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July 24, 2024

Mr. Tim Howe
Ms. Terri Lynn Ruckstuhl
City of Seguin
205 N. River Street
Seguin, Texas 78155

**Re: 12" Water Line Relocation Proposal
24" Water Transmission Main Project**

Dear Mr. Howe and Ms. Ruckstuhl:

As requested by the City of Seguin, TRC Engineers, Inc. (TRC) has prepared this proposal for additional services related to the 24" Transmission Main project. These additional services include design for construction of a new 12" water line to replace the existing 12" water line located within TxDOT's ROW for SH 123 Bypass. The 12" water line will be designed from north of N. Heideke Street to the north City property line of the SH 123 Elevated Storage Tank. The design will include two (2) 12" lines to be bored to the east side of SH 123 Bypass, one at N. Heideke St, and one north of Stempel Road. The scope of work for the 12" water line is below.

TRC is also requesting additional construction inspection budget with this proposal. The current scope of work allows for eight (8) hours of inspection per month for 18 months, or approximately two hours per week. Additional budget is requested that will allow for 5 hours per week for 18 months. This will provide additional coverage to address any issues that arise in the field.

TRC will perform the following Scope of Work for the 12" Water Line:

Survey Scope of Work

A. Topographical Survey

1. Acquire field topographical data for the two (2) 12" water lines to be bored across SH 123 Bypass, to include:
 - a. Detailed survey including utility locates (as furnished by the specific utility provider) within the project limits described above.
 - b. Provide subsurface utility engineering (SUE) for utility locates (quality level C and D).
2. Provide design level topographic survey data for the two (2) 12" water lines to be bored across SH 123 Bypass within the project survey limits.
 - a. The survey will be performed on the ground traditional field observation methods to locate found visible features, both horizontally and vertically, including existing

- structures, drainage features, pavement, driveways, fences, and visible above-ground utility appurtenances within the survey limits.
- b. The survey will obtain topographic field elevations at 50-foot station intervals for use in developing a digital terrain model.
 - c. Markings from franchise utility services and City utilities will be located at time of survey.
 - d. Flowline elevations of found storm water and sanitary sewer manhole inlet structures immediately adjoining the site will be identified.
 - e. The survey will field locate found protected trees six (6) inches or greater in trunk diameter measured at breast height, in accordance with municipal code. Trees will be tagged in the field and shown on the survey noting trunk diameter, species, and canopy size.
3. Surveyor will perform necessary research to acquire ROW maps, current adjoining property deeds and subdivision plats for properties on the east side of SH 123 Bypass where the two (2) 12" water lines will be bored.
 - a. Field boundary reconnaissance will be performed to locate found subject property and adjoining property corner monumentation.
 - b. Results will be compared, and boundary resolutions determined for affected rights-of-way and properties adjoining the project limits.
 - c. Existing easements of record discovered during abstracting will be shown on the survey.
 4. Provide survey field notes.
 - a. Provide a maximum of four (4) sets of easement field notes including permanent easement and construction access, to include ownership/existing easement title work.

B. Environmental

TRC will perform the following Environmental Scope of Work for the two (2) 12" water lines to be bored across SH 123 Bypass:

Task 1 – Cultural Resources Services: Desktop Study and Texas Historical Commission (THC) Consultation

TRC will perform a desktop review to identify existing conditions and identify documented cultural resources within the area of potential effects (APE). TRC will perform a site file search using the THC Archeological and Historic Sites Atlas (THC Atlas) to compile current information on recorded cultural resources that are situated within a one (1) kilometer of the APE. Other documents, including historic aerial photographs, U.S. Geological Survey (USGS) topographic maps, Sanborn maps, Texas General Land Office documents, Historic Texas Overlay Database maps, and cemetery records may also be reviewed, if available. The results of this site file search will be compiled in a letter of consultation

for submission to the THC. THC will review the letter of consultation concurrently and provide a response within 30 days of submission.

Task 2: Wetlands and Other Waters and Protected Species Desktop Review

The Project may be subject to regulation by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act if Waters of the United States (WOTUS) are present on-site and impacts to them cannot be avoided. The Endangered Species Act protects plants and animals that are listed as endangered or threatened by the USFWS and the National Marine Fisheries Service (NMFS). Bald and Golden Eagles are federally protected under the Bald and Golden Eagle Protection Act (BGEPA) and over 1,000 species of migratory birds are federally protected under the Migratory Bird Treaty Act (MBTA). Texas state laws and regulations provide additional protections to state listed species listed by the TPWD.

