

AGENDA

Special and Regular Meeting of the Bedford City Council
Tuesday, May 24, 2011
2000 Forest Ridge Drive
Bedford, Texas 76021

Council Chambers, Special Session 5:30 p.m.
Council Chambers, Work Session 6:00 p.m.
Council Chambers, Regular Session 6:30 p.m.

SPECIAL SESSION

- Consider a resolution to receive and accept as true and correct the canvassed voting results for the General Election held on May 14, 2011 for the election of Council Members Place 4 and Place 6 as presented by the City Secretary.

INAUGURATION OF NEWLY ELECTED OFFICIALS

- Administer Statement of Elected Officer and Oath of Office to newly elected Council Members Place 4 and Place 6 and presentation of the Certificate of Election.

ADJOURNMENT

WORK SESSION

- Review and discuss items on the regular agenda and consider placing items for approval by consent.
- Staff report regarding the request to close Somerset Circle.

EXECUTIVE SESSION:

To convene before the Regular Session, if time permits, in the conference room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- Pursuant to Section 551.072 of the Texas Government Code: to deliberate the purchase, exchange, lease or value of real property in regards to Glenda Drive and Sulphur Branch.

REGULAR SESSION 6:30 P.M.

CALL TO ORDER/GENERAL COMMENTS

INVOCATION (Dr. Jeff May, First United Methodist Church of Bedford)

PLEDGE OF ALLEGIANCE

OPEN FORUM

(The public is invited to address the Council on any topic that is posted on this agenda. Citizens desiring to speak on Public Hearing(s) must do so at the time the Public Hearing(s) are opened. In order to speak during Open Forum a person must first sign in with the City Secretary prior to the Regular Session being called to order. Speakers will be called upon in the order in which they sign in. Any person not signing in prior to the commencement of the Regular Session shall not be allowed to speak under Open Forum. Further, Open Forum is limited to a maximum of 30 minutes. Should speakers not use the entire 30 minutes Council will proceed with the agenda. At the majority vote of the Council the Mayor may extend the time allotted for Open Forum.)

CONSIDER APPROVAL OF ITEMS BY CONSENT

COUNCIL RECOGNITION

1. Employee Service Recognition

APPROVAL OF THE MINUTES

2. Consider approval of the following City Council minutes:

- a) May 10, 2011 regular meeting
- b) May 17, 2011 special meeting

NEW BUSINESS

3. Consider an ordinance of the City Council of the City of Bedford, Texas, ("City") approving a negotiated resolution between the Steering Committee of cities served by Oncor ("Steering Committee") and Oncor Electric Delivery Company LLC ("Oncor" or "Company") regarding the company's application to increase electric rates in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; requiring the company to reimburse cities' reasonable ratemaking expenses; and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; approving Oncor's proof of revenues
4. Consider a resolution authorizing the closure of Kentwood Circle at its intersection with the west bound service road of SH 183 and SH 121 subject to North Tarrant Express (NTE) Mobility Partners continuing the sound wall in this area.
5. Consider a resolution authorizing the City Manager to enter into a contract with Hall Albert Construction, LLC for Sanitary Sewer Line Replacement at Various Creek Crossing Locations in the amount of \$166,886.50.
6. Consider a resolution authorizing the City Manager to enter into Amendment #1 and Amendment #2 to the professional services contract with Kimley-Horn and Associates, Inc. in the amount of \$11,000 for Signal Warrant Analysis, Traffic Signal Design, Traffic Signal System Upgrade and Coordinated Signal Timing Implementation.
7. Consider a resolution to abandon a Landscape Easement in Lot A, Block 1, Dallas Federal Addition to the City of Bedford, Texas.
8. Consider a resolution ratifying an amendment to the contract with Harrison, Walker and Harper for the construction of a 250 kW photovoltaic solar array system for the new Bedford Public Library requiring that the construction comply with the Buy America Act and the Davis-Bacon Act.
9. Report on most recent meeting of the following Boards and Commissions:
 - ✓ Animal Control Board- Councilman Griffin
 - ✓ Animal Shelter Advisory Board- Councilman Griffin
 - ✓ Beautification Commission- Councilman Turner
 - ✓ Community Affairs Commission- Councilman Fisher
 - ✓ Library Board- Councilman Brown
 - ✓ Parks & Recreation Board- Councilman Griffin
 - ✓ Senior Citizen Advisory Board- Councilman Savage
 - ✓ Teen Court Advisory Board- Councilman Champney
10. Council member reports
11. City Manager report
12. Take any action necessary as a result of the Executive Session.

(Any item on this posted agenda may be discussed in executive session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.)

ADJOURNMENT

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outside window in a display cabinet at the City Hall of the City of Bedford, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: Friday, May 20, 2011 at 5:00 p.m., and remained so posted at least 72 hours before said meeting convened.

Michael Wells, City Secretary

Date Notice Removed

(Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in City functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight (48) hours prior to the scheduled starting time of a posted council meeting by calling 817.952.2101.)



Council Agenda Background

PRESENTER:

Michael Wells, City Secretary

ITEM:

A resolution to receive and accept as true and correct the canvassed voting results for the General Election held on May 14, 2011, for the election of Council Members Place 4 and Place 6 as presented by the City Secretary.

DISCUSSION:

Following is a resolution canvassing the May 14, 2011 General Election results for the Joint Election held by Tarrant County for the City of Bedford. Canvassing of the election results is a formality necessary in order to proceed with the administration of the Statement of Elected Officer, Oath of Office, and Issuance of Certificate of Election to Elected Council Members. The results are presented as official by the Tarrant County Elections Commission to the City of Bedford City Secretary; therefore, the resolution effectively outlines those results for approval. Council will canvass results for Council Members for Place 4 and Place 6.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution to receive and accept as true and correct the canvassed voting results for the General Election held on May 14, 2011, for the election of Council Members Place 4 and Place 6 as presented by the City Secretary.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution
Election Return Sheet

RESOLUTION NO. 11-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION OF MAY 14, 2011 FOR THE PURPOSE OF ELECTING TWO COUNCIL MEMBERS FOR THE BEDFORD CITY COUNCIL, PLACE 4 AND PLACE 6 FOR A TERM OF THREE (3) YEARS.

WHEREAS, the City Council of the City of Bedford, Texas, held a General Election on May 14, 2011 for the purpose of electing two Council Members for the Bedford City Council, Place 4 and Place 6; and,

WHEREAS, a canvass of the General Election returns was conducted on May 24, 2011; and,

WHEREAS, it was found that the persons herein named received the following total number of votes for said term of office on the Bedford City Council of the City of Bedford, Texas:

COUNCIL MEMBER, PLACE 4

Ray Champney	2,631
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COUNCIL MEMBER, PLACE 6

Sarah Sisson	941
Chris Brown	2,512

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

- SECTION 1. That the findings set forth above are incorporated into the body of this resolution as if fully set forth herein.
- SECTION 2. That Ray Champney is hereby declared to be elected Council Member, Place 4.
- SECTION 3. That Chris Brown is hereby declared to be elected Council Member, Place 6.
- SECTION 4. That a majority of the residents and qualified electors of the City of Bedford, Texas, voting in a General Election for the purpose of electing Council Members to Place 4 and Place 6 have cast a combined Election Day and Early Vote total of 3,775 votes, with 17 absentee voters, 2,470 early voters and 1,288 Election Day voters.
- SECTION 5. That it is hereby declared that the City of Bedford approves and accepts the results of the General Election for Council Members, Place 4 and Place 6 as set forth in the Election Returns Sheet attached, as determined by the majority vote of the qualified voters of the City of Bedford, Texas.
- SECTION 6. That all ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provisions of this resolution shall be and remain controlling as to the matters resolved herein.
- SECTION 7. That should any court of competent jurisdiction declare any section, subsection, clause or phrase of this resolution unconstitutional or invalid, it is expressly provided that any and all remaining portions of this resolution shall remain in full force and effect. Bedford hereby declares that it would have passed this resolution, and each section, subsection, clauses and phrases be declared unconstitutional or invalid.
- SECTION 8. That it is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting was given.

SECTION 9. That the City Secretary shall record this resolution in the City's official records.

SECTION 10. That this resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 11. That this resolution will become effective immediately upon its passage by the City Council of the City of Bedford, Texas.

PASSED AND APPROVED this 24th day of May 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



UNOFFICIAL ELECTION RETURNS

Tabulation of Election Returns
City of Bedford, General Election
May 14, 2011

CANDIDATE	ABSENTEE VOTING	EARLY VOTING	REGULAR VOTING	TOTAL VOTES	PERCENT TOTAL
COUNCIL MEMBER PLACE 4					
Ray Champney	10	1,759	862	2,631	100%
(Over votes)	0	0	0	0	-
(Under votes)	7	711	426	1,144	-
COUNCIL MEMBER PLACE 6					
Sarah Sisson	5	578	358	941	27.25%
Chris Brown	8	1,674	830	2,512	72.75%
(Over votes)	0	0	0	0	-
(Under votes)	4	218	100	322	-
TOTAL BALLOTS CAST:	17	2,470	1,288	3,775	-



Council Work Session

PRESENTER:

John F. Kubala, P.E., Public Works Director

ITEM:

Staff report regarding the request to close Somerset Circle.

DISCUSSION:

The City received a request through NTE Mobility Partners from a resident on Somerset Circle requesting elimination of the entry into Somerset Circle from the east bound service road of SH121/183. A copy of the request is attached. The closure at the service road would leave a large portion of the subdivision with only one point of access and egress into the area as shown on the attached plat of the property. This would present operational problems for both the Police and Fire Departments. Should Somerset Terrace, west of Somerset Circle, become blocked for some reason, entry could not be made by emergency services personnel. This would affect approximately 34 residences. Another point that needs to be clarified is that vehicles would not be exiting the freeway in this area. The exit to the service road proposed by NTE Mobility Partners is east of the intersection of Somerset Circle. In addition, the sound wall would be placed so as to not obstruct the view of vehicles entering the service road from Somerset Circle.

RECOMMENDATION:

The Public Works Department does not recommend closing Somerset Circle at the east bound service road of SH 121/183.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Closure Request
Stonegate Subdivision Plat

We have attended every meeting regarding the East Segment and have had no feedback regarding our concerns.

We would propose eliminating the entry into Somerset Circle in Bedford between Brown Trail and Bedford Euless Road for two reasons:

1. Our house on Somerset Circle is one house (approximately 180 feet) away from the proposed noise abatement wall, so the noise from the opening in the wall is a major concern. Anytime you have an opening in a noise abatement wall, it defeats the purpose of the wall. We would think that as the population increases, so would the noise level, further degrading the quality of life in this area.
2. The other concern is trying to use that exit out of our neighborhood, as we will be trying to see around a fourteen to seventeen foot wall with cars exiting the highway at a high rate of speed. At this time with no noise abatement wall, the line of sight is unrestricted. With the proposed wall, that line of sight will be reduced dramatically to the point that it would be extremely dangerous for both entering and exiting the neighborhood.

Please help us understand the reasoning behind leaving this opening.

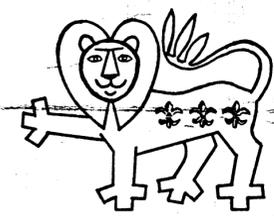
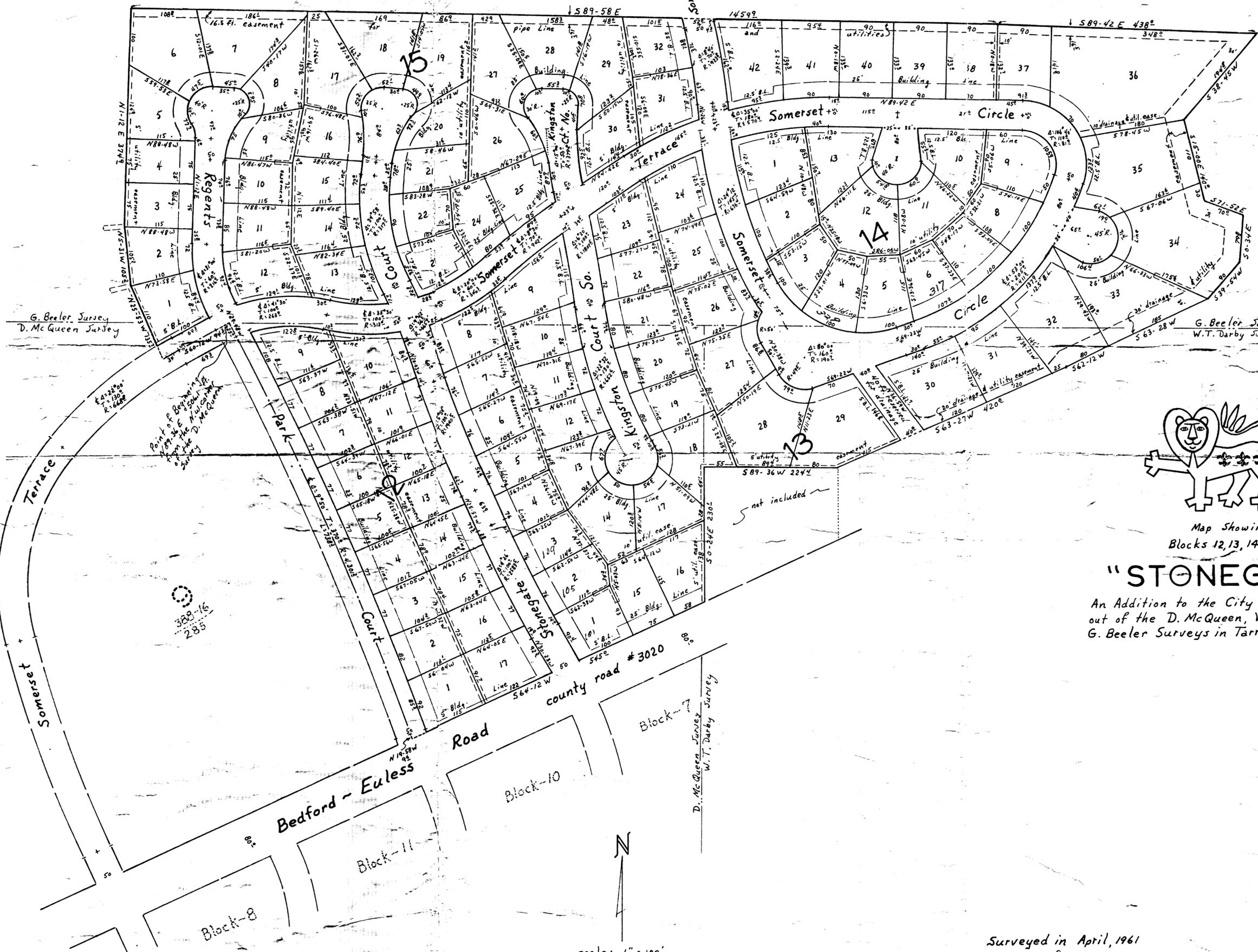
Name: **Robert & Diane Thompson**

Mailing Address: **341 Somerset Circle, Bedford, TX 76022**

Phone:

Email:

Approved: _____ date _____
 City of Bedford, Tarrant County, Texas.
 by: _____ Mayor
 by: _____ Town Clerk



Map Showing
 Blocks 12, 13, 14 & 15.

"STONEGATE"

An Addition to the City of Bedford, Texas,
 out of the D. McQueen, W. T. Darby, and
 G. Beeler Surveys in Tarrant County, Texas.



J. R. DUNAWAY
 REGISTERED PUBLIC SURVEYOR #970
 1220 W. DREW ST.
 FORT WORTH, TEXAS
 WA 3-9245

Surveyed in April, 1961
 by: J. R. Dunaway

scale: 1" = 100'

Note: anchor easements are 10' x 30'

W.H.C.



Council Agenda Background

PRESENTER:

David Miller, Deputy City Manager

ITEM:

Employee Service Recognition

DISCUSSION:

The following employee has completed a service period and is eligible for recognition:

- James McClure 5yr Police Department

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER:

Michael Wells, City Secretary

ITEM:

Consider approval of the following City Council minutes:

- a) May 10, 2011 regular session
- b) May 17, 2011 special session

DISCUSSION:

N/A

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Minutes

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 6:00 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive on the 10th day of May 2011 with the following members present:

Jim Story	Mayor
Chris Brown	Council Members
Ray Champney	
Roger Fisher	
Jim Griffin	
Roy Savage	
Roy W. Turner	

Constituting a quorum.

Staff present included:

Beverly Queen Griffith	City Manager
Cathy Cunningham	City Attorney
Michael Wells	City Secretary
Roger Gibson	Interim Police Chief
John Kubala	Public Works Director
Mirenda McQuagge-Walden	Managing Director of Community Services
Maria Redburn	Library Manager
Bill Syblon	Development Director
James Tindell	Fire Chief

WORK SESSION

Mayor Story called the Work Session to order at 6:00 p.m.

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**

Council discussed placing the following items on consent: 5, 7, 8, and 9.

- **Presentation of the Police Department Annual Report.**

Interim Police Chief Roger Gibson gave a presentation on the Police Department Annual Report. In 2010, there were approximately 25,000 calls for service initiated by the public and 33,000 initiated by officers. Out of those calls for service, 3,800 were Priority 1. Over the last five years, these numbers have been consistent. In the category of violent crimes, Chief Gibson explained that there was no explanation why the numbers in 2009 were so low. In regards to aggravated assaults, in 2010 85% of the victims had a relationship or familiarity with the offender. With this type of crime, there are also many repeat victims and offenders.

In the category of property crimes, the burglary of motor vehicles is the City's biggest problem. The number of vehicle burglaries increased from 438 in 2009 to 541 in 2010.

In the category of domestic violence, there was only an approximate 30 report difference between 2006 and 2010. As with aggravated assaults, there are many of the same offenders and victims over and over again.

The number of accidents in 2010 was the lowest over the previous five years. There were 1,400 accidents with 310 injury accidents in 2010 compared to 1,600 accidents with 348 injury accidents in 2009. There also has been an improvement in the number of hit-and-run accidents.

In April, for the first time since 2004, the Traffic Division is at full strength. Chief Gibson anticipates the number of traffic citations to increase over the next few years. He mentioned that these numbers do not include citations from red light cameras.

In September of 2006 the City Council approved the policy for the towing of vehicles in citations involving failure to maintain financial responsibility. This policy has had an impact as there has been a drop over the previous four years in the number of citations issued for this violation, as well as fewer tows.

In the Animal Services Department, 2,800 new licenses were issued in 2009 which dropped to 1,745 in 2010. Chief Gibson believes this is due to the fact that in 2009, Animal Control Officers along with Public Service Officers and Code Enforcement Officers, conducted neighborhood area sweeps addressing all code violations, which accounts for the additional numbers that year. The number of animals received was up, while the number of animals adopted was down, which probably has to do with the state of the economy.

Looking ahead, Chief Gibson stated that the Department has some work to do. In regards to motor vehicle burglaries, they are pursuing a grant to purchase an observation tower. In a study of 10 cities that already have these towers, every one reported a decrease in the number of motor vehicles burglaries. The Department is also working with other agencies, including the District Attorney's Office, to develop strategies. They will also look at better using volunteers. In regards to mental health, there has been an increase in mental health detentions from 245 in 2006 to 375 in 2010. He believes this is also tied to the state of the economy.

Last year, the Criminal Investigations Division cleared 75% of person crimes; the national average is 47%. They cleared 16% of property crimes, while the national average is 18%. Chief Gibson said what he is most proud of is the level of customer service by the Department.

- **Update on new Library usage since opening day.**

Library Manager Maria Redburn presented an update on the new Library usage since opening day. Library visits increased 50%, checkouts increased 22%, check-ins increased 17%, new Library cards issued increased 185%, the number of reference questions increased 73%, computer usage increased 37%, and program attendance increased 62%. The Library started monitoring meeting room usage at the old building last October. Meeting room usage is up 121%; however, if you subtract story times that were held in the Bonnie Finn room then the increase was 250%. Most of the usage so far has been from non-profit organizations and City programs. In the recent Library Satisfaction Survey, 76% of respondents gave the Library an "A" which was an increase of 20%.

Mayor Story adjourned the Work Session at 6:43.

REGULAR SESSION 6:30 P.M.

Regular Session began at 6:43 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Story called the meeting to order.

INVOCATION (Pastor Charles Brown, St. Timothy Cumberland Presbyterian Church)

Pastor Charles Brown of St. Timothy Cumberland Presbyterian Church gave tonight's invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

OPEN FORUