

STATE OF TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH TRC SOLUTIONS, INC. FOR DESIGN AND ENGINEERING SERVICES RELATED TO THE RECONSTRUCTION OF STREMPER ROAD INCLUDING TXDOT APPROVED ACCELERATION AND DECELERATION LANES ON BOTH BUSINESS 123 AND STATE HIGHWAY 123; AND DECLARING AN EFFECTIVE DATE

**WHEREAS**, Stremper Road has deteriorated from the recent construction of Rave Gear, Tractor Supply and the sanitary sewer line construction; and

**WHEREAS**, due to the new businesses, the City's building of a new utility warehouse, and the use as a cut through between State Highway 123 and Business 123, city staff recommends widening Stremper Road and including acceleration and deceleration lanes on both Business 123 and State Hwy 123; and

**WHEREAS**, city staff has negotiated a proposal with TRC Solutions for the Stremper Road Project in the amount of \$232,645.00 and recommends entering into a contract in that amount.

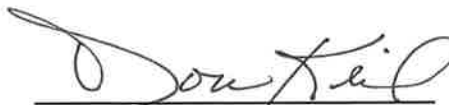
**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Seguin, Texas:

**SECTION 1.** The City Council of Seguin, Texas hereby approves a Professional Services Agreement with TRC Solutions, Inc. in the amount of \$232,645.00 for the design and engineering services necessary for the Stremper Road Reconstruction Project.

**SECTION 2.** The City Manager is authorized to execute a Professional Services Agreement with TRC Solutions, Inc. for the Stremper Road Reconstruction Project.

**SECTION 3.** This resolution is effective on the date of its passing.

**PASSED AND APPROVED THIS 5<sup>th</sup> DAY OF APRIL 2016.**

  
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DON KEIL  
MAYOR

**ATTEST:**

  
\_\_\_\_\_  
Thalia Stautzenberger  
City Secretary



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March 9, 2016

Mr. Douglas Faseler, City Manager  
City of Seguin  
P.O. Box 591  
Seguin, Texas 78156-0591

**RE: Strempel Road  
Street Reconstruction Project  
Engineering Services Proposal**

Dear Mr. Faseler:

At the request of the City of Seguin, this letter represents TRC's engineering services proposal for the above-referenced project, which will consist of street reconstruction of approximately 2,800 linear feet on Strempel Road extending from the eastern edge-of-pavement of Hwy. 123 Business (Austin Street) to the western edge-of-pavement of Hwy. 123 Bypass. The design will include:

- Widening the driving surface width to 38 feet, two 12 foot lanes with a 14 foot continuous left turn lane, with asphalt surface as base bid and concrete surface as alternate bid.
- Concrete lining of the bar ditch within the north right-of-way.
- Shared use trail in the south right-of-way (as an alternate bid).
- Culvert bridge crossing at the eastern release point of the concrete lined bar ditch.
- Earthen drainage swale located on the Ramos property east of the Rave Gear site extending approximately 550 feet south of Strempel, ending at the Funderburk property.
- Three (3) easement exhibit field notes, one for the drainage swale on the Ramos property, one for the planned property acquisition at the northeast end of Strempel and one for an electrical easement at the northeast end of Strempel.

In addition to the above services, the City requested that TRC provide a separate cost for services related to the design of acceleration and deceleration lanes on Hwy. 123 Business and Bypass, as shown below.

The cost to provide the engineering services, based on the attached preliminary scope of work, is as follows:

Mr. Douglas Faseler, City Manager  
City of Seguin  
March 9, 2016  
Page 2

	Stempel Road	TxDOT Accel/Decel Lanes
Design Services:	\$136,942	\$41,253
Topographical Surveying:	\$10,890	\$4,400
Easement Exhibits (3):	\$2,640	N/A
Environmental:	\$26,400	N/A
Geotechnical:	\$4,620	\$5,500
Total:	\$181,492	\$51,153

The total cost of services for the entire project is \$232,645.00.

The opportunity to provide this proposal is greatly appreciated. The services will be provided under the Master Services Agreement executed by the City and TRC. If you have any questions regarding this information, please feel free to contact this office.