To facilitate Project planning and environmental due diligence and compliance with applicable federal laws and regulations protecting WOTUS and federal and state laws and regulations protecting plants and animals, TRC will perform a desktop-level review to assess the Project's potential for impacting potentially jurisdictional WOTUS and protected species and/or their habitat(s). The desktop review will include review of readily available data and resources including, but not limited to, the following:

1. Current and historic aerial imagery,
2. U.S. Geological Survey (USGS) topographic maps,
3. USGS National Hydrography Dataset (NHD) data,
4. U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) data,
5. U.S. Department of Agriculture (USDA) – Natural Resources Conservation Service (NRCS) soil survey data,
6. Federal Emergency Management Agency (FEMA) flood hazard maps and data,
7. USFWS Information for Planning and Consultation (IPaC) project planning tool,
8. Texas Parks and Wildlife Department (TPWD) Annotated County Lists of Rare Species,
9. TPWD Texas Natural Diversity Database (TXNDD), and
10. Other readily available resources and data.

Following the background desktop-level data review, a TRC biologist (1) will conduct an in-person site visit to confirm and verify the findings of the desktop review. During the site visit, the TRC biologist will document on-site conditions, the presence/absence of any on-site aquatic resources, and the presence/absence of potentially suitable protected species habitat(s).

Following the Site Visit, TRC will prepare a memorandum summarizing the results of the desktop review and site visit. The memo will address any regulatory considerations that may be applicable to the Project and will include TRC's recommended next steps, if necessary. If additional services are identified as necessary, TRC will prepare a separate scope of work and cost estimate for additional services, if requested. TRC will provide a draft TRC Summary Memo of Findings and Regulatory Considerations for the City to review in electronic PDF format and will provide one (1) round of edits following receipt of review comments to produce a final Summary Memo of Findings and Regulatory Considerations

C. Engineering

1. Determine pipeline routing conflicts including franchise utility conflicts. Acquire information from the franchise utilities (gas, telephone, cable, electrical, etc.) and determine need for relocation. The City will provide direct correspondence with the franchise utilities. Design of existing utility relocations shall be provided by others.
2. Prepare preliminary site routing with landowner property designations.
3. Prepare opinion of probable project cost, with unit costs based on recent projects bid within the area, including discussions with contractors and pipe vendors on any expected cost fluctuations.
4. Attend a maximum of two (2) design meetings with City Staff throughout the design process.

D. Permitting

1. Submit applications and/or permits for:
 - a. Texas Commission on Environmental Quality (TCEQ) – summary transmittal letter.
 - b. TxDOT – obtain three (3) utility crossing permits: two (2) for the 12" water lines to be bored across SH 123 Bypass and one (1) for the water line crossing of Strempel Road.

E. Construction Documents

1. Prepare construction documents for the proposed project, to be incorporated into the 24" Water Transmission Main construction plans, consisting of the below. Because a private developer will construct the 24" Water Transmission Main between Stations 96+86.02 and 107+77.26, and their agreement will be modified by the City to include the relocated 12" water line, emphasis will first be placed on finalizing the construction documents for this portion of the 12" water line. The remaining portion of construction documents for the 12" water line outside of these stations will be prepared subsequently.
 - a. Water pipeline plan and profile drawing sheets.
 - b. Erosion control plan.
2. Submit 60% and 100% construction documents to City for review/approval, and meeting with City Staff to discuss each.

3. Provide final set of construction documents.

Assumptions

As the basis for the preparation for this proposal and the associated cost of service, the following assumptions were made which, if found to be incorrect may result in request(s) from TRC for additional compensation:

1. Where necessary, the City will be responsible for arranging property access prior to commencement of the field survey and/or environmental investigations for properties not located within City right-of-way. TRC will not perform any field investigation on properties where access has not been granted.
2. Subsurface Utility Engineering provided will not relieve the contractor from the duty to comply with applicable utility damage prevention laws and regulations, including, but not limited to, giving notification to utility owners or "One-Call Notification Centers" before excavation.
3. Should the schedule be changed or put on "hold" by the City, all costs incurred by TRC up to notification of change of schedule or "hold" status will be billed to the City. Additional fees that TRC may incur as a result of the change of schedule or "hold" status will be billed to the City once the Project has resumed in addition to the cost of services included in this proposal.
4. The two (2) 12" water lines bored across SH 123 Bypass will be installed by the jack-and-bore method with steel casing pipe.
5. Right-of-way services is based on completing 30-year titles.
6. The 12" water line will generally be located in the same 20' easement as the 24" Transmission Main, with the 24" Transmission Main being shifted off center to provide more space.
7. The existing 12" water line within TxDOT ROW must be relocated by April 2025.
8. The existing 12" water line within TxDOT ROW will be removed or grout filled, to be confirmed later.
9. Easement acquisition will be performed by the City of Seguin.
10. Amending an existing easement, if required, will be performed by the City of Seguin.
11. Construction work for the 12" water line across the convenience store site between Stations 96+86.02 and 107+77.26 will be performed by the developer of the convenience store site. The City will prepare the appropriate amendments to the agreement between the developer and the City to include the 12" water line.

