



Regular City Council Meeting
February 28, 2023
6:00 p.m.

Marcus Vajdos, Mayor
Bo Bothe
Steve Bass

Allen Carpenter, Mayor Pro Tem
David Dominy
Joy McCormack



Notice is Hereby Given of a Regular Meeting of the City Council City of Spring Valley Village, Texas, 1025 Campbell Road, Spring Valley Village, Texas, in the Council Chambers, Tuesday, February 28, 2023, beginning at 6:00 p.m., For the Purpose of Considering and Acting upon the Following Items of Business:

The meeting agenda and agenda packet are posted online at www.springvalleytx.com.

The video link to this meeting is <https://us02web.zoom.us/j/85388149936>

The public toll-free dial-in numbers to participate in the telephonic meeting are 1-346-248-7799 (Houston), 1-253-215-8782 (US), and 1-301-715-8592 (US); enter the Meeting ID: 853 8814 9936 and #.

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT

2. INTRODUCTIONS

Interim Fire Chief Howard Miller

3. PROCLAMATIONS / ANNOUNCEMENTS / SWEARING-IN

None.

4. PUBLIC COMMENTS

At this time, any person with City-related business may speak to the Council. In compliance with the Texas Open Meetings Act, the City Council may not deliberate. **Comments from the public should be limited to a maximum of three (3) minutes per individual speaker.**

5. CONSENT AGENDA

All matters listed under consent agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

5.1 Minutes for Regular Called City Council Meeting on January 24, 2023

- 5.2 Resolution 23-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND METROCITY FOR WINNINGHAM, CEDARSPUR, AND BURKHART PAVEMENT & UTILITY IMPROVEMENTS PROJECT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- 5.3 Approval of Pay Estimate No. 8 for Cedarspur, Burkhardt, and Winningham (East of Voss) Pavement & Utility Improvements Project to MetroCity LLC In The Amount of \$ 87,452.31
6. **EXECUTIVE SESSION:** The City Council Will Now Hold A Closed Executive Meeting Pursuant To The Provision Of Chapter 551, Government Code, Vernon's Texas Codes Annotated, In Accordance With The Authority Contained In:
 - 6.1 Section 551.071. Consultation with Attorney regarding pending or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in a closed meeting.
 - 6.2 Section 551.074 – Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the City Administrator.
 - 6.3 Sec. 551.087 - Deliberation Regarding Economic Development Negotiations: (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).
7. **RECONVENE**
8. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Matters Discussed in Executive Session.
9. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ratifying Action of the Mayor in executing an Engagement Letter with Brown and Hoffmeister.

OLD BUSINESS

10. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** January 2023 Police Department Staff Report (Chief Schulze):
 1. Number of Calls for Service
 2. Number of Traffic Violations
11. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Activities of the Village Fire Department Commissioners Meeting on January 25, 2023, and Any Special Meetings That May Have Occurred since January 25, 2023. (Mayor Pro-Tem

NEW BUSINESS

12. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance No. 2023-XX: AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 6, 2023 GENERAL CITY ELECTION ELECTED TO OFFICE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; CANCELING THE MAY 6, 2023 GENERAL CITY ELECTION; PROVIDING A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
13. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Reviewing Interlocal Agreement by and between City of Spring Valley Village and City of Hilshire for provision by Spring Valley Village for the provision of police and Municipal Court services.
14. **UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING:** Briefing by City Staff:
1. Status of Cedarspur, Burkhart, Winningham (East of Voss)
 2. Status of Cedarspur (West of Bingle) and Burkhart (East of Bingle)
 3. Status of Brighton Place Utilities and Pavement Improvements Project
 4. Status of Bingle Road Road Diet
 5. Update on Activities of Board of Adjustment

15. **ADJOURNMENT**

Agenda items may not necessarily be considered in the order that they appear. With regard to any item, Council may take various actions, including but not limited to rescheduling an item in its entirety or for particular action at a future date or time.

The City Council reserves the right to convene in executive session from time to time as deemed necessary during this meeting to discuss any of the matters listed in the agenda, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts & Donations), 551.074 (Personnel Matters), 551.076 (Deliberations Regarding Security Devices) or 551.087 (Deliberations Regarding Economic Development Negotiations).

I certify that a copy of the February 28, 2023 agenda of items to be considered by City Council was posted on or before the 24th day of February 2023, at 2:00 p.m. pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code.

Attest: _____

Jasmin Torres
City Secretary



In compliance with the Americans with Disabilities Act, all meetings are wheelchair-accessible, and accessible parking spaces are available. To better serve attendees, requests for accommodations

or interpretive services should be made 48 hours prior to this meeting. Please contact the City Secretary's office at 713-465-8308, Fax at 713-461-7969, or Email jtorres@springvalleytx.com for further information.

Consent Agenda Items

**MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF SPRING VALLEY VILLAGE, TEXAS
TUESDAY, JANUARY 24, 2023 AT 5:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
1025 CAMPBELL ROAD, HOUSTON, TEXAS**

1. CALL THE ROLL AND ANNOUNCE A QUORUM IS PRESENT

With a quorum of the Council Members present, the Regular Meeting of the Spring Valley Village City Council was called to order by Mayor Vajdos at 5:00 p.m.

Members Present:

Mayor Marcus Vajdos

Mayor Pro Tem Allen Carpenter

Council Member Bo Bothe (arrived at 5:05 p.m.)

Council Member Steve Bass (arrived by video conference at 5:10 p.m., arrived in person at 6:28 p.m.)

Council Member David Dominy

Council Member Joy McCormack

Members Absent:

None.

2. INTRODUCTIONS

Zachary Meadows, Director of Community Development

Jasmin Torres, City Secretary

Kristina Watson, Public Works Director

Loren Smith, City Attorney

Mark Schulze, Acting Police Chief

Police Captain, Justin Lane

David Dixon, Police Commissioner

3. PROCLAMATIONS / ANNOUNCEMENTS / SWEARING-IN

None.

4. PUBLIC COMMENTS

At this time, any person with City-related business may speak to the Council. In compliance with the Texas Open Meetings Act, the City Council may not deliberate. **Comments from the public should be limited to a maximum of three (3) minutes per individual speaker.**

None.

5. CONSENT AGENDA

All matters listed under consent agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

5.1 Minutes for Regular Called City Council Meeting on December 13, 2022

- 5.2 2022 Racial Profiling Report presented by the Spring Valley Village Police Department
- 5.3 Resolution 23-XX – A Resolution Of The City Council Of The City Of Spring Valley Village, Texas, Approving An Interlocal Agreement Between Harris County, Texas, And The City Of Spring Valley Village, Texas, To House, Support, Maintain, And Confine Municipal Prisoners In Harris County Jails; Providing For The Incorporation Of Preamble; Authorizing Execution Of The Agreement By The Mayor; And Providing An Effective Date.
- 5.4 Resolution 23-XX – A Resolution Of The City Council Of The City Of Spring Valley Village, Texas, Ratifying The Actions Of The City Administrator In Executing Pay Estimate Number 6 To Metrocity, LLC. In The Amount Of \$127,405.10 Pursuant To The Agreement By And Between The City Of Spring Valley Village, Texas And Metrocity, LLC. For Cedarspur, Burkhart, And Winningham (East Of Voss) Pavement & Utility Improvements Project (CSB #2022-01-101); Providing For Incorporation Of Preamble; And Providing An Effective Date.
- 5.5 Approval of Pay Estimate No. 7 for Cedarspur, Burkhart, and Wnningham (East of Voss) Pavement & Utility Improvements Project to MetroCity LLC In The Amount of \$ 93,740.92

Council Member Dominy made a motion to approve all items on the Consent Agenda, and Council Member Carpenter seconded the motion. Motion carried 3-0.

6. RECESS REGULAR CITY COUNCIL MEETING

- 6.1 Regular Meeting of the Board of Directors of the Spring Valley Legacy Fund, Inc.
The Regular meeting of the City Council recessed at 5:02 p.m.

7. RECONVENE MEETING OF CITY COUNCIL

The Regular meeting of the City Council recessed at 5:07 p.m.

OLD BUSINESS

8. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: December 2021 Police Department Staff Report (Chief Schulze):

- 1. Number of Calls for Service – 2,315
- 2. Number of Traffic Violations – 655
- 3. On January 11, 2023, the Texas Commission on Law Enforcement made an on-site inspection of personnel files and there were no deficiencies found.
- 4. Police Commissioner Dixon presented Chief Mark Schulze, Police Captain Justin Lane, and Sergeant Carlos Menchaca each with a life-saving award for helping save a gentlemen's life that was going into cardiac arrest while out at Avalon Diner in Hedwig Village on January 5, 2023. They were able to assist this gentleman with the Automated External Defibrillator that was in their patrol unit and conduct CPR until other services could arrive.

9. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Activities of the Village Fire Department Commissioners Meeting on December 20, 2022, and Any

Special Meetings That May Have Occurred since December 20, 2022. (Mayor Pro-Tem Carpenter / Council Member Bothe)

Council Member Carpenter briefed the Council on an update received from Chief Foster that he stated he would also send to the rest of the Council. Currently, all departments are fully staffed, the reserve ambulance is currently out of service, and the chassis for the two replacement ambulances are in possession. Per the current Capital Replacement Funds, one of the ambulances will be completed and delivered this year and the second will be delivered in the next budget year. Council Member Carpenter continued the briefing by stating that in 2022, there were 1,292 fire-related incidents, and of those 223 were within the City of Spring Valley. There were 955 EMS incidents and of those, 209 were in the City. He also went over the response times of the Village Fire Department and the Emergency Medical Services versus the national averages. The EMS response times are 3 minutes and 2 seconds for the City and the national average is 6 minutes and 30 seconds. The Village Fire Department's response time is 4 minutes and 28 seconds and the national average is 6 minutes and 50 seconds. While there is still some reliance on the City of Houston for larger structural fires, the ability of the fire department to respond so quickly and begin assisting until the City of Houston is able to arrive makes a significant difference.

The budget for 2022 is unofficial but there is a \$150,000 surplus and \$94,000 in the EMS revenue account which is still to be discussed on how it will be used. Because there is no stipulation in the interlocal agreement regarding EMS revenue funds, there is much confusion as to what should be done with them and to whom the funds belong to. Historically, the EMS revenue funds have just been returned to all cities and the cities have just accounted for that as revenue. The discussion was then turned by Council Member Bothe, Mayor Vajdos, and Council Member Dominy to possible alternatives as to how to make the process easier for any continued revenue received being a contingency fund, continue to return the funds as it has been done, or building a budget that has everything built in so that the Chief and the Fire Department have all they need.

There is a scheduled meeting for the Village Fire Department on January 25, 2023, that includes two executive sessions. One for consultation with an attorney and the other for personnel matters where Chief Foster will be discussed. The session of consultation with an attorney will discuss the legalities of separation packages, employment contracts, and other items of that nature. Although the second executive session is to discuss Chief Foster, at this time, Council Member Carpenter does not anticipate that any City will make an attempt to terminate Chief Foster at this meeting.

NEW BUSINESS

10. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Changing The Dates Of The City Council Meetings For May, July, November, And December.

Council Member McCormack made a motion to approve the changes to the dates of the City Council Meetings. May would stay May 23rd, July would be July 25th, November would be scheduled for November 14th, and December for December 12th, Council Member Carpenter seconded the motion. Motion carried 4-0.

11. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance No. 2023-XX: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY

VILLAGE, TEXAS, ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 6, 2023; AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A JOINT ELECTION AGREEMENT WITH HARRIS COUNTY TO CONDUCT THE GENERAL MUNICIPAL ELECTION ON BEHALF OF THE CITY OF SPRING VALLEY VILLAGE; DESIGNATING THE PLACES AND MANNER OF HOLDING THE ELECTION; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; PROVIDING FOR A RUNOFF ELECTION IF REQUIRED; PROVIDING A SAVINGS CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

Mayor Vajdos read the Ordinance by caption only. Council Member Dominy made a motion to approve Ordinance No. 2023-01, and Council Member McCormack seconded the motion. Motion carried 4-0.

12. UPDATE, DISCUSSION AND POSSIBLE DIRECTION CONCERNING: Briefing by City Staff:

1. Status of Cedarspur, Burkhart, Winningham (East of Voss)

Director of Public Works Kristina Watson informed the Council that this project is at 60% completion and is proceeding on schedule. Pavement is complete on one side of the street for Cedarspur, Burkhart, and Winningham. There have not been any current larger issues with Metro City. Public Works is now working on starting to track issues that could arise closer to the project's completion. One issue that has been brought to the City's attention is that a resident on Burkhart removed the barricade across their driveway before the 7-day cure time.

2. Status of Cedarspur (West of Bingle) and Burkhart (East of Bingle)

Director of Public Works Kristina Watson informed the Council that City Administrator Julie Robinson is currently reviewing the front-end bid documents. The bid for this project is projected to go out in the first quarter of 2023.

3. Status of Brighton Place Utilities and Pavement Improvements Project

Director of Public Works Kristina Watson informed the Council that the Geotechnical survey was completed last month. Public Works Superintendent Miguel Ramirez met with the engineer from CobbFendley to locate additional services that were not located in the initial survey. They are still in the 30% design phase, but the preliminary engineering report is expected to be received by February 1, 2023.

Mayor Vajdos asked about the possibility of a committee from Brighton Place being able to ask questions and look at the designs to be presented. Council Member McCormack asked if this has been done for any other projects. Council Members Bothe and Carpenter were in opposition because this was not an option given to other residents and would open a box to larger issues. It was the direction of the Council for there to be overcommunication and updates to residents about the project as much as possible, but no committee would be established.

4. Status of Bingle Road Road Diet

Ms. Watson advised that there is currently no update or change from the last update that was provided to the Council.

- 13. EXECUTIVE SESSION:** The City Council Will Now Hold A Closed Executive Meeting Pursuant To The Provision Of Chapter 551, Government Code, Vernon's Texas Codes Annotated, In Accordance With The Authority Contained In:

13.1 Section 551.071. Consultation with Attorney regarding pending or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in a closed meeting.

Council adjourned into Executive Session at 5:51 p.m.

14. RECONVENE

The City Council meeting reconvened at 7:28 p.m.

15. CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

No action was taken.

16. ADJOURNMENT

Council Member Carpenter made a motion to adjourn the meeting at 7:29 p.m., and Council Member Bass seconded the motion. Motion carried 5-0.

Signed: _____
Marcus Vajdos
Mayor

Attest: _____
Jasmin Torres
City Secretary

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: February 28, 2023

TOPIC: Resolution No. 23-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF SPRING VALLEY VILLAGE, TEXAS AND METROCITY FOR WINNINGHAM, CEDARSPUR, AND BURKHART PAVEMENT & UTILITY IMPROVEMENTS PROJECT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

BACKGROUND: The City of Spring Valley Village entered into a contract with MetroCity for Pavement and Utility Improvements on Winningham, Cedarspur, and Burkhart on April 26, 2022. The original contract provided that the work would be completed within 300 calendar days after the date of Commencement of the work. The date of Commencement of the work was June 6, 2022, putting the original completion date as April 2, 2023. This Change Order will change the completion date to May 2, 2023. The request for additional days is related to CP-6 & CP-7.

The original contract cost was \$1,365,593.00. If approved, this Change Order will result in a net decrease of \$23,097.48

RECOMMENDATION: Tommy Cromer, PE, ENV SP with Binkley & Barfield and City Staff recommend approval of the Resolution.

ATTACHMENTS:

- Resolution No. 23-XX
- Change Order 1 Worksheet
- CP-1 Additional Sanitary Line
- CP-2 Tree Removal
- CP-3 Fire Hydrant Removal
- CP-4 2" Service Connection
- CP-5 Additional Yard Drain Fittings
- CP-6 Concrete Walkways
- CP-7 6" Concrete Driveway
- CP-8 Additional Lab Testing

FUNDING ISSUES:

☒ Not applicable – no dollars are being spent or received.

☐ Full amount already budgeted in Acct/Project# 25-50-7520

☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:

☐ \$ _____ from Acct/Project# _____ will be

**Spring Valley Village City Council
Agenda Item Data Sheet**

	transferred to Acct/Project# _____ ☐ \$ _____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$ _____ will be added to Revenue Acct# ____-____ and \$ _____ added to Expenditure Acct/Project# _____
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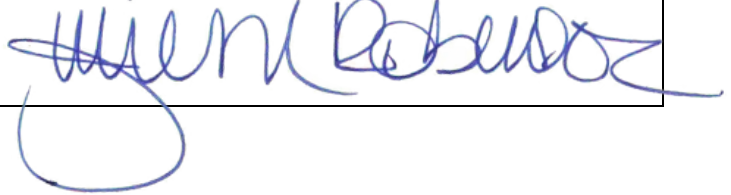
FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:

Kristina Watson, Director of Public Works

CITY ADMINISTRATOR APPROVAL:



CHANGE ORDER NO. 1

Project:	Cedarspur Drive, Burkhardt Road & Winningham Lane Paving and Utility Improvements Project	Date:	February 2, 2023
Owner:	City of Spring Valley Village 1025 Campbell Road Houston, Texas 77055	Engineer:	Binkley & Barfield, Inc. 1710 Seamist Dr. Houston, Texas 77008
		Engineer of Record:	Tommy Cromer, P.E.

Please make the following changes in the Contract Documents.

Description: Work items for the reconstruction of Cedarspur Drive, Burkhardt Road & Winningham Lane

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price <u>\$1,365,593.00</u>	Original Contract Time <u>300</u> Calendar Days
Previous Change Orders No. <u>\$0.00</u>	Net Change from Previous Change Orders <u>-0-</u> Calendar Days
Contract Price Prior to this Change Order <u>\$1,365,593.00</u>	Contract Time Prior to this Change Order <u>300</u> Calendar Days
Net Increase (Decrease) of this Change Order <u>(\$23,097.48)</u>	Net Increase (Decrease) of this Change Order <u>30</u> Calendar Days
Contract Price with all approved Change Orders (Including this Change Order) <u>\$1,342,495.52</u>	Proposed Contract Time with all approved Change Orders (Including this Change Order) <u>330</u> Calendar Days

RECOMMENDED:
Binkley & Barfield, Inc.

Tommy V. Cromer

by: _____
Engineer

APPROVED:
City of Spring Valley Village

by: _____
Owner

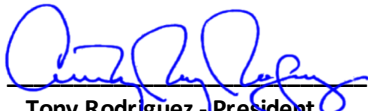
Attachments:

- | | |
|----------------------------------|--|
| 1. Change Order 1 Worksheet | 5. CP-4 2" Service Connection |
| 2. CP-1 Additional Sanitary Line | 6. CP-5 Additional Yard Drain Fittings |
| 3. CP-2 Tree Removal | 7. CP-6 Concrete Walkways |
| 4. CP-3 Fire Hydrant Removal | 8. CP-7 6" Concrete Driveway |
| | 9. CP-8 Additional Lab Testing |

CHANGE ORDER NO. 1
CEDARSPUR DRIVE, BURKHART ROAD WINNINGHAM LANE

					ORIGINAL + PREVIOUSLY REVISED		NEW			
Pay Item No.	Change Proposal No.	DESCRIPTION	UNIT	UNIT PRICE	QUANTITY	ITEM COST	QUANTITY	ITEM COST	ADDITIONAL DAYS REQUESTED	OVERRUN / UNDERRUN
10		Remove and Dispose of Existing Concrete Driveways	SY	\$ 9.00	550.00	\$ 4,950.00	202.93	\$ 1,826.37		\$ 1,826.37
15		Furnish Lime	TON	\$ 212.00	60.00	\$ 12,720.00		\$ 11,000.00		\$ 11,000.00
16		Furnish Fly-Ash	TON	\$ 248.00	140.00	\$ 34,720.00	0.00	\$ -		\$ (34,720.00)
18		Furnish and Install Temporary Residential Driveway	SY	\$ 15.00	350.00	\$ 5,250.00	331.33	\$ 4,969.95		\$ 4,969.95
25		Spot Repair for 6" PVC	EA	\$ 712.00	6.00	\$ 4,272.00	0.00	\$ -		\$ (4,272.00)
48		Furnish and Install Sanitary Service Replacement	EA	\$ 750.00	47.00	\$ 35,250.00	13.00	\$ 9,750.00		\$ (25,500.00)
51		Furnish and Install Sanitary Sewer Cleanout	EA	\$ 500.00	47.00	\$ 23,500.00	0.00	\$ -		\$ (23,500.00)
	CP-1	Additional Footage of 8" Sanitary line	LF				51.00	\$ 65.57		\$ 3,344.00
	CP-2	Tree Removal	EA				1.00	\$ 3,225.00		\$ 3,225.00
	CP-3	Fire Hydrant Removal	EA				3.00	\$ 518.33		\$ 1,555.00
	CP-4	Additional Cost to Connect 2" Service Line	EA				1.00	\$ 3,467.00		\$ 3,467.00
	CP-5	Additional Yard Drain Fittings	EA				8.00	\$ 226.88		\$ 1,815.00
	CP-6	Furnish and Install Concrete Walkways	SF				625.00	\$ 12.19	10	\$ 7,618.75
	CP-7	Furnish and Install 6" Reinforced Concrete Driveway	SY				220.93	\$ 103.36	20	\$ 22,835.27
	CP-8	Additional Laboratory Testing	EA				5.00	\$ 647.64		\$ 3,238.18
TOTAL									30	\$ (23,097.48)

METRO CITY
GENERAL CONTRACTORS

TO: Tommy Cromer, PE, ENV SP Binkley & Barfield 1710 Seamist Drive Houston, TX 77008		PROPOSAL # DATE DATE NEEDED BY PROJECT #	2 11/1/22 Open 315
PROJECT: City of Spring Valley Village Cedarspur Drive, Burkhart Road & Winningham Lane Paving and Utility			
DESCRIPTION OF CHANGE Additional tree removal added.			
REASON FOR CHANGE As discussed in RFI 6, a tree's root was in conflict with concrete paving and curb, it is likely that the tree would sustain permanent damage.			
OVERRUNS/UNDERRUNS		LABOR: EQUIP: MATERIAL: SUPPLIES: SUBCONTRACTOR \$ 2,500.00 BONDS/FEES/OH: \$ 242.00 PROFIT \$ 483.00	
\$ - \$ - \$ -			
CONTRACT SUM CHANGE AMOUNT:		\$ 3,225.00	
CONTRACT TIME CHANGE AMOUNT:		0	
 SUBMITTED BY: Tony Rodriguez - President			

Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION
315-1- Tree Removal

CBS Position Code			Description				Forecast (T/O) Quantity		Unit of Measure		Unit Cost		Total Cost (Forecast)	Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost
			JOB				1.00		Lump Sum		\$2,741.94		\$2,741.94	\$0.00	\$0.00	\$0.00	\$0.00	\$241.94
			Prime Bond				1.00		Lump Sum		\$80.65		\$80.65	\$0.00	\$0.00	\$0.00	\$0.00	\$80.65
			Price % Add-On				1.00		Lump Sum		\$161.29		\$161.29	\$0.00	\$0.00	\$0.00	\$0.00	\$161.29
			Job Financing				1.00		Lump Sum		\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			Job Management & Equipment				1.00		Lump Sum		\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			General Expense				1.00		Lump Sum		\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1			Tree Removal				1.00		Each		\$2,500.00		\$2,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
	1			Rosales Tree Service	1.00	0.00	1.00	Each			\$2,500.00	\$2,500.00						
7												\$2,741.94	\$0.00	\$0.00	\$0.00	\$0.00	\$241.94	



Cell: 281-804-5020

EXPERIENCE GUARANTEED

Rodrigo Gaona

rodrigo_gaona@yahoo.com

Free Estimates

Full Insurance

Invoice #:202220142

Office : 713-463-7753

Serving you 24/7
Since 1994

1929 Coulcrest Dr
Houston, TX 77055

Specializing in:
Tree Trimming, Removal
Topping, Pruning
Plating & Stump Removal

Ship to: Metro City Const

Date: 10/07/22

Address: 8722 Winningham

City, zip code: Houston Tx 77055

Qty	Description	Price	Amount
1	Big water oak tree removal		
1	Stump removal		
	Haul away all debris		
			\$2,500.00
		ESTIMATE	
		TOTAL	\$2,500

We appreciate the opportunity to provide this service to you on the referenced project. If this proposal meets your approval, please sign in the space provides and return a copy for our files. The signature below constitutes a contract with M. Rosales Tree Service

Client

Date



REQUEST FOR INFORMATION

TO: Tommy Cromer PE, ENV SP
Sr. Project Manager
Binkley & Barfield

FROM Tony Rodriguez
DATE 1/2/23
JOB# 315
RFI# 8

PROJECT NAME: Cedarspur, Burkhardt & Winningham Paving & Utility Project
City of Spring Valley Village

SUBJECT: Fire Hydrant Removal

DRAWING# **SPEC#** **CRITICAL** ☒ **ROUTINE** ☐ **SCHEDULE IMPACT** Low

INFORMATION REQUIRED

The following fire hydrants call to be removed. However, there is no Pay Item on the Bid Proposal for this item.

Burkhardt Sta 5+60 Page 16
Cedarspur Sta 8+81 Page 14
Winningham Sta 4+20 Page 17

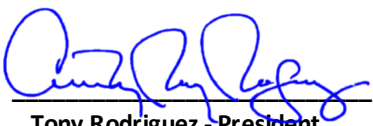
We would like to submit the attached Change Proposal for the removal of the above hydrants.

RESPONSE:

SIGNATURE

TITLE

METRO CITY
GENERAL CONTRACTORS

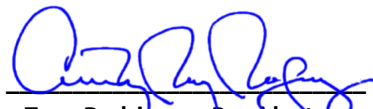
TO:		Tommy Cromer, PE, ENV SP Binkley & Barfield 1710 Seamist Drive Houston, TX 77008	PROPOSAL # DATE DATE NEEDED BY PROJECT #	3 1/2/23 Open 315
PROJECT: City of Spring Valley Village Cedarspur Drive, Burkhart Road & Winningham Lane Paving and Utility				
DESCRIPTION OF CHANGE Additional Removal of Fire Hydrants				
REASON FOR CHANGE The plans call for Fire Hydrants to be removed, but there isn't a pay item for this work.				
OVERRUNS/UNDERRUNS		\$ - \$ - \$ -	LABOR: EQUIP: MATERIAL: SUPPLIES: SUBCONTRACTOR BONDS/FEEES/OH: PROFIT	\$ 1,019.00 \$ 186.00 \$ 117.00 \$ 233.00
		\$ -		
		CONTRACT SUM CHANGE AMOUNT:		\$ 1,555.00
		CONTRACT TIME CHANGE AMOUNT:		0
 SUBMITTED BY: Tony Rodriguez - President				

Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION 315-2--Change Proposal for Fire Hydrant Removal

CBS Position Code			Description			Optional Code		Forecast (T/O) Quantity			Unit Cost		Total Cost (Forecast)		Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost
			JOB					1.00			\$1,322.14		\$1,322.14		\$1,019.18	\$186.30	\$0.00	\$0.00	\$116.66
			Prime Bond			PRIME BOND		1.00			\$38.89		\$38.89		\$0.00	\$0.00	\$0.00	\$0.00	\$38.89
			Price % Add-On			PRICE % ADD-O		1.00			\$77.77		\$77.77		\$0.00	\$0.00	\$0.00	\$0.00	\$77.77
			Job Financing			FINANCE EXPENS		1.00			\$0.00		\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			Job Management & Equipment			JOB MANAGEMEN		1.00			\$0.00		\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			General Expense			GENERAL EXPENS		1.00			\$0.00		\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1			Fire Hydrant Removal			1		3.00			\$401.83		\$1,205.48		\$1,019.18	\$186.30	\$0.00	\$0.00	\$0.00
	Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)							
	1	LWS02		Laborer - Common			2.00	Each	30.00	30.00	\$19.52	\$585.60							
	2	LWSPL0		Pipelayer			1.00	Each	15.00	15.00	\$28.91	\$433.58							
	3	RPU		Rental Pickup			1.00	Each	15.00	15.00	\$12.42	\$186.30							
7											\$1,322.14		\$1,019.18	\$186.30	\$0.00	\$0.00	\$0.00	\$116.66	

METRO CITY
GENERAL CONTRACTORS

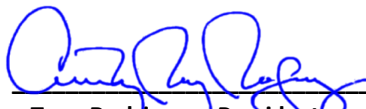
TO: Tommy Cromer, PE, ENV SP Binkley & Barfield 1710 Seamist Drive Houston, TX 77008		PROPOSAL # DATE DATE NEEDED BY PROJECT #	4 1/2/23 Open 315
PROJECT: City of Spring Valley Village Cedarspur Drive, Burkhart Road & Winningham Lane Paving and Utility			
DESCRIPTION OF CHANGE Additional cost to connect 2" service Line at the end of Burkhart (Sta 8+86)			
REASON FOR CHANGE RFI 4 Reponse required additional work and materials to connect a 2" service line.			
OVERRUNS/UNDERRUNS		LABOR: EQUIP: MATERIAL: SUPPLIES: SUBCONTRACTOR BONDS/FEES/OH: PROFIT	\$ 1,429.00 \$ 329.00 \$ 944.00 \$ 272.00 \$ 493.00
\$ - \$ - \$ -		CONTRACT SUM CHANGE AMOUNT: \$ 3,467.00 CONTRACT TIME CHANGE AMOUNT: 0	
 SUBMITTED BY: Tony Rodriguez - President			

Cost Breakdown Structure (CBS) Register

ETRO CITY CONSTRUCTION 5-3--Additional 6" Connection

CBS Position Code		Description			Optional Code	Forecast (T/O) Quantity			Unit Cost		Total Cost (Forecast)	Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost
		JOB				1.00			\$2,974.71		\$2,974.71	\$1,428.94	\$329.20	\$944.00	\$0.00	\$272.57
		Prime Bond			PRIME BOND	1.00			\$86.71		\$86.71	\$0.00	\$0.00	\$0.00	\$0.00	\$86.71
		Price % Add-On			PRICE % ADD-O	1.00			\$173.41		\$173.41	\$0.00	\$0.00	\$0.00	\$0.00	\$173.41
		Job Financing			FINANCE EXPENS	1.00			\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		Job Management & Equipment			JOB MANAGEMEN	1.00			\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		General Expense			GENERAL EXPENS	1.00			\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		2" Service Line Connection			1	1.00			\$2,714.59		\$2,714.59	\$1,428.94	\$329.20	\$944.00	\$0.00	\$12.45
		Labor				1.00			\$1,770.59		\$1,770.59	\$1,428.94	\$329.20	\$0.00	\$0.00	\$12.45
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)					
1		WLSM	Waterline Small Diamet			1.00	Each	70.00	70.00	\$177.06	\$1,770.59					
Row Number	Code	Resource Assembly	Description	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)	Tag 2	Cost Curve	Cost Driver	Pay Hours Rules			
1	LPFM	WLSM	Foreman	1.00	Each	10.00	10.00	\$45.30	\$452.96	Salaried	Linear	CI Duration	10.00			
2	LWSPL01	WLSM	Pipelayer	1.00	Each	10.00	10.00	\$28.91	\$289.05	Hourly	Linear	CI Duration	10.00			
3	LSSPL02	WLSM	Pipelayer hel	1.00	Each	10.00	10.00	\$25.44	\$254.43	Hourly	Linear	CI Duration	10.00			
4	LSWLB	WLSM	Laborer	2.00	Each	20.00	20.00	\$21.63	\$432.51	Hourly	Linear	CI Duration	10.00			
5	RPU	WLSM	Rental Pickup	1.00	Each	10.00	10.00	\$12.42	\$124.20		Linear	CI Duration	10.00			
6	REBHL	WLSM	Backhoe Load	1.00	Each	10.00	10.00	\$21.74	\$217.45		Linear	CI Duration	10.00			
		Material				1.00			\$944.00		\$944.00	\$0.00	\$0.00	\$944.00	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)					
1			6x2 Tee	1.00	0.00	1.00	Each			\$169.00	\$169.00					
2			2x2 Fitting	1.00	0.00	1.00	Each			\$425.00	\$425.00					
3			2" Curb Stop	1.00	0.00	1.00	Each			\$350.00	\$350.00					
9											\$2,974.71	\$1,428.94	\$329.20	\$944.00	\$0.00	\$272.57

METRO CITY
GENERAL CONTRACTORS

TO: Tommy Cromer, PE, ENV SP Binkley & Barfield 1710 Seamist Drive Houston, TX 77008		PROPOSAL # DATE DATE NEEDED BY PROJECT #	CP-5 1/4/22 Open 315
PROJECT: City of Spring Valley Village Cedarspur Drive, Burkhart Road & Winningham Lane Paving and Utility			
DESCRIPTION OF CHANGE Adding additional fittings to bring Draing lines to connection			
REASON FOR CHANGE Some resident drain lines are not reaching the street.			
OVERRUNS/UNDERRUNS		LABOR: EQUIP: MATERIAL: SUPPLIES: SUBCONTRACTOR BONDS/FEES/OH: PROFIT	\$ 664.00 \$ 742.00 \$ 136.00 \$ 273.00
\$ - \$ - \$ -		CONTRACT SUM CHANGE AMOUNT: \$ 1,815.00 CONTRACT TIME CHANGE AMOUNT: 0	
 SUBMITTED BY: Tony Rodriguez - President			

Proposal
METRO CITY CONSTRUCTION
Job Code: 315-4
Description: Yard Drain Additional Work

Line No.	Pay Item No.	Proposal		Quantity	Unit of Measure	Unit Price	Total Price
		Description	Subtotal Description				
1	1	8713 Cedarspur		1.00	LS	332.71	332.71
2	2	8721 Cedarspur		1.00	LS	255.45	255.45
3	3	8725 Burkhart		1.00	LS	363.53	363.53
4	4	8705 Burkhart		1.00	LS	127.88	127.88
5	5	8709 Burkhart		1.00	LS	255.45	255.45
6	6	8717 Burkhart		1.00	LS	127.88	127.88
7	7	8701 Winningham		1.00	LS	224.64	224.64
8	8	8717 Winningham		1.00	LS	127.88	127.88
						Subtotal:	1,815.42
GRAND TOTAL:							1,815.42

