of Wheatland Road, a distance of 81.76 feet to the most Westerly corner of the herein described tract of land (not monumented):

Field Notes Describing Slope Easements  
To Be Acquired in Block 7605  
From RKCJ, LLC

**PARCEL 11-C:**

**THENCE** North 47°48'34" East, departing the said approved Northwest line of Wheatland Road and continuing over and across a portion of said RKCJ, LLC property a distance of 29.20 feet to an outside corner of the herein described tract of land (not monumented):

**THENCE** North 59°11'08" East, continuing over and across a portion of said RKCJ, LLC property a distance of 20.00 feet to an outside corner of the herein described tract of land (not monumented):

**THENCE** North 69°02'56" East a distance of 33.63 feet to the **POINT OF BEGINNING**, containing 293 Square Feet, or 0.007 Acres of land.

**BASIS OF BEARINGS:** Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

*Scott Holt*  
9/9/2014



**Field Notes Describing Slope Easements  
To Be Acquired in Block 7605  
From RKCJ, LLC**

**PARCEL 11-D:**

Being a 4,839 Square Foot (0.111 Acre) tract of unplatted land situated in the S.C. Atterbury Survey, Abstract No. 14, Dallas County, Texas, lying in Block 7605 (official City of Dallas Block Numbers), being a portion of the property conveyed to RKCJ, LLC by Warranty Deed dated April 1, 1996 and recorded in Volume 96066, Page 7234 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

**BEGINNING** at a 5/8 inch diameter Iron Rod with cap marked "CITY OF DALLAS" (hereinafter referred to as a "5/8" I.R. w/COD Cap") set on the Southwest line of said RKCJ, LLC property, being also a common line with the Oak Cliff Plantations Addition, an addition to the City of Dallas recorded in Volume 8, Page 263 of the Map Records of Dallas County, Texas, being the most Southerly corner of the herein described tract of land and on the Northwest line of the approved realignment location of Wheatland Road, from which a "5/8" I.R. w/COD Cap set at the most Southerly corner of said RKCJ, LLC property, on the current Northwest Right-of-Way line of Wheatland Road (a 50-Foot Right-of-Way), bears South 31°04'30" East a distance of 15.00 feet:

**THENCE** North 31°04'30" West, departing the said approved Northwest line of Wheatland Road and with the said common line between the Oak Cliff Plantations Addition and RKCJ, LLC property a distance of 11.99 feet to the most Westerly corner of the herein described tract of land (not monumented):

**THENCE** North 57°34'29" East, departing the last said common line with the Oak Cliff Plantations Addition, over and across a portion of said RKCJ, LLC property, a distance of 100.28 feet to an outside corner of the herein described tract of land (not monumented):

**THENCE** continuing over and across a portion of said RKCJ, LLC property the following courses and distances:

North 60°28'25" East a distance of 50.01 feet to an outside corner of the herein described tract of land (not monumented):

North 62°31'38" East a distance of 152.66 feet to an inside corner of the herein described tract of land (not monumented):

North 27°37'54" East a distance of 33.80 feet to an outside corner of the herein described tract of land (not monumented):

Field Notes Describing Slope Easements  
To Be Acquired in Block 7605  
From RKCJ, LLC

**PARCEL 11-D:**

North 59°11'08" East a distance of 20.00 feet to an outside corner of the herein described tract of land (not monumented):

North 84°27'01" East a distance of 52.65 feet to an outside corner of the herein described tract of land to the intersection with the above referenced approved Northwest line of Wheatland Road (not monumented):

**THENCE** South 59°11'08" West, continuing over and across a portion of said RKCJ, LLC property, and with the approved Northwest line of Wheatland Road a distance of 399.00 feet to the **POINT OF BEGINNING**, containing 4,839 Square Feet, or 0.111 Acre of land.

**BASIS OF BEARINGS:** Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

*Scott Holt*  
9/9/2014



261 CW Springs Ltd.  
Inst. 200600294768

UNPLATTED

RKCJ LLC  
Vol. 96066, Pg. 7234

BLOCK  
7605

Slope Easement 11-A  
See Detail This Sheet

Slope Easement 11-B  
See Detail, Sheet 8 of 8

George P. Shropulos  
Family Limited Partnership  
Vol. 94043, Pg. 2846

UNPLATTED

BLOCK  
7608

Approved Realignment Location  
Wheatland Road (80' R.O.W.)