Sincerely,



H. Craig Bell, P.E.  
Austin CES Practice Leader

Enclosures



**CITY OF SEGUIN  
STREMPER ROAD  
STREET RECONSTRUCTION PROJECT  
ENGINEERING SERVICES PROPOSAL  
PRELIMINARY SCOPE OF WORK  
(03/9/16)**

**ENGINEERING DESIGN SCOPE OF WORK:**

1. Acquire field topographical data needed for the project design.
2. Provide environmental services (see below scope).
3. Provide geotechnical borings and report for roadway design, consisting of six (6) 15-foot deep bores for Stremper and eight (8) 15-foot deep bores for acceleration/deceleration lanes in TxDOT ROW.
4. Prepare easement field notes for three (3) tracts (see below scope).
5. Prepare construction plans/specifications for the proposed project, including all details, for standard city of Seguin bid package.
6. Provide submittal package to TXDOT for project review/approval.
7. Provide submittal package to TDLR consultant for approval of the shared used trail.
8. Assist the City in bidding process including preparation of advertisement document, assist the City in the opening and tabulation of bids, prepare award recommendation letter and prepare construction contract documents.
9. Assist the City during construction consisting of pre-construction meeting, contractor correspondence, submittal review, pay request review, periodic site visits (maximum of four), final inspection, preparation of contractor punch list and record drawing preparation (3 sets of hard copies and one CD electronic copy).

**Exclusions:**

The following items are specifically excluded from the scope of work:

- Construction staking.
- Continuous construction inspection.
- Detailed title search or title policy.
- Attendance at or preparation for condemnation hearings.
- Plat documents, landowner contact or easement negotiations.

- Clean Water Act Section 404 individual permit.
- Traffic signal design, if applicable.
- Fees for TDLR submittal.
- TxDOT Traffic Impact Analysis.
- TxDOT format drawings, specifications or bid documents (microstation, half-size drawings, etc.)
- Drainage surveying/design on Funderburk property.

**EASEMENT EXHIBITS SCOPE OF WORK:**

Easement field note exhibits shall be provided for the following areas:

1. Drainage easement field notes extending south of Stempel on the Ramos property to Funderburk property.
2. Property acquisition field notes for north east end of Stempel.
3. Electrical easement field notes for north east end of Stempel.

**ENVIRONMENTAL SCOPE OF WORK:**

**Stempel Road**

Preparation of an Environmental Due Diligence Report. This proposal includes the following tasks for Stempel Road:

***Biological Resources Investigations***

Biological resources investigations to identify the existing conditions of the project area and to determine the potential presence of sensitive natural resources. The biological resources investigations will consist of background data reviews and surveys for completion of a Waters of the U.S. delineation and T&E species habitat assessment.

***Waters of the U.S. Background Data Review and Survey***

A background review will be performed of existing and available data, including U.S. Geological Survey (USGS) topographic maps, U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) maps, U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) Soil Surveys, Federal Emergency Management Agency (FEMA) floodplain maps, aerial photography, as well as other available planning maps and reports. The information obtained from these documents will be used in the survey and will be incorporated into the biological resources technical memorandum.

A qualified wetland delineator will conduct a survey to determine the location and extent of any potential wetlands or other waters of the U.S. within the proposed project area. The survey will be performed in accordance with methods described in the 1987 *Corps of Engineers Wetlands Delineation Manual* and *Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Great Plains Region* (Version 2.0). The boundary of water bodies potentially subject to Army Corps of Engineers (USACE) jurisdiction are defined by the Ordinary High Water Mark (OHWM), except where wetlands are present. The OHWM is the line on the water body's bank established by the presence and/or fluctuations of water, and is indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, and/or changes in the character of the soil. Vegetation, soils, and hydrology will be recorded for each wetland and non-wetland site on appropriate field data forms. The boundaries of the wetlands will be marked in the field with flagging at intervals necessary to accurately depict the wetland boundary. Data collection sites and jurisdictional wetland and/or water body boundaries will be surveyed using a sub-meter Global Positioning System (GPS) unit.