Proposal Certification

Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION 315-4--Yard Drain Additional Work

CBS Position Code	Description				Optional Code	Forecast (T/O) Quantity			Unit Cost		Total Cost (Forecast)	Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost
	JOB					1.00			\$1,543.10		\$1,543.10	\$664.39	\$0.00	\$742.56	\$0.00	\$136.16
	Prime Bond				PRIME BOND	1.00			\$45.39		\$45.39	\$0.00	\$0.00	\$0.00	\$0.00	\$45.39
	Price % Add-On				PRICE % ADD-O	1.00			\$90.77		\$90.77	\$0.00	\$0.00	\$0.00	\$0.00	\$90.77
	Job Financing				FINANCE EXPENS	1.00			\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Job Management & Equipment				JOB MANAGEMEN	1.00			\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	General Expense				GENERAL EXPENS	1.00			\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1	8713 Cedarspur				1	1.00			\$257.85		\$257.85	\$102.21	\$0.00	\$155.64	\$0.00	\$0.00
1.1	Install					1.00			\$102.21		\$102.21	\$102.21	\$0.00	\$0.00	\$0.00	\$0.00
	Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)				
	1	LWSPL0		Pipelayer			1.00	Each	2.00	2.00	\$28.91	\$57.81				
	2	LWS02		Laborer - Common			1.00	Each	2.00	2.00	\$22.20	\$44.40				
1.2	Material					1.00			\$155.64		\$155.64	\$0.00	\$0.00	\$155.64	\$0.00	\$0.00
	Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)				
	1			22 Degree Bends	4.00	0.00	4.00	Each			\$18.00	\$72.00				
	2			4" Schedule 40 PIpe	12.00	0.00	12.00	Each			\$5.97	\$71.64				
	3			Fernco Coupling	1.00	0.00	1.00	Each			\$12.00	\$12.00				
2	8721 Cedarspur				2	1.00			\$197.97		\$197.97	\$102.21	\$0.00	\$95.76	\$0.00	\$0.00
2.1	Install					1.00			\$102.21		\$102.21	\$102.21	\$0.00	\$0.00	\$0.00	\$0.00
	Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)				
	1	LWSPL0		Pipelayer			1.00	Each	2.00	2.00	\$28.91	\$57.81				
	2	LWS02		Laborer - Common			1.00	Each	2.00	2.00	\$22.20	\$44.40				
2.2	Material					1.00			\$95.76		\$95.76	\$0.00	\$0.00	\$95.76	\$0.00	\$0.00
	Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)				
	1			22 Degree Bends	2.00	0.00	2.00	Each			\$18.00	\$36.00				
	2			4" Schedule 40 PIpe	8.00	0.00	8.00	Each			\$5.97	\$47.76				
	3			Fernco Coupling	1.00	0.00	1.00	Each			\$12.00	\$12.00				

Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION 315-4--Yard Drain Additional Work

CBS Position Code		Description				Optional Code	Forecast (T/O) Quantity			Unit Cost		Total Cost (Forecast)	Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost
3		8725 Burkhart				3	1.00			\$281.73		\$281.73	\$102.21	\$0.00	\$179.52	\$0.00	\$0.00
3.1		Install					1.00			\$102.21		\$102.21	\$102.21	\$0.00	\$0.00	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
1	LWSPL0		Pipelaye			1.00	Each	2.00	2.00	\$28.91	\$57.81						
2	LWS02		Laborer - Common			1.00	Each	2.00	2.00	\$22.20	\$44.40						
3.2		Material					1.00			\$179.52		\$179.52	\$0.00	\$0.00	\$179.52	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
1			22 Degree Bends	4.00	0.00	4.00	Each			\$18.00	\$72.00						
2			4" Schedule 40 PIpe	16.00	0.00	16.00	Each			\$5.97	\$95.52						
3			Fernco Coupling	1.00	0.00	1.00	Each			\$12.00	\$12.00						
4		8705 Burkhart				4	1.00			\$99.11		\$99.11	\$51.11	\$0.00	\$48.00	\$0.00	\$0.00
4.1		Install					1.00			\$51.11		\$51.11	\$51.11	\$0.00	\$0.00	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
1	LWSPL0		Pipelaye			1.00	Each	1.00	1.00	\$28.91	\$28.91						
2	LWS02		Laborer - Common			1.00	Each	1.00	1.00	\$22.20	\$22.20						
4.2		Material					1.00			\$48.00		\$48.00	\$0.00	\$0.00	\$48.00	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
1			22 Degree Bends	2.00	0.00	2.00	Each			\$18.00	\$36.00						
2			Fernco Coupling	1.00	0.00	1.00	Each			\$12.00	\$12.00						
5		8709 Burkhart				5	1.00			\$197.97		\$197.97	\$102.21	\$0.00	\$95.76	\$0.00	\$0.00
5.1		Install					1.00			\$102.21		\$102.21	\$102.21	\$0.00	\$0.00	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
1	LWSPL0		Pipelaye			1.00	Each	2.00	2.00	\$28.91	\$57.81						
2	LWS02		Laborer - Common			1.00	Each	2.00	2.00	\$22.20	\$44.40						
5.2		Material					1.00			\$95.76		\$95.76	\$0.00	\$0.00	\$95.76	\$0.00	\$0.00

Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION 315-4--Yard Drain Additional Work

CBS Position Code		Description				Optional Code	Forecast (T/O) Quantity			Unit Cost		Total Cost (Forecast)	Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
1			22 Degree Bends	2.00	0.00	2.00	Each			\$18.00	\$36.00						
2			Fernco Coupling	1.00	0.00	1.00	Each			\$12.00	\$12.00						
3			4" Schedule 40 Pipe	8.00	0.00	8.00	Each			\$5.97	\$47.76						
6		8717 Burkhardt			6			1.00		\$99.11	\$99.11	\$51.11	\$0.00	\$48.00	\$0.00	\$0.00	\$0.00
6.1		Install						1.00		\$51.11	\$51.11	\$51.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
1	LWSPL0		Pipelay			1.00	Each	1.00	1.00	\$28.91	\$28.91						
2	LWS02		Laborer - Common			1.00	Each	1.00	1.00	\$22.20	\$22.20						
6.2		Material						1.00		\$48.00	\$48.00	\$0.00	\$0.00	\$48.00	\$0.00	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
1			22 Degree Bends	2.00	0.00	2.00	Each			\$18.00	\$36.00						
2			Fernco Coupling	1.00	0.00	1.00	Each			\$12.00	\$12.00						
7		8701 Winningham			7			1.00		\$174.09	\$174.09	\$102.21	\$0.00	\$71.88	\$0.00	\$0.00	\$0.00
7.1		Install						1.00		\$102.21	\$102.21	\$102.21	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
1	LWSPL0		Pipelay			1.00	Each	2.00	2.00	\$28.91	\$57.81						
2	LWS02		Laborer - Common			1.00	Each	2.00	2.00	\$22.20	\$44.40						
7.2		Material						1.00		\$71.88	\$71.88	\$0.00	\$0.00	\$71.88	\$0.00	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
1			22 Degree Bends	2.00	0.00	2.00	Each			\$18.00	\$36.00						
2			4" Schedule 40 Pipe	4.00	0.00	4.00	Each			\$5.97	\$23.88						
3			Fernco Coupling	1.00	0.00	1.00	Each			\$12.00	\$12.00						
8		8717 Winningham			8			1.00		\$99.11	\$99.11	\$51.11	\$0.00	\$48.00	\$0.00	\$0.00	\$0.00
8.1		Install						1.00		\$51.11	\$51.11	\$51.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION 315-4--Yard Drain Additional Work

CBS Position Code		Description			Optional Code	Forecast (T/O) Quantity			Unit Cost		Total Cost (Forecast)	Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)					
1	LWSPL0		Pipelayer			1.00	Each	1.00	1.00	\$28.91	\$28.91					
2	LWS02		Laborer - Common			1.00	Each	1.00	1.00	\$22.20	\$22.20					
8.2		Material				1.00			\$48.00		\$48.00	\$0.00	\$0.00	\$48.00	\$0.00	\$0.00
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)					
1			22 Degree Bends	2.00	0.00	2.00	Each			\$18.00	\$36.00					
2			Fernco Coupling	1.00	0.00	1.00	Each			\$12.00	\$12.00					
30											\$1,543.10	\$664.39	\$0.00	\$742.56	\$0.00	\$136.16

METRO CITY
GENERAL CONTRACTORS

SUBMITTED BY: Tony Rodriguez - President

Proposal
METRO CITY CONSTRUCTION
Job Code: 315-5
Description: Sidewalks

Proposal						
Line No.	Pay Item No.	Description	Quantity	Unit of Measure	Unit Price	Total Price
		Subtotal Description				
1	1	Walkways	625.00	SF	12.19	7,618.75
					Subtotal:	7,618.75
GRAND TOTAL:						7,618.75

Proposal Certification

Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION 315-5--Sidewalks

CBS Position Code	Description	Optional Code	Forecast (T/O) Quantity	Unit Cost	Total Cost (Forecast)	Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost
	JOB		1.00	\$6,479.10	\$6,479.10	\$2,880.05	\$510.86	\$2,484.00	\$15.48	\$588.72
	Prime Bond	PRIME BOND	1.00	\$190.55	\$190.55	\$0.00	\$0.00	\$0.00	\$0.00	\$190.55
	Price % Add-On	PRICE % ADD-O	1.00	\$381.11	\$381.11	\$0.00	\$0.00	\$0.00	\$0.00	\$381.11
	Job Financing	FINANCE EXPENS	1.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Job Management & Equipment	JOB MANAGEMEN	1.00	\$476.39	\$476.39	\$377.03	\$99.36	\$0.00	\$0.00	\$0.00

Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)
1	LSVR		Field Engineer			1.00	Each	8.00	8.00	\$47.13	\$377.03
2	RPU		Rental Pickup			1.00	Each	8.00	8.00	\$12.42	\$99.36

	General Expense	GENERAL EXPENS	1.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1	Walkways	1	625.00	\$8.69	\$5,431.05	\$2,503.01	\$411.50	\$2,484.00	\$15.48	\$17.07
1.1	Install		625.00	\$4.69	\$2,930.30	\$2,503.01	\$411.50	\$0.00	\$0.00	\$15.79

Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)
1		SIDPAV	Concrete Sidewalk Crew			1.00	Each	112.50	112.50	\$234.42	\$2,930.30

Row Number	Code	Resource Assembly	Description	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)	Tag 2	Cost Curve	Cost Driver	Pay Hours Rules
1	LSWFM1	SIDPAV	Foreman	1.00	Each	12.50	12.50	\$44.39	\$554.94	Salaried	Linear	CI Duration	10.00
2	LSWOPBL	SIDPAV	Operator - Ba	1.00	Each	12.50	12.50	\$28.15	\$351.86	Hourly	Linear	CI Duration	10.00
3	LSWFIN2	SIDPAV	Finshier	3.00	Each	37.50	37.50	\$28.15	\$1,055.58	Hourly	Linear	CI Duration	10.00
4	LSW02	SIDPAV	Laborer	2.00	Each	25.00	25.00	\$21.63	\$540.63	Hourly	Linear	CI Duration	10.00
5	REBHL	SIDPAV	Backhoe Load	1.00	Each	12.50	12.50	\$21.76	\$272.04		Linear	CI Duration	10.00
6	RPU	SIDPAV	Rental Pickup	1.00	Each	12.50	12.50	\$12.42	\$155.25		Linear	CI Duration	10.00

1.2	Materials & Supplies		625.00	\$4.00	\$2,500.75	\$0.00	\$0.00	\$2,484.00	\$15.48	\$1.28
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Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)
1	SYP6		Pine 1x6	5.00	4.00	5.20	LF			\$10.00	\$52.00
2	SSTK		Stakes 2x4x18"	5.00	4.00	5.20	Each			\$0.00	\$0.00
3	SND		Nals Duplex 16	0.10	4.00	0.10	Each			\$71.66	\$7.45
4	SN		Nails Common 6	0.10	4.00	0.10	Each			\$89.43	\$9.30

Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION 315-5--Sidewalks

CBS Position Code		Description			Optional Code	Forecast (T/O) Quantity			Unit Cost		Total Cost (Forecast)	Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)					
5	MASAN		Sand	4.00	4.00	4.16	CY			\$19.00	\$79.04					
6	15		Concrete 3500 PSI	10.00	4.00	10.40	CY			\$144.00	\$1,497.60					
7	MPRW5		Redwood Expansion Joi	31.24	4.00	32.49	LF			\$2.75	\$89.36					
8	MPREB4		Rebar #4 20 Foot	50.00	2.00	51.00	Each			\$14.00	\$714.00					
9	MPRWS		Redwood Stakes	25.00	4.00	26.00	EA			\$2.00	\$52.00					
9											\$6,479.10	\$2,880.05	\$510.86	\$2,484.00	\$15.48	\$588.72

WALKWAY SCHEDULE

Address	Street Name	STA	W	L	SF
8710	Winningham		3	16	48
8711	Winningham		5	4	20
8719	Winningham		3	14	42
8718	Winningham		4	8	32
8722	Winningham		9	8	72
8731	Winningham		3	14	42
8729	Burkhart		3	9	27
8730	Burkhart		8	4	32
8721	Burkhart		3	13	39
8717	Burkhart		4	5	20
8718	Burkhart		3	14	42
8713	Burkhart		4	11	44
8709	Burkhart		3	11	33
8730	Cedarspur		3	18	54
8722	Cedarspur		4	6	24
8717	Cedarspur		3	18	54
TOTALS					625

CHANGE PROPOSAL



TO: Tommy Cromer, PE, ENV SP Binkley & Barfield 1710 Seamist Drive Houston, TX 77008		PROPOSAL # DATE DATE NEEDED BY PROJECT #	CP-7 1/29/23 Open 315
PROJECT: City of Spring Valley Village Cedarspur Drive, Burkhart Road & Winningham Lane Paving and Utility			
DESCRIPTION OF CHANGE Additional Driveways need to be removed and replaced			
REASON FOR CHANGE Existing driveways have a lower elevation at the proposed gutter line.			
OVERRUNS/UNDERRUNS		LABOR: EQUIP: MATERIAL: SUPPLIES: SUBCONTRACTOR BONDS/FEES/OH: PROFIT	\$ 7,750.25 \$ 1,311.53 \$ 8,535.74 \$ 49.24 \$ 1,763.22 \$ 3,425.29
		Per SY \$ 103.36	
		CONTRACT SUM CHANGE AMOUNT: \$ 22,835.27	
		CONTRACT TIME CHANGE AMOUNT: 25	
SUBMITTED BY: Tony Rodriguez - President			

Proposal
METRO CITY CONSTRUCTION
 Job Code: 315-7
 Description: Driveways

Proposal						
Line No.	Pay Item No.	Description	Quantity	Unit of Measure	Unit Price	Total Price
		Subtotal Description				
1	1	Driveways	220.93	SY	103.36	22,835.32
					Subtotal:	22,835.32
						GRAND TOTAL: 22,835.32

Proposal Certification

Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION 315-7--Driveways

CBS Position Code		Description			Optional Code	Forecast (T/O) Quantity			Unit Cost		Total Cost (Forecast)	Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost		
		JOB				1.00			\$19,409.97		\$19,409.97	\$7,750.25	\$1,311.53	\$8,535.74	\$49.24	\$1,763.22		
		Prime Bond			PRIME BOND	1.00			\$570.88		\$570.88	\$0.00	\$0.00	\$0.00	\$0.00	\$570.88		
		Price % Add-On			PRICE % ADD-O	1.00			\$1,141.76		\$1,141.76	\$0.00	\$0.00	\$0.00	\$0.00	\$1,141.76		
		Job Financing			FINANCE EXPENS	1.00			\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
		Job Management & Equipment			JOB MANAGEMEN	1.00			\$476.39		\$476.39	\$377.03	\$99.36	\$0.00	\$0.00	\$0.00		
	Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
	1	LSVR		Field Engineer			1.00	Each	8.00	8.00	\$47.13	\$377.03						
	2	RPU		Rental Pickup			1.00	Each	8.00	8.00	\$12.42	\$99.36						
			General Expense			GENERAL EXPENS		1.00			\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
1			Driveways			1		220.93			\$77.95		\$17,220.93	\$7,373.21	\$1,212.17	\$8,535.74	\$49.24	\$50.57
1.1			Install					220.93			\$39.07		\$8,631.89	\$7,373.21	\$1,212.17	\$0.00	\$0.00	\$46.51
	Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
	1		SIDEPAV	Concrete Sidewalk Crew			1.00	Each	331.40	331.40	\$234.42	\$8,631.89						
		Row Number	Code	Resource Assembly	Description	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)	Tag 2	Cost Curve	Cost Driver	Pay Hours Rules			
		1	LSWFM1	SIDEPAV	Foreman	1.00	Each	36.82	36.82	\$44.39	\$1,634.69	Salaried	Linear	CI Duration	10.00			
		2	LSWOPBL	SIDEPAV	Operator - Ba	1.00	Each	36.82	36.82	\$28.15	\$1,036.49	Hourly	Linear	CI Duration	10.00			
		3	LSWFIN2	SIDEPAV	Finshier	3.00	Each	110.47	110.47	\$28.15	\$3,109.47	Hourly	Linear	CI Duration	10.00			
		4	LSW02	SIDEPAV	Laborer	2.00	Each	73.64	73.64	\$21.63	\$1,592.56	Hourly	Linear	CI Duration	10.00			
		5	REBHL	SIDEPAV	Backhoe Load	1.00	Each	36.82	36.82	\$21.76	\$801.35		Linear	CI Duration	10.00			
		6	RPU	SIDEPAV	Rental Pickup	1.00	Each	36.82	36.82	\$12.42	\$457.33		Linear	CI Duration	10.00			
1.2			Materials & Supplies					220.93			\$38.88		\$8,589.04	\$0.00	\$0.00	\$8,535.74	\$49.24	\$4.06
	Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)						
	1	SYP6		Pine 1x6	15.91	4.00	16.54	LF			\$10.00	\$165.43						
	2	SSTK		Stakes 2x4x18"	15.91	4.00	16.54	Each			\$0.00	\$0.00						
	3	SND		Nals Duplex 16	0.32	4.00	0.33	Each			\$71.66	\$23.71						
	4	SN		Nails Common 6	0.32	4.00	0.33	Each			\$89.43	\$29.59						

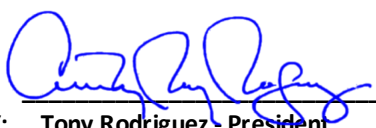
Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION 315-7--Driveways

CBS Position Code		Description			Optional Code	Forecast (T/O) Quantity			Unit Cost		Total Cost (Forecast)	Labor Total Cost	Rented Equipment Total Cost	Materials Total Cost	Supplies Total Cost	Fees Total Cost
Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)					
5	MASAN		Sand	12.73	4.00	13.23	CY			\$19.00	\$251.46					
6	15		Concrete 3500 PSI	36.81	4.00	38.28	CY			\$141.00	\$5,397.63					
7	MPRW5		Redwood Expansion Joi	99.40	4.00	103.37	LF			\$2.75	\$284.27					
8	MPREB4		Rebar #4 20 Foot	159.07	2.00	162.25	Each			\$14.00	\$2,271.51					
9	MPRWS		Redwood Stakes	79.53	4.00	82.72	EA			\$2.00	\$165.43					
9											\$19,409.97	\$7,750.25	\$1,311.53	\$8,535.74	\$49.24	\$1,763.22

CHANGE PROPOSAL



TO: Tommy Cromer, PE, ENV SP Binkley & Barfield 1710 Seamist Drive Houston, TX 77008		PROPOSAL # DATE DATE NEEDED BY PROJECT #	CP-8 1/30/23 Open 315
PROJECT: City of Spring Valley Village Cedarspur Drive, Burkhart Road & Winningham Lane Paving and Utility			
DESCRIPTION OF CHANGE Extra Laboratory testing for additional Driveways			
REASON FOR CHANGE Several Driveways were added to the project. The laboratory will have to make 5 additional trips.			
OVERRUNS/UNDERRUNS		LABOR: EQUIP: MATERIAL: SUPPLIES: SUBCONTRACTOR \$ 2,534.50 BONDS/FEES/OH: \$ 242.86 PROFIT \$ 460.82	
		Per DAY \$ 647.64	
		CONTRACT SUM CHANGE AMOUNT: \$ 3,238.18	
		CONTRACT TIME CHANGE AMOUNT:	
 SUBMITTED BY: Tony Rodriguez - President			

Cost Breakdown Structure (CBS) Register

METRO CITY CONSTRUCTION 315-8--Additional Laboratory Testing

CBS Position Code			Description			Optional Code		Forecast (T/O) Quantity			Unit Cost		Total Cost (Forecast)		Labor Total Cost		Rented Equipment Total Cost		Materials Total Cost		Supplies Total Cost		Fees Total Cost	
			JOB					1.00			\$2,777.36		\$2,777.36		\$0.00		\$0.00		\$0.00		\$0.00		\$242.86	
			Prime Bond			PRIME BOND		1.00			\$80.95		\$80.95		\$0.00		\$0.00		\$0.00		\$0.00		\$80.95	
			Price % Add-On			PRICE % ADD-O		1.00			\$161.91		\$161.91		\$0.00		\$0.00		\$0.00		\$0.00		\$161.91	
			Job Financing			FINANCE EXPENS		1.00			\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	
			Job Management & Equipment			JOB MANAGEMEN		1.00			\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	
			General Expense			GENERAL EXPENS		1.00			\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	
1			Additional Labortory Testing			1		5.00			\$506.90		\$2,534.50		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	
1.1			Geo Testing Engineering					5.00			\$506.90		\$2,534.50		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	
	Row Number	Code	Resource Assembly	Description	Quantity (Less Waste)	Waste % Add-on	Quantity	Unit of Measure	Work Hours	Pay Hours	Unit Cost	Total Cost (Forecast)												
	1			Technician	20.00	0.00	20.00	Hour			\$55.00	\$1,100.00												
	2			Vehicle Charge	5.00	0.00	5.00	Each			\$66.00	\$330.00												
	3			Cynlinder Test	20.00	0.00	20.00	Each			\$17.00	\$340.00												
	4			Project Engineer Report	1.00	-80.00	0.20	Hour			\$110.00	\$22.00												
	5			Pickup Technician	7.50	0.00	7.50	Hectares			\$55.00	\$412.50												
	6			Pickup Vehicle Charge	5.00	0.00	5.00	Each			\$66.00	\$330.00												
8												\$2,777.36		\$0.00		\$0.00		\$0.00		\$0.00		\$242.86		