Susan Wright Key  
Vol. 88021, Pg. 1852

M.L. SWING SURVEY  
Abstract #1422

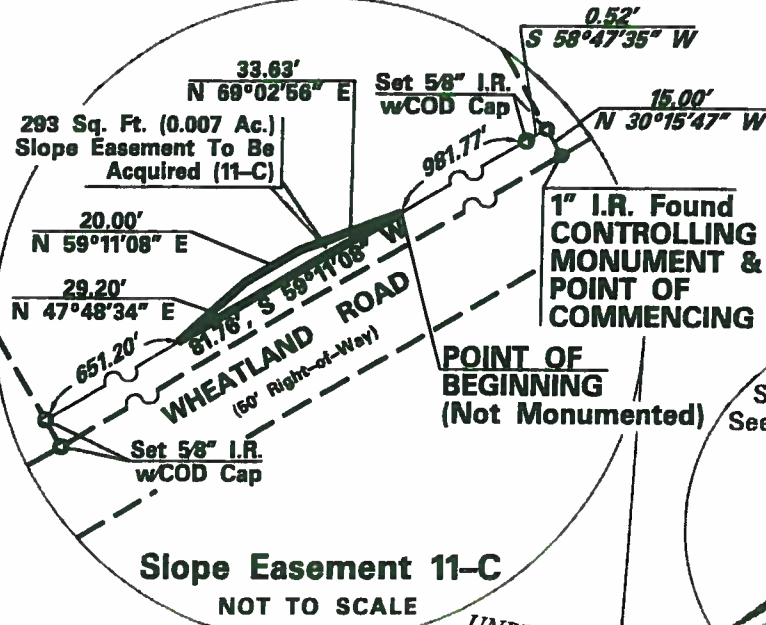
UNPLATTED

Dallas-Lancaster Corporate  
Limit Line, Dallas City  
Ordinance No. 6605 (8-27-55)

DALLAS  
LANCASTER

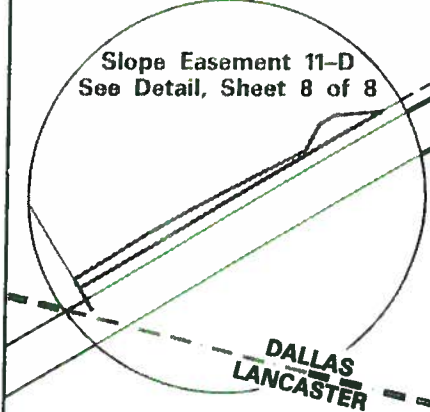


Indicates 58" I.R. with Cap  
Marked "CITY OF DALLAS"



S. C. ATTERBURY SURVEY  
Abstract #14

Slope Easement 11-D  
See Detail, Sheet 8 of 8



S. C. ATTERBURY SURVEY  
Abstract #14

BLOCK  
7605

RKCJ LLC  
Vol. 96066  
Pg. 7234

9,761 Sq. Ft. (0.224 Ac.)  
Slope Easement To Be  
Acquired (11-A)

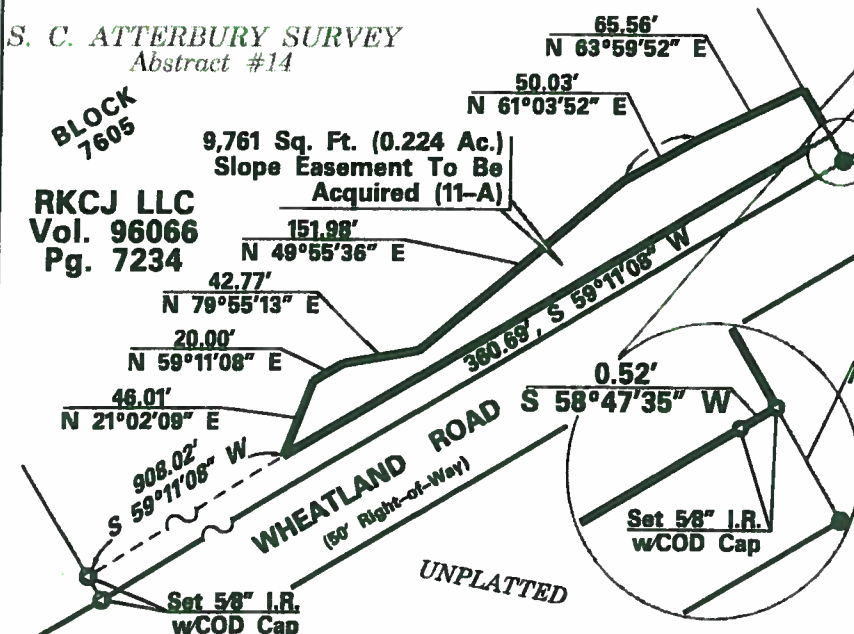
POINT OF  
BEGINNING

1" I.R. Found  
CONTROLLING  
MONUMENT &  
POINT OF  
COMMENCING

NOT TO SCALE

Indicates 58" I.R. with Cap  
Marked "CITY OF DALLAS"