It is anticipated that the proposed project would utilize a USACE Nationwide Permit (NWP) 14, without a Pre-construction notification. A NWP 14 authorizes activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., trails) in waters of the U.S.

#### ***Threatened and Endangered Species Background Data Review and Survey***

A background data review will be performed to determine the potential presence of protected species within the project area. The background data review will include a search for the current listing of Federally- and State-listed rare, threatened, and endangered species for Guadalupe County; Federally-designated Critical Habitat; the Texas Parks and Wildlife Department's (TPWD) Texas Natural Diversity Database (TXNDD); and other available data to assess the potential for protected species to occur within the project area. The results of the background data review will be used in the survey and incorporated into the biological resources technical memorandum.

A survey will be conducted for T&E species habitat, vegetation communities, and other natural resources that may be present within or adjacent to the project area, to include identification of predominant vegetation communities and address their abilities to provide habitat for and support T&E species.

#### ***Biological Resources Technical Memorandum***

A biological resources technical memorandum will be prepared that includes a summary of the background data review and survey results for the waters of the U.S. delineation and T&E species habitat assessment. The biological resources technical memorandum will include the following, as appropriate:

- A detailed description of the project area, including vegetation, soils, hydrology, land use, and any special habitat features;
- Results of the T&E species assessment and TXNDD search identifying species with the potential to occur within the project area and a brief description of the life history and habitat requirements for identified species;

- A description of the area within or adjacent to the project area that falls within the Regulatory Floodway Zone of the 100-year floodplain;
- A brief discussion of invasive species within or adjacent to the Project area, in accordance with Executive Order 13112 on invasive species;
- A brief discussion of the project's potential impacts on visual aesthetics;
- Topographical map, aerial map, FEMA map, TXNDD map, NWI map, land use map, soils map, and map identifying potential waters of the U.S.; and
- Recorded data forms and/or project area photographs taken during the surveys.

The draft biological resources technical memorandum will be submitted to the City for review and comment.

### ***Archeological Investigations***

An archeologist will prepare an Archeological Desktop Review that will entail a review of data extracted from area topographic, soils, and geology maps and data from previous archeological surveys and locations of recorded archeological sites and other cultural resources within 1 kilometer (0.6 mile) of the project area. The archeologist will consult the Texas Historical Commission's (THC's) restricted-access Online Archeological Sites Atlas (ATLAS), as well as the City of Seguin's Inventory of Historic Landmarks. In addition to identifying recorded archeological sites, the review will include the following types of information on the ATLAS: National Register of Historic Places properties, State Antiquities Landmarks, Official Texas Historical Markers, Registered Texas Historic Landmarks, and cemeteries. Other documents such as historic aerial photographs, Sanborn maps, documents from the Texas General Land Office (GLO) website, maps from the Historic Texas Overlay database, and cemetery records, including online cemetery databases, may also be reviewed.

The Archeological Desktop Review detailing the proposed project, pertinent background and archival information, and site-specific project recommendations and conclusions will be produced by the archeologist. The Desktop Review will contain recommendations as to whether additional work, such as an archeological survey, is recommended. Two copies of the draft Desktop Review will be produced and submitted to the City of Seguin for review. Upon addressing the City's comments, copies of the draft review letter will be submitted to THC for review.

If the THC concludes that the proposed project could impact existing State Antiquities Landmarks (SALs) or areas of high archeological potential where as yet unidentified potential SALs may be found, THC may require further investigation by a professional archeologist in the form of an archeological survey to be conducted in compliance with the Antiquities Code of Texas (9 TNR 191, 13 TAC 26), , and, in the event that human burials may be present within the project area, in deference to the Texas Health and Safety Code (Title 8, Section 711, 13 TAC 22.1-22.6).

Based on previous developments within the project area, it is anticipated that an archeological survey will not be required. If THC determines that a survey is warranted based on information

presented in the Archeological Desktop Review, then a supplemental work authorization will be prepared to perform the survey.