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: February 28, 2023

TOPIC:	Approval of Pay Estimate No. 8 for Cedarspur, Burkhart, and Wnningham (East of Voss) Pavement & Utility Improvements Project to MetroCity LLC In The Amount of \$ 87,452.31
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BACKGROUND:	This is the 8th pay estimate to be submitted by MetroCity, LLC. for the Cedarspur, Burkhart, and Wnningham (East of Voss) Pavement & Utility Improvements Project (2022-01-101) for work completed on the Project from January 1 – January 31, 2023.
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RECOMMENDATION:	Binkley & Barfield Engineer Sr. Project Manager Tommy Cromer, P.E., ENV SP, and City staff have reviewed Pay Estimate No. 8 and recommend approval.
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ATTACHMENTS:	• Pay Estimate No. 8 Submitted By MetroCity, LLC.
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FUNDING ISSUES:	☐ Not applicable – no dollars are being spent or received. ☒ Full amount already budgeted in Acct/Project #25-50-7520 ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$ _____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ _____ from unassigned fund balance will be used and added to Acct/Project# _____ ☐ \$ _____ will be added to Revenue Acct# ____-____ and \$ _____ added to Expenditure Acct/Project# _____
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FINANCE VERIFICATION OF FUNDING:



SUBMITTING STAFF MEMBER:	CITY ADMINISTRATOR APPROVAL:
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Kristina Watson, Public Works Director	
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APPLICATION FOR PAYMENT

METROCITY LLC

Owner: City of Spring Valley Village

Project: Cedarspur, Burkhardt & Winningham Paving and Utility Improvements

Project # 315

Contract Date	6/6/22	Estimate #	8
Contract Time	330	Beg Period	1/1/23
Org. Completion Date	5/2/23	End Period	1/31/23
Additional Days		%Time Completed	72%
Completion Date	5/2/23	%Work Completed	67%

ANALYSIS OF CONTRACT AMOUNT

1. Original Contract Amount.	\$ 1,365,593.00
2. Net change by Change Order.	\$ -
3. Revised Contract Amount.	\$ 1,365,593.00
4. Total Completed and Stored Today.	\$ 914,426.75
5. Retainage:	
a: 10% of Completed Work	\$ 91,442.68
6. Net Amount Earned to Date: (Line 4 less 5 total).	\$ 822,984.08
7. Less Previous Payments.	\$ 735,531.76
8. Amount Due this Estimate.	\$ 87,452.31
9. Balance to Finish (Line 3 less Line 4).	\$ 451,166.25

CHANGE ORDER SUMMARY

1

2

3

4

5

Total Amount of Change Orders -

MetroCity, LLC certifies that to the best of its knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Application for Payment were issued and payments received from the Owner, and that the current payment shown herein is now due.

BY: Anthony Ray Rodriguez DATE: 2/6/23
Anthony Ray Rodriguez, President

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Owner/Owner's representative agrees to the best of his knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the this pay application.

BY: Tommy V. Cronus DATE: 2/6/2023
Brinkley & Barfield

BY: _____ DATE: _____
City of Spring Valley

METROCITY LLC. 17410 County Rd 127 Pearland, TX 77581 (281) 978-3000 (O)

PROJECT # 315

PROJECT NAME: Cedarspur, Burkhart, and Winningham

PERIOD 1/1 - 1/31

ESTIMATE 8

Item	Description	QTY	UNIT	UNIT Price	Contract Price	WORK COMPLETED				Materials Presently Stored	Total to Date	% Finish	Balance to Finish
						PREVIOUS QTY	PREV AMT	QTY	THIS PERIOD				
1	Mobilization	1	LS	\$39,000.00	\$ 39,000.00	1.00	\$ 39,000.00		\$ -		\$ 39,000.00	100%	\$ -
2	Performance and Payment Bonds	1	LS	\$19,384.00	\$ 19,384.00	1.00	\$ 19,384.00		\$ -		\$ 19,384.00	100%	\$ -
3	Traffic Control	10	MTH	\$1,250.60	\$ 12,506.00	7.00	\$ 8,754.20	1.00	\$ 1,250.60		\$ 10,004.80	80%	\$ 2,501.20
4	Sodding	6,000	SY	\$5.00	\$ 30,000.00	-	\$ -	2400.00	\$ 12,000.00		\$ 12,000.00	40%	\$ 18,000.00
5	Project Signs	3	EA	\$1,188.00	\$ 3,564.00	3.00	\$ 3,564.00		\$ -		\$ 3,564.00	100%	\$ -
6	Landscaping, Street Signs, Irrigation Systems	1	LS	\$25,012.00	\$ 25,012.00	-	\$ -	0.50	\$ 12,506.00		\$ 12,506.00	50%	\$ 12,506.00
7	Tree Protection	10	MTH	\$1,875.90	\$ 18,759.00	7.00	\$ 13,131.30	1.00	\$ 1,875.90		\$ 15,007.20	80%	\$ 3,751.80
8	Furnish Material Testing	10	MTH	\$2,500.00	\$ 25,000.00	7.00	\$ 17,500.00	1.00	\$ 2,500.00		\$ 20,000.00	80%	\$ 5,000.00
9	Remove & Dispose Existing - Pavement	5,300	SY	\$6.00	\$ 31,800.00	2,650.00	\$ 15,900.00	1383.41	\$ 8,300.46		\$ 24,200.46	76%	\$ 7,599.54
10	Remove & Dispose Exsting Driveway	550	SY	\$9.00	\$ 4,950.00	335.62	\$ 3,020.58	107.33	\$ 965.97		\$ 3,986.55	81%	\$ 963.45
11	Remove & Dispose Existing - Curb	3,600	LF	\$3.00	\$ 10,800.00	1,231.00	\$ 3,693.00	1469.00	\$ 4,407.00		\$ 8,100.00	75%	\$ 2,700.00
12	Saw Cut Existing Pavement	1,770	LF	\$4.00	\$ 7,080.00	221.00	\$ 884.00		\$ -		\$ 884.00	12%	\$ 6,196.00
13	6" Reinforced Concrete Paving	5,300	SY	\$65.00	\$ 344,500.00	2,650.09	\$ 172,255.85		\$ -		\$ 172,255.85	50%	\$ 172,244.15
14	6" Lime/Flyash Stabilized Sub grate	6,400	SY	\$4.00	\$ 25,600.00	3,008.75	\$ 12,035.00	450.00	\$ 1,800.00		\$ 13,835.00	54%	\$ 11,765.00
15	Lime	60	TN	\$212.00	\$ 12,720.00	50.66	\$ 10,739.92	26.10	\$ 5,533.20		\$ 16,273.12	128%	\$ (3,553.12)
16	Fly Ash	140	TN	\$248.00	\$ 34,720.00	-	\$ -		\$ -		\$ -		\$ 34,720.00
17	7" Concrete Driveways	870	SY	\$78.00	\$ 67,860.00	335.62	\$ 26,178.36	70.42	\$ 5,492.76		\$ 31,671.12	47%	\$ 36,188.88
18	Furnish & Install Temporary Driveway	350	SY	\$15.00	\$ 5,250.00	225.30	\$ 3,379.50	201.20	\$ 3,018.00		\$ 6,397.50	122%	\$ (1,147.50)
19	Transition Reinf Concret Curb incl Mitering Yard Drai	3,600	LF	\$8.00	\$ 28,800.00	1,231.00	\$ 9,848.00	566.00	\$ 4,528.00		\$ 14,376.00	50%	\$ 14,424.00
20	Transision Reinf Curb Drain	71	EA	\$1,058.00	\$ 75,118.00	-	\$ -	36.00	\$ 38,088.00	\$ 8,006.25	\$ 46,094.25	61%	\$ 29,023.75
21	Storm Sewer Rings	6	EA	\$1,204.00	\$ 7,224.00	-	\$ -		\$ -		\$ -		\$ 7,224.00
22	SWPPP	10	MTH	\$1,250.60	\$ 12,506.00	6.00	\$ 7,503.60	1.00	\$ 1,250.60		\$ 8,754.20	70%	\$ 3,751.80
23	Inlet Protection Barrier - Stage 2	6	EA	\$112.00	\$ 672.00	6.00	\$ 672.00		\$ -		\$ 672.00	100%	\$ -
24	Stablized Construction Exit/Entrance	3	EA	\$3,323.00	\$ 9,969.00	-	\$ -	1.00	\$ 3,323.00		\$ 3,323.00	33%	\$ 6,646.00
25	Spot Repair 6" W/L Trenchless	6	EA	\$712.00	\$ 4,272.00	-	\$ -		\$ -		\$ -		\$ 4,272.00
26	Remove and Dispose Existing W/L	630	LF	\$8.00	\$ 5,040.00	-	\$ -	632.00	\$ 5,056.00		\$ 5,056.00	100%	\$ (16.00)
27	6" PVC Waterline	630	LF	\$145.00	\$ 91,350.00	630.00	\$ 91,350.00		\$ -		\$ 91,350.00	100%	\$ -
28	Trench Safety	630	LF	\$5.00	\$ 3,150.00	60.00	\$ 300.00		\$ -		\$ 300.00	10%	\$ 2,850.00
29	8 x 6 Wet Connection	1	EA	\$2,074.00	\$ 2,074.00	1.00	\$ 2,074.00		\$ -		\$ 2,074.00	100%	\$ -
30	Cut and Plug 6" Waterline	1	EA	\$1,920.00	\$ 1,920.00	1.00	\$ 1,920.00		\$ -		\$ 1,920.00	100%	\$ -
31	6" Gate Valve & Box	4	EA	\$2,123.00	\$ 8,492.00	1.00	\$ 2,123.00	1.00	\$ 2,123.00		\$ 4,246.00	50%	\$ 4,246.00
32	1" Single Short Side Service	24	EA	\$1,331.00	\$ 31,944.00	25.00	\$ 33,275.00		\$ -		\$ 33,275.00	104%	\$ (1,331.00)
33	2" Single Long Side Service	25	EA	\$1,887.00	\$ 47,175.00	26.00	\$ 49,062.00		\$ -		\$ 49,062.00	104%	\$ (1,887.00)
34	"Y" Reducer	49	EA	\$482.00	\$ 23,618.00	50.00	\$ 24,100.00		\$ -		\$ 24,100.00	102%	\$ (482.00)
35	New Water Meter Box	44	EA	\$352.00	\$ 15,488.00	44.00	\$ 15,488.00		\$ -		\$ 15,488.00	100%	\$ -
36	Fire Hydrant	4	EA	\$7,827.00	\$ 31,308.00	4.00	\$ 31,308.00		\$ -		\$ 31,308.00	100%	\$ -
37	Fire Hydrant - Parallel	2	EA	\$8,352.00	\$ 16,704.00	2.00	\$ 16,704.00		\$ -		\$ 16,704.00	100%	\$ -
38	4 1/2" Pumper Nozzle For Fire Hydrant	3	EA	\$1,520.00	\$ 4,560.00	3.00	\$ 4,560.00		\$ -		\$ 4,560.00	100%	\$ -
39	Uniformed Officer	120	HR	\$35.00	\$ 4,200.00	-	\$ -		\$ -		\$ -		\$ 4,200.00
40	Pot Hole Utility Investigation	6	EA	\$2,000.00	\$ 12,000.00	2.00	\$ 4,000.00		\$ -		\$ 4,000.00	33%	\$ 8,000.00
41	Temporary Construction Safety Fence	200	LF	\$5.00	\$ 1,000.00	180.00	\$ 900.00		\$ -		\$ 900.00	90%	\$ 100.00
42	Extra Ductil Iron Fittings	1	TN	\$1,500.00	\$ 1,500.00	-	\$ -		\$ -		\$ -		\$ 1,500.00
43	Extra Machine Excavation	150	CY	\$20.00	\$ 3,000.00	-	\$ -		\$ -		\$ -		\$ 3,000.00
44	Extra Hand Excavation	150	CY	\$30.00	\$ 4,500.00	3.69	\$ 110.70		\$ -		\$ 110.70	2%	\$ 4,389.30
45	Point Repair 8" Exising Sanitary Sewer	9	EA	\$712.00	\$ 6,408.00	7.00	\$ 4,984.00		\$ -		\$ 4,984.00	78%	\$ 1,424.00
46	Remove Sanitary Sewer Cleanout	2	EA	\$880.00	\$ 1,760.00	2.00	\$ 1,760.00		\$ -		\$ 1,760.00	100%	\$ -
47	8" Sanitary Sewer by CIPP	610	LF	\$179.00	\$ 109,190.00	610.00	\$ 109,190.00		\$ -		\$ 109,190.00	100%	\$ -