Parcels 11-B & 11-D Page 9 of 10



**SLOPE EASEMENT 11-A**

<b>Wheatland Road</b>			
From Lancaster City Limits to Lancaster Road			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPER. NAME	DESIGN FILE NAME	SCALE	DATE
S. Holt	N:\ENGR\SURVEY\WLT\Wheatland\Wheatland Field Notes.dgn	As Noted	4-15-10
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
J. Chambers	S. Holt	Block 7605	311D-4147-1S



S. C. ATTERBURY SURVEY  
Abstract #14

RKCJ LLC  
Vol. 96066, Pg. 7234

BLOCK  
7605

UNPLATTED

OAK CLIFF  
PLANTATIONS  
ADDITION  
Vol. 8, Pg. 263

261 CW Springs Ltd.  
Inst. 200600294768

Set 5/8" I.R.  
wCOD Cap

15.00'  
S 30°15'47" E

1" I.R. Found  
CONTROLLING  
MONUMENT

52.65'  
N 84°27'01" E  
20.00'  
N 59°11'08" E  
33.80'  
N 27°37'54" E

1,315.70'  
N 59°11'08" E

0.52'  
N 58°47'35" E

4,839 Sq. Ft. (0.111 Ac.)  
Slope Easement To Be  
Acquired (11-D)

50.01'  
N 60°28'25" E

152.66', N 62°31'38" E  
399.00', S 59°11'08" W

WHEATLAND ROAD  
(50' Right-of-Way)

M.L. SWING SURVEY  
Abstract #1422

100.28'  
N 57°34'29" E

11.99'  
N 31°04'30" W

POINT OF  
BEGINNING

15.00'  
S 31°04'30" E

Set 5/8" I.R.  
wCOD Cap

⊙ Indicates 5/8" I.R. with Cap  
Marked "CITY OF DALLAS"



NOT TO SCALE

**SLOPE EASEMENT 11-D**

S. C. ATTERBURY SURVEY  
Abstract #14

RKCJ LLC  
Vol. 96066  
Pg. 7234

BLOCK  
7605

UNPLATTED

261 CW Springs Ltd.  
Inst. 200600294768

Set 5/8" I.R.  
wCOD Cap

15.00'  
N 30°15'47" W

1" I.R. Found  
CONTROLLING  
MONUMENT &  
POINT OF  
COMMENCING

57.29'  
N 88°24'47" E  
35.55'  
N 70°23'56" E

379.64'  
S 59°11'08" W

0.52'  
S 58°47'35" W

POINT OF  
BEGINNING  
(Not Monumented)

100.28'  
N 54°53'37" E

101.44'  
N 49°31'27" E

36.45'  
S 49°08'19" E

20.00'  
N 59°11'08" E

WHEATLAND ROAD  
(50' Right-of-Way)

M.L. SWING SURVEY  
Abstract #1422

38.23'  
N 01°48'13" W

92.91'  
N 52°03'31" E

8,437 Sq. Ft. (0.194 Ac.)  
Slope Easement To Be  
Acquired (11-B)

⊙ Indicates 5/8" I.R. with Cap  
Marked "CITY OF DALLAS"




NOT TO SCALE

Approved Realignment Location  
Wheatland Road (80' R.O.W.)

**SLOPE EASEMENT 11-B**

Parcels 11-A & 11-C Page 10 of 10

				<b>Wheatland Road</b>			
				From Lancaster City Limits to Lancaster Road			
DEPT. OF PUBLIC WORKS & TRANSPORTATION							
SURVEY DIVISION CITY OF DALLAS, TEXAS							
OPER. NAME	DESIGN FILE NAME		SCALE	DATE			
S. Holt	N:\ENGR\SURVEY\HOLT\Wheatland\Wheatland Field Notes.dgn		AS NOTED	11-22-11			
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.				
J. Chambers	S. Holt	Block 7605	311D-4147-11				

Field Notes Describing a Drainage Easement  
To Be Acquired in Block 7605  
From RKCJ, LLC

**PARCEL 11-i:**

Being a 5,257 Square Foot (0.121 Acre) tract of unplatted land situated in the S.C. Atterbury Survey, Abstract No. 14, Dallas County, Texas, lying in Block 7605 (official City of Dallas Block Numbers), being a portion of the property conveyed to RKCJ, LLC by Warranty Deed dated April 1, 1996 and recorded in Volume 96066, Page 7234 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

**COMMENCING** at a ½ inch diameter Iron Rod (Controlling Monument) (without cap) found on the Northwest Right-of-Way line of Wheatland Road (a 50-foot wide Right-of-Way), at the intersection with the Northeast line of said RKCJ, LLC property, being also the Southwest line of a parcel of land conveyed to 261 CW Springs, Ltd. by deed recorded in Instrument No. 200600294768 of the Official Public Records of Dallas County, Texas:

**Thence** North 30°15'47" West, departing the said Northwest line of Wheatland Road and with the common line between said RKCJ, LLC and 261 CW Springs, Ltd. properties a distance of 15.00 feet to a 5/8 inch diameter Iron Rod with cap marked "CITY OF DALLAS" set at the intersection with the Northwest line of the approved realignment location of Wheatland Road (an 80-foot Right-of-Way):

**THENCE** South 58°47'35" West, departing the common line between said RKCJ, LLC and 261 CW Springs, Ltd. properties and with the said approved Northwest line of Wheatland road, over and across a portion of said RKCJ, LLC property a distance of 0.52 feet to a 5/8 inch diameter Iron Rod with cap marked "CITY OF DALLAS" set at an inside corner of said approved alignment line:

**THENCE** South 59°11'08" West, continuing with the said approved Northwest line of Wheatland Road, over and across a portion of said RKCJ, LLC property a distance of 452.45 feet to the most Easterly corner and **POINT OF BEGINNING** of the herein described tract of land (not monumented):

**THENCE** South 59°11'08" West, continuing with the said approved Northwest line of Wheatland Road, over and across a portion of said RKCJ, LLC property a distance of 100.00 feet to the most Southerly corner of the herein described tract of land (not monumented):

Field Notes Describing a Drainage Easement  
To Be Acquired in Block 7605  
From RKCJ, LLC

**PARCEL 11-i:**

**THENCE** North 30°48'52" West, departing the said approved Northwest line of Wheatland Road and continuing over and across a portion of said RKCJ, LLC property a distance of 52.57 feet to the most Westerly corner of the herein described tract of land (not monumented):

**THENCE** North 59°11'08" East, continuing over and across a portion of said RKCJ, LLC property a distance of 100.00 feet to the most Northerly corner of the herein described tract of land (not monumented):

**THENCE** South 30°48'52" East, continuing over and across a portion of said RKCJ, LLC property a distance of 52.57 feet to the **POINT OF BEGINNING**, containing 5,257 Square Feet, or 0.121 Acres of land.

**BASIS OF BEARINGS:** Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

*Scott Holt*  
*9/8/2014*





261 CW Springs, Ltd.  
Int. #200600294768

S. C. ATTERBURY SURVEY  
Abstract #14

BLOCK  
7611

Unplatted

5,257 Sq. Ft. (0.121 Ac.)  
Tract To Be Acquired  
Parcel 11-i

0.52'  
S 58°47'35" W  
N=6924063.7699  
E=2493994.3058

N=6924064.0404  
E=2493994.7523

52.57'  
N 30°48'52" W  
100.00'  
N 59°11'08" E  
100.00'  
S 59°11'08" W  
S 30°48'52" E

12" Iron Rod Found  
CONTROLLING MONUMENT  
& POINT OF COMMENCING  
N=6924051.0829  
E=2494002.3129

1" I.R. Found  
N=6924445.3456  
E=2493791.4624

POINT OF  
BEGINNING  
(Not Monumented)

Not To Scale

Not To Scale

RKCJ LLC  
Vol. 96066, Pg. 7234

BLOCK  
7605  
Unplatted

Approved Realignment Location  
Wheatland Road (80' R.O.W.)

George P. Shropulos  
Family Limited Partnership  
Vol. 94043, Pg. 2846



WHEATLAND ROAD (50-Foot Right-of-Way)

M. L. SWING SURVEY  
Abstract #1422


BLOCK  
7608  
Unplatted

Susan Wright Key  
Vol. 88021  
Pg. 1852

City of Dallas Corporate Limit; Ord. No. 6605 (8/27/1955)  
City of Lancaster

Parcel No. 11-i

Page 3 of 3

				<b>Wheatland Road</b>	
				From Lancaster City Limits to Lancaster Road	
DEPT. OF PUBLIC WORKS & TRANSPORTATION					
SURVEY DIVISION CITY OF DALLAS, TEXAS					
OPER. NAME	DESIGN FILE NAME			SCALE	DATE
S. Holt	H:\ENGR\SURVEY\HOLT\Wheatland\Wheatland Field Notes.dgn			As Noted	9-4-14
PARTY CHIEF	CALCULATIONS	FOLDER		FILE NO.	
J. Chambers	S. Holt	Block 7605		311D-4147-11	

● Indicates 5/8" I.R. with Cap  
Marked "CITY OF DALLAS"