### ***Non-archeological Historic Properties Investigation***

A historian will complete a letter report for the proposed project, which will be sent for review to the City of Seguin for forwarding to SHPO. The Engineer's historian will prepare a desktop review using the THC's Historic Sites Atlas to identify only the properties listed on the NRHP or designated as standing structure SALs within the footprint of the proposed project (including any proposed ROW and easements). The Engineer's historian will document the results of Antiquities Code of Texas compliance with regards to non-archeological historic resources in a letter report, including a review of direct effects to the aforementioned historic resources if such historic resources are identified in the desktop review. It is anticipated that a letter report will be the only deliverable required for this project. If SHPO determines that a survey is necessary for the project, a supplemental scope and fee would be required.

A draft Due Diligence report and supporting materials to the City of Seguin for review and comment.

### **Assumptions:**

- The proposed work will have minimal or no effect on sensitive resources (T&E species, waters of the U.S., and cultural resources).
- Fieldwork for the natural resources survey, ISA, and other background data gathering will be performed concurrently.
- An intensive archeological survey of the project area will not be required. If it is determined that a survey is warranted based on information presented in the Archeological Background Study, then a supplemental work authorization will be prepared to perform the survey.
- For non-archeological historic resources, this scope and fee does not include an assessment of Section 4(f) impacts, reconnaissance-level historic resources survey, and/or intensive-level historic resources survey. If SHPO requests that such work be completed for this project, it will be completed under a separate scope and fee.
- The City of Seguin will be responsible for submitting all deliverables for review to SHPO.

### **Exclusions:**

- Mitigation planning, costs, implementation, and/or monitoring.
- T&E species-specific surveys.
- ASTM Phase I Environmental Site Assessment (ESA) services.
- Biological monitoring.

- Public Involvement services.
- Permitting services to include USACE pre-construction notification.
- Regulatory agency (e.g., THC, USFWS, TPWD, USACE, etc.) coordination/consultation services other than those described in this proposal.
- Nesting migratory bird surveys to ensure project compliance if vegetation disturbance or clearing activities are performed during the migratory bird breeding season (generally March through August in Texas).

**TxDOT Requirements:**

Since this portion of the proposed work would occur within Texas Department of Transportation right-of-way, the proposed project would need to comply with Texas Department of Transportation guidelines. Items in addition to previously stated tasks are shown here.

This proposal includes the following tasks:

***Biological Resources Investigations, to include:***

- Wetlands location map (if applicable)
- EPA 303(d) listed streams that the project may discharge into directly or within five miles downstream (if applicable)

***Environmental Scoping and Preparation of a Categorical Exclusion (CE) Checklist***

Draft and final deliverables under this proposal include:

- Biological resources technical memorandum;
- ISA technical memorandum;
- Project Coordination Request for Historic Resources (if needed);
- Background Study for Archeological Resources;
- Air quality technical memorandum (see CE section);
- Traffic noise technical memorandum (see CE section); and
- CE Checklist.

***Initial Site Assessment (ISA) for Hazardous Materials***

A survey of the project area will be performed and complete an ISA for an evaluation of potential hazardous materials impacts. The ISA will determine the potential for encountering hazardous materials in the project area, including possible environmental liability, increased handling

requirements (e.g., soil and/or groundwater), and potential construction worker health and safety issues. The ISA will be performed in accordance with TxDOT ISA guidance and requirements. A background data review will be performed of existing and available hazardous materials data for use in the investigation, survey, ISA memorandum, and CE checklist, as necessary.

A draft ISA technical memorandum will be prepared that includes a summary of the background data review and survey results. The draft ISA technical memorandum will be submitted to the City of Seguin for review and comment.

It is anticipated that the proposed project would not require a Phase I Environmental Site Assessment (ESA) for hazardous materials. If TxDOT determines that a Phase II ESA is warranted based on information presented in the ISA, then a supplemental work authorization will be prepared to perform the Phase II ESA.

The Archeological Background Study detailing the proposed project, pertinent background and archival information, and site-specific project recommendations and conclusions will be produced by the archeologist. The Background Study shall be consistent with the standards as established by TxDOT's Review Standards for Background Studies. The Background Study will contain recommendations as to whether additional work, such as an archeological survey, is recommended. Two copies of the draft Background Study will be produced and submitted to the City of Seguin for review. Upon addressing the City's comments, copies of the draft study will be submitted to TxDOT for review. Any comments from the reviewing agency will be addressed and a final version submitted.

If the reviewing agency concludes that the proposed undertaking could impact existing archeological sites or areas of high archeological potential, TxDOT will require further investigation by a professional archeologist in the form of a Phase I intensive archeological survey to be conducted in compliance with Section 106 of the National Historic Preservation Act (16 USC § 470 et seq., 36 CFR 800), the Antiquities Code of Texas (9 TNR 191, 13 TAC 26), , and, in the event that human burials may be present within the APE, the Texas Health and Safety Code (Title 8, Section 711, 13 TAC 22.1-22.6).

Based on previous developments within the APE, It is anticipated that an intensive archeological survey will not be required. If TxDOT determines that a survey is warranted based on information presented in the Archeological Background Study, then a supplemental work authorization will be prepared to perform the survey.

### ***Non-archeological Historic Properties Investigation***

A Project Coordination Request (PCR) form will be completed for the proposed project, which will be sent to the City of Seguin for review and forwarding to TxDOT. This PCR form will include previously identified historic-age resources within 1,300 feet of the proposed project area and provide information regarding the potential for the presence of historic-age properties in the project's Area of Potential Effect (APE). It is anticipated that the APE for this project would be 150 feet from the existing and proposed right-of-way. The PCR form will also include attachments with maps of the proposed project limits, the 1,300-foot study area, and the project APE. It is anticipated that a PCR form will be the only deliverable required for this project. If TxDOT determines that a survey is necessary for the project, a supplemental scope and fee would be required.

### ***Categorical Exclusion (CE) Checklist***

The CE Checklist will be prepared in accordance with 23 CFR 771.117; TAC, Title 43, Part 1, Chapter 2; FHWA and TxDOT guidelines; and current Federal and State laws, rules, and regulations. In addition, TRC will also assist the City of Seguin with completion of TxDOT's *Project Scope for Environmental Review Documents*, as needed.

In accordance with FHWA and TxDOT guidelines, the CE Checklist will be supported by the following technical reports and other supporting documentation:

- Biological resources technical memorandum;
- ISA technical memorandum;
- Project Coordination Request for Historic Resources;
- Background Study for Archeological Resources;
- Air quality technical memorandum;
- Traffic noise technical memorandum;
- Socioeconomic technical memorandum;
- Agency coordination letters and responses; and
- Maps, plans, photographs, and database results.

The draft CE Checklist and supporting materials will be submitted to the City of Seguin for review and comment. TxDOT comments will be incorporated into the final CE Checklist and submit to the City for review and comment.

### **Assumptions:**

The work described in this proposal will be competed with the following assumptions:

- This scope and fee does not include an assessment of Section 4(f) impacts, reconnaissance-level historic resources survey, and/or intensive-level historic resources survey. If TxDOT requests that such work be completed for this project, it will be completed under a separate scope and fee. The City of Seguin will be responsible for submitting all deliverables for review to TxDOT. TxDOT will be responsible for all formal agency coordination associated with the CE review process.
- Project deliverables will be reviewed by TxDOT's San Antonio District.
- The City of Seguin will be responsible for coordinating any necessary public involvement activities, such as meetings, newspaper postings, etc., if necessary.

- The proposed project qualifies as a CE. This scope assumes that the project will meet the criteria of a C(26) determination from TxDOT. If after further review the proposed project's environmental documentation requirements are elevated, then additional scoping and costs would be required.
- All deliverables, including exhibits and supporting materials, will be prepared in accordance with TxDOT and FHWA guidelines and will meet the regulatory requirements of legal sufficiency.

**Exclusions:**

The following items are specifically excluded from the scope of work:

- ASTM Phase II ESA services.

Executed this 6<sup>th</sup> day of April, 2016



Rick Cortes  
Acting City Manager