Item	Description	QTY	UNIT	UNIT Price	Contract Price	WORK COMPLETED				Materials Presently Stored	Total to Date	% Finish	Balance to Finish
						PREVIOUS QTY	PREV AMT	QTY	THIS PERIOD				
48	Sanitary Service Replacement	47	EA	\$750.00	\$ 35,250.00	4.00	\$ 3,000.00	13.00	\$ 9,750.00		\$ 12,750.00	36%	\$ 22,500.00
49	Sanitary Manhole Lid and Rigs	7	EA	\$628.00	\$ 4,396.00	-	\$ -		\$ -		\$ -		\$ 4,396.00
50	Sanitary Sewer Manhole	2	EA	\$9,500.00	\$ 19,000.00	2.00	\$ 19,000.00		\$ -		\$ 19,000.00	100%	\$ -
51	Sanitary Sewer Cleanout	47	EA	\$500.00	\$ 23,500.00	-	\$ -		\$ -		\$ -		\$ 23,500.00
TOTAL CONTRACT AMOUNT					\$ 1,365,593.00	\$13,634.73	\$ 782,652.01		\$ 123,768.49	\$ 8,006.25	\$ 914,426.75		\$ 451,166.25

Installed This Period	\$ 123,768.49
Retainage this Period	\$ 12,376.85

Total Amt of Contract with Add'l Items	\$ 1,365,593.00
Total Installed & Stored to Date	\$ 914,426.75
Less Retainage 10%	\$ 91,442.68
Total Amount Less Retainage	\$ 822,984.08
Invoiced to Date	\$ 735,531.76
Total Payment Due this Estimate	\$ 87,452.31

AFFIDAVIT OF BILLS PAID

THE STATE OF TEXAS
COUNTY OF Brazoria

BEFORE ME, the undersigned authority, on this day personally appeared **Anthony Rodriguez**. Party to that certain Contract entered on the 12th day of May 2022, between **City of Spring Valley Village** (Owner) and **MetroCity, LLC** (Contractor) for the erection, construction, and completion of certain improvements and/or additions upon the following described premises, to wit:

CEDARSPUR, BURKHART, AND WINNINGHAM (EAST OF VOSS ROAD) PAVING AND UTILITY IMPROVEMENTS PROJECT

Said party being by me duly sworn states upon oath that the said improvements have been erected and completed in full compliance with the above referred to Contract and the agreed plans and specifications, therefore.

Deponent further states he has paid all bills and claims for materials furnished and labor performed on said Contract and that there are no outstanding unpaid bills or legal claims for labor performed or materials furnished upon said job.

This affidavit is being made by the undersigned realizing that it is in reliance upon the truthfulness of the statements contained therein that final and full settlement of the balance due on said Contract is being made, and in consideration of the disbursement of funds by Owner, deponent expressly waives and releases all liens, claims and rights to assert a lien on said premises and agrees to indemnify, defend, and hold Owner safe and harmless from and against all losses, damages, costs and expenses of any character whatsoever specifically including court costs, bonding fees and attorney fees, arising out of or in any way relating to claims for unpaid labor or material used or associated with construction of improvements on the above-described premises.

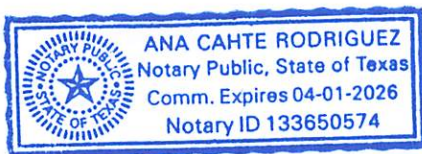
(Contractor)

By: **Anthony Ray Rodriguez - President**

BEFORE ME, the undersigned authority, on this day personally appeared **Anthony Ray Rodriguez** known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of such corporation, for the purpose of consideration therein expressed and, in the capacity, therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE **6th** day of **February 2023**

MY COMMISSION EXPIRES:



Ana Rodriguez
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Police Department Staff Report

SPRING VALLEY POLICE DEPARTMENT

Calls - By Type

01\01\2023
thru 01\31\2023
Zone is: SPRING VALLEY

Type	Description	# Of Calls
21	911 HANG UP	5
6	ACCIDENT	22
145	ACCIDENT - FSGI	2
22	ALARM	20
23	AMBULANCE CALL	18
24	ANIMAL CALL	10
43	ASSIST OUTSIDE AGENCY	3
149	BURGLARY - MOTOR VEHICLE	5
135	BUSINESS CHECK	1,523
48	CITY CREW REPAIRS	1
49	CIVIL MATTER	2
151	CRIMINAL MISCHIEF	1
53	DEBRIS IN ROADWAY	4
60	FIRE CALL	11
160	FRAUD	3
65	GAS LEAK	1
68	HOUSE CHECK	52
161	IDENTITY THEFT	1
70	INFORMATION	41
71	INVESTIGATION	5
76	LOUD NOISE	5
159	MOTORIST ASSIST	3
81	OPEN DOOR	17
162	PARKING VIOLATION	3
86	PUBLIC RELATIONS	229
88	RECOVERY STOLEN VEHICLE	1
90	REPOSSESSED VEHICLE	2
96	SOLICITOR	5
99	STALLED VEHICLE	29
103	SUSPICIOUS ACTIVITY	6
104	SUSPICIOUS PERSON	5
105	SUSPICIOUS VEHICLE	20
154	THEFT	3
156	THEFT - MOTOR VEHICLE	1
11	TRAFFIC STOP	470
111	VEHICLE BLOCKING ROADWAY	3
112	VEHICLE CHECK	1
163	VIOLATION OF CITY ORDINANCE	4
42	WARRANT SERVICE	1
117	WELFARE CONCERN	10
Total		2,548

Spring Valley Village, TX PD

Jan 1, 2023 - Jan 31, 2023

Citation Offense Count By Violation

Total Charges: **1049**

Description	Count
CHILD (4-17) NOT SECURED BY SAFETY BELT	5
CITY ORDINANCE - NO THRU TRUCKS	1
CITY ORDINANCE - SOLICITING WITHOUT A PERMIT - PEDDLER	1
CITY ORDINANCE - SOLICITING WITHOUT A PERMIT FUTURE	1
DEFECTIVE EQUIPMENT - WHITE LIGHT TO THE REAR	1
DEFECTIVE EQUIPMENT / NO LICENSE PLATE LIGHT	45
DEFECTIVE EQUIPMENT-NO FLAGS ON EXTENDED LOAD	1
DEFECTIVE HEAD LAMPS	102
DEFECTIVE HEAD LIGHTS	12
DEFECTIVE STOP LAMP(S)	50
DEFECTIVE STOP LIGHTS-TRAILER	6
DEFECTIVE TAIL LAMP(S)	22
DISPLAY FICTITIOUS/WRONG/UNCLEAN LICENSE PLATES	9
DISPLAY SUSPENDED DRIVER LICENSE	2
DISPLAY/ EXPIRED REGISTRATION	233
DRIVING WHILE LICENSE INVALID UNDER PROVISIONS OF DL LAWS	5
DROVE ON WRONG SIDE OF ROAD/INTERSECTION	1
DROVE WITHOUT LIGHTS (WHEN REQUIRED)	27
DROVE WRONG SIDE OF ROAD	1
EXPIRED BUYER TAG	6
EXPIRED DEALER TAG	1
EXPIRED DRIVERS LICENSE	16
FAIL TO CONTROL SPEED	3
FAIL TO DISPLAY DRIVERS LICENSE	3
FAIL TO GET A TEXAS DRIVERS LICENSE AFTER 90 DAYS OF RESIDENCE IN THIS STATE	3
FAIL TO MAINTAIN FINANCIAL RESPONSIBILITY	116
FAIL TO REPORT CHANGE OF ADDRESS	7
FAILED TO DIM HEADLIGHTS - FOLLOWING	8

CONFIDENTIAL

Spring Valley Village, TX PD

Jan 1, 2023 - Jan 31, 2023

Citation Offense Count By Violation

Total Charges: **1049**

Description	Count
FAILED TO DIM HEADLIGHTS - MEETING	14
FAILED TO SIGNAL TURN	1
FAILED TO SIGNAL TURN / LANE CHANGE	1
FAILED TO STOP AT DESIGNATED POINT (STOP SIGN)	12
FAILED TO STOP FOR SCHOOL BUS (OR REMAIN STOPPED)	1
ILLEGAL BUYERS TAGS	3
ILLEGAL PARKING - FIRE LANE - SHOP CTR	4
ILLEGAL PARKING - NO PARKING ANY TIME	4
ILLEGAL PARKING-FIRE LANE	1
ILLEGAL WINDOW TINT	2
MUD FLAPS	1
NO DRIVERS LICENSE	105
NO FRONT LICENSE PLATE	12
NO LICENSE NUMBER PLATES-TRAILER	3
NO SEAT BELT - DRIVER	1
OPERATE MOTOR VEHICLE WITHOUT LICENSE PLATES OR WITH ONE LICENSE PLATE	5
OPERATE UNREGISTERED MOTOR VEHICLE	4
ORDINANCE UNLAWFUL TRESPASSING	2
PASSING/DISREGARD NO PASSING ZONE	2
PUBLIC INTOXICATION	1
RAN RED LIGHT	7
RAN STOP SIGN	11
SIMPLE ASSAULT	1
SPEEDING (NU)	9
SPEEDING - REDUCED SPEED	1
SPEEDING >10% ABOVE POSTED LIMIT	125
SPEEDING IN SCHOOL ZONE	9
TURNED RIGHT TOO WIDE	1

CONFIDENTIAL

Spring Valley Village, TX PD

Jan 1, 2023 - Jan 31, 2023

Citation Offense Count By Violation

Total Charges: 1049

Description	Count
UNAUTHORIZED USE OF DEALER TEMP TAG (NOT DEALER OR EMPLOYEE)	4
UNAUTHORIZED USE OF DEALER TEMP TAG - (DEALER OR EMPLOYEE)	1
UNLEASHED ANIMAL (DOG/CAT) - FIRST OFFENSE	1
UNRESTRAINED CHILD YOUNGER THAN 5 OR UNDER 36 INCHES	5
WRONG/ALTERED/OBSCURED LICENSE PLATE	7

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: February 28, 2023

TOPIC:	Ordinance Number 2023-XX AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 6, 2023 GENERAL CITY ELECTION ELECTED TO OFFICE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; CANCELING THE MAY 6, 2023 GENERAL CITY ELECTION; PROVIDING A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.
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BACKGROUND:	During the candidate application filing period of January 18 to February 17, 2023, the City received only one application for each of the open positions in the General Election. We received applications from the following (listed in order of date application was received): • John Lisenby (Council Member position) • David Dominy (Council Member position) • Steve Bass (Council Member position) Additionally, the City received no write-in candidate applications by the filing deadline of February 21, 2023. Since all of the applicants were unopposed, the City may cancel the General Election for this year. On Election Day, Saturday, May 6th, a notice will be posted on the front doors of City Hall making residents aware that the election was canceled. The notice will also be posted on the City's website. The applicants were informed and will be sworn in on May 23, 2023, prior to the City Council meeting.
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RECOMMENDATION:	Staff recommends approval of the Ordinance.
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ATTACHMENTS:	• Ordinance Number 2023-XX
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FUNDING ISSUES:	☒ Not applicable – no dollars are being spent or received. ☐ Full amount already budgeted in Acct/Project# _____ ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment: ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____ ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____
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FINANCE VERIFICATION OF FUNDING:	
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SUBMITTING STAFF MEMBER: Jasmin Torres, City Secretary	CITY ADMINISTRATOR APPROVAL: 
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ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 6, 2023 GENERAL CITY ELECTION ELECTED TO OFFICE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; CANCELING THE MAY 6, 2023 GENERAL CITY ELECTION; PROVIDING A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the general City election was called for May 6, 2023, for the purpose of electing three (3) members to the City Council for full terms in the general election; and

WHEREAS, the City Secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of a write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the City Council to declare the candidates elected to office and cancel the election.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. The facts and matters contained in the preamble of this Ordinance are hereby found to be true and correct and are incorporated herein.

Section 2. The following candidates, who are unopposed in the May 6, 2023, General City Election, are declared elected to office and shall be issued certificates of the election following the time the election would have been canvassed:

COUNCIL MEMBERS, AT LARGE

Steve Bass (two-year term)

David Dominy (two-year term)

John Lisenby (two-year term)

Section 3. The May 6, 2023, General City Election is canceled, and the City Secretary is directed to cause a copy of this Ordinance to be posted on Election Day at each polling place that would have been used in the election.

Section 4. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this

ordinance since the City Council would have enacted them without the invalid portion.

Section 5. This Ordinance shall take effect upon its final passage, and it is so ordained.

DULY PASSED, APPROVED, AND ADOPTED this the 28th day of February 2023.

Marcus Vajdos, Mayor
City of Spring Valley Village, Texas

ATTEST:

Jasmin Torres, City Secretary
City of Spring Valley Village, Texas

**Spring Valley Village City Council
Agenda Item Data Sheet**

MEETING DATE: February 28,

TOPIC: Reviewing Interlocal Agreement by and between City of Spring Valley Village and City of Hilshire for provision by Spring Valley Village for the provision of police and Municipal Court services.

BACKGROUND: Mayor Vajdos will present this Item

RECOMMENDATION: None

ATTACHMENTS: • Copy of Original Interlocal Agreement.

FUNDING ISSUES:

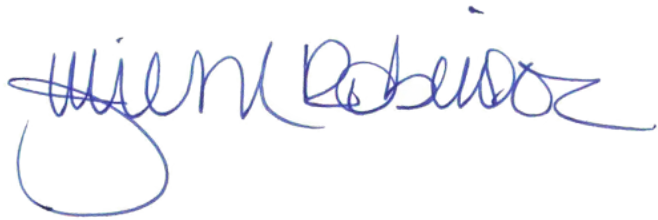
- ☐ Not applicable – no dollars are being spent or received.
- ☐ Full amount already budgeted in Acct/Project# _____
- ☐ Not budgeted, if approved, the following will be included in the next Budget Amendment:
 - ☐ \$_____ from Acct/Project# _____ will be transferred to Acct/Project# _____
 - ☐ \$_____ from unassigned fund balance will be used and added to Acct/Project# _____
 - ☐ \$_____ will be added to Revenue Acct# ____-____ and \$_____ added to Expenditure Acct/Project# _____

FINANCE VERIFICATION OF FUNDING:

SUBMITTING STAFF MEMBER:

Mayor Vajdos

CITY ADMINISTRATOR APPROVAL:





CITY OF SPRING VALLEY VILLAGE

October 27, 2010

Mayor Robin Border
Cit of Hilshire Village
8301 Westview
Houston, Texas 77055

Dear Mayor Border:

Enclosed are two signed original documents approved by City Council at the regular Council meeting held on Tuesday, October 26, 2010 regarding the Interlocal Cooperation Agreement for police and municipal court services.

Please return one original to my attention when executed.

If you have any questions or concerns, please contact us.

Sincerely,

Betty Lusk
City Secretary

THE STATE OF TEXAS
COUNTY OF HARRIS

§
§
§

KNOW ALL MEN BY THESE PRESENTS

Whereas, the City of Spring Valley Village, Texas ("SVV"), and the City of Hilshire Village, Texas ("Hilshire") entered into an Interlocal Cooperation Agreement for the provision by SVV of police and municipal court services to Hilshire on December 31, 1987; and

Whereas, the parties have periodically amended that agreement and are desirous of amending the agreement as set forth below; and

Whereas, the parties enter into this Agreement for the purpose of the providing law enforcement and municipal court services for the benefit of their communities;

Now, therefore, the City Councils of SVV and Hilshire mutually agree as follows:

I.

SVV and Hilshire enter into this Agreement by and through their duly elected officials, and it is the intention of both parties to conform this Agreement in all respects with Chapter 791 of the Texas Government Code, more commonly known as "The Interlocal Cooperation Act."

II.

SVV shall:

- (a) Provide police services, as those services are provided within SVV, including, but not limited to, general police patrol, neighborhood patrol, crime investigations, House Watch and National Night Out Programs, home security evaluations, animal control, emergency and SRT (Special Response Team) support, alarm response, and general enforcement of the laws of the State of Texas and the ordinances of Hilshire;
- (b) Provide, maintain, and service, at no additional expense to Hilshire, all police cars necessary for and used in providing the services described in (a) above;
- (c) Publish and permit to be published, to all interested parties and the residents of Hilshire, the telephone number of SVV's police dispatcher;
- (d) Maintain and keep in force a policy, or policies, of automobile insurance on all vehicles used in fulfilling this agreement, such policies complying in all respects with the Texas Tort Claims Act, as amended;
- (e) Provide municipal court services, including clerical, judicial and warrant officer support. Such services shall include the adjudication of Class C misdemeanor crimes, issuing arrest warrants, collecting and receipting fines and court costs, filing Office of Court Administration Reports, filing State Comptroller's Office reports, remitting payments to the

State Comptroller, preparing reports of moving traffic convictions to the Department of Public Safety and all other reasonable and necessary functions of a municipal court;

(f) Pay all wages, salaries, and other compensation of police officers, municipal court judge, prosecuting attorney, and court clerk including payroll taxes, retirement, social security taxes, if any, and any other payroll expenses for the services provided by SVV;

(g) Provide upon request an officer to attend Hilshire City Council meetings and report on police activities for the previous month; and

(h) Periodically pay to Hilshire fines collected by SVV for the municipal court (less court costs and fees).

III.

Hilshire shall:

(a) Pay to SVV for the police and municipal court services described above the sum of \$319,821.55 for the 2010/2011 fiscal year. For each subsequent year of the Agreement, if any, Hilshire shall pay to SVV an amount equal to 16.1% (the area of Hilshire as a percentage of the combined area of SVV and HV) of SVV's total Police Department Budget not including budgeted expenses for warrant officer and capital improvements. Such amount shall be prorated on a monthly basis, with payments being due on or before the first day of the month to which such payment applies. For the purposes hereof, "fiscal year" shall mean the period that begins October 1st and ends the immediately the following September 30th;

(b) Provide whatever Ordinances may be necessary to give SVV the full authority, power, rights, and privileges to act for Hilshire in accordance with this agreement; and

(c) Appoint the Municipal Court Judge, Associate or Alternate Court Judge, Prosecuting Attorney, Assistant Prosecuting Attorneys and Clerk of the Court, all of whom shall be the same as appointed by the SVV for its Municipal Court.

IV.

This Agreement shall be for a term of one year, commencing on October 1, 2010, and extending through September 30, 2011; provided, however, that this Agreement shall automatically extend for successive one year terms unless notice of termination is given by June 1 prior to the end of any term. Provided further, that either party may terminate this Agreement by giving notice to the other party at least 180 days prior to the date of termination. All written notice shall be sent to the address of the parties shown herein.

V.

In order to have a more effective relationship between the parties, and to provide the best possible police protection and municipal court, it is mutually agreed that all questions arising

under this Agreement shall be handled and resolved between the governing bodies of the parties, and by no other means or person.

VI.

(a) At all times this agreement is in force, all police officers of SVV shall be under the supervision of the Chief of Police of SVV, or the Chief's duly authorized representative, and no other person.

(b) Each party shall pay for services provided under this Agreement out of current revenue funds.

(c) Each party agrees that this Agreement fairly compensates each party for the services and functions performed under this Agreement.

VII.

Independent Contractor. Both parties mutually agree that SVV is an independent contractor, and shall have exclusive control of performance hereunder, and is in no way to be considered an employee of the Hilshire. Nothing herein shall be deemed or construed by the parties hereto, or by any third party, as creating the relationship of principal and agent, partners, joint-venturers, or any similar relationship.

VIII.

Risks. Each party agrees to carry such policies of insurance as each deems appropriate to cover any risks arising out of this Agreement; provided further that SVV agrees to carry, as a minimum, insurance with liability limits of One Million Dollars "aggregate." Policies are available for inspection by Hilshire upon request.

IX.

No third party beneficiaries. This Agreement inures to the benefit of and obligates only the parties executing it. No term or provision of this Agreement shall benefit or obligate any person or entity not a party to it.

X.

No waiver of immunity. Nothing in this Agreement shall be construed to waive any immunities from suit or liability enjoyed by the parties, their past or present officers, employees, or agents.

XI.

Venue. Venue for any dispute arising under this Agreement shall lie exclusively in the state and federal courts of Harris County, Texas.

XII.

Amendments. This agreement may be modified, changed, or altered at any time, upon mutual agreement of parties, provided that any such modification, change, or alteration be reduced to writing.

XIII.

Severability. If any clause, paragraph, section or portion of this Agreement shall be found to be illegal, unlawful, unconstitutional or void for any reason, the balance of the Agreement shall remain in full force and effect, and the parties shall be deemed to have contracted as if said clause, section, paragraph or portion had not been in the Agreement initially.

IN WITNESS WHEREOF, we have hereunto set our hands effective the 26th day of October, 2010, in duplicate originals in Harris County, Texas.

CITY OF SPRING VALLEY VILLAGE
("SVV")

By: 
Michael Andrews, Mayor

ATTEST:


Betty Lusk, City Secretary
City of Spring Valley Village

CITY OF HILSHIRE VILLAGE
("Hilshire")

By: 
Robin Border, Mayor

ATTEST:


Susan Blevins, City Secretary
City of Hilshire Village

XII.

Amendments. This agreement may be modified, changed, or altered at any time, upon mutual agreement of parties, provided that any such modification, change, or alteration be reduced to writing.

XIII.

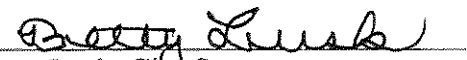
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IN WITNESS WHEREOF, we have hereunto set our hands effective the 26th day of October, 2010, in duplicate originals in Harris County, Texas.

CITY OF SPRING VALLEY VILLAGE
("SVV")

By: 
Michael Andrews, Mayor

ATTEST:


Betty Lusk, City Secretary
City of Spring Valley Village

CITY OF HILSHIRE VILLAGE
("Hilshire")

By: 
Robin Border, Mayor

ATTEST:


Susan Blevins, City Secretary
City of Hilshire Village


Shannon Whiting, Mayor Pro Tem
May 15, 2012