12. The portion of the 12” water line outside of Stations 96+86.02 and 107+77.26, as well as any abandonment of the existing 12” water line, will be constructed by Guerra Underground as a change order to its construction contract for the 24” Water Transmission Main.

Environmental assumptions are as follows:

1. TRC assumes funding for the project is from the City of Seguin and there are no state or federal funding sources.
2. TRC will provide one (1) electronic PDF draft version of the Summary Memo of Findings and Regulatory Considerations described in this scope of work for review by the City and will provide one (1) round of edits following receipt of review comments to produce a final Summary Memo of Findings and Regulatory Considerations.
3. No additional environmental services or studies (e.g., formal wetland and other waters delineation; ASTM Phase I Environmental Site Assessment; species-specific surveys; biological monitoring; cultural resources surveys; regulatory agency permitting, planning, or coordination; etc.) beyond those specifically outlined in this scope of work will be performed. Should additional environmental or cultural resources services be required or requested, TRC will prepare a separate proposal and cost estimate for additional services not outlined in this scope of work.
4. This scope of work does not include migratory bird nesting surveys. Should the project need to clear vegetation between March 15 and September 15, migratory nesting bird surveys may be necessary to facilitate compliance with and avoid violation of the Migratory Bird Treaty Act. If requested, TRC will prepare a separate scope of work and cost estimate for additional services.
5. TRC will have timely, complete, and unobstructed access to the Project Area. Access to the Project Area will be coordinated by the City. Where necessary, the City will be responsible for arranging property access prior to commencement of on-site work for properties not located within public right-of-way. TRC will not perform any on-site work on properties where access has not been granted.
6. Should the Project schedule be changed or put on “hold,” all costs incurred by TRC up to notification of change of schedule or “hold” status will be billed. Additional fees that TRC may incur as a result of the change of schedule or “hold” status will be billed once the project has resumed in addition to the cost of services included in this scope of work.

Exclusions

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

1. Any design services not listed above, including but not limited to design of landscape or irrigation, street total reconstruction, sidewalks, or accessibility, electrical or lighting.

2. Land acquisition services or acquisition of right-of-entries.
3. Any services required by funding agencies.
4. Services for modeling of the water system.
5. Design of improvements or relocations for sanitary sewer lines, electrical lines, gas lines, telephone lines or other franchise utilities.
6. Attendance at or preparation for condemnation hearings, easements (not mentioned above) or plat documents, landowner contact or easement negotiations.
7. Preparation of permits, applications, etc. (not mentioned above).
8. Costs for permitting or application fees or review fees by regulatory authorities.
9. US Army Corps of Engineers (USACE) permit preparation or notification, if applicable.
10. Any design services not listed above.
11. Post-construction topographical survey or GIS system updates.
12. Construction staking or field staking for other purposes.

Compensation for Services

TRC will provide the professional engineering services as outlined herein, in accordance with the original engineering proposal for this project, and within the Master Services Agreement executed between the City and TRC (dated December 16, 2003), for a total lump sum fee as follows:

Environmental/Cultural Services:	\$7,500.00
Topographical Surveying:	\$3,140.00
Easement Field Notes including Title Work (4 Properties):	\$9,500.00
Engineering Design:	\$90,160.00
Additional Construction Inspection	\$32,750.00
Total (lump sum):	\$143,050.00

This fee includes labor and material costs associated with the Scope of Work identified above. TRC's fee above is based on a continuous flow of work. Any delays or restrictions, caused by customer or customer's sub consultants, which result in idle-time or inefficiencies, could be cause for additional compensation. The payment schedule will be via monthly progress billing.

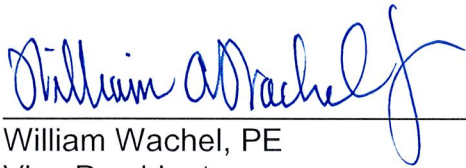
Changes in scope, including additional scenarios or modification to the scenarios identified above will be evaluated for additional services and/or materials cost through a formal change



order process, which results in approval of the additional cost prior to executing the additional work. Fees for services quoted in this Letter of Agreement are valid for a period of time not to exceed 60 days from the date of this letter.

We appreciate the opportunity to assist with this project and are available to proceed immediately with your written approval. For any questions you may have regarding this proposal, please contact H. Craig Bell, P.E. at (512) 924-4999 or cbell@trccompanies.com. Please review this proposal and, upon acceptance, sign in the space provided below, returning a copy for our files.

Sincerely,



William Wachel, PE
Vice President

City of Seguin

July 23, 2024

Date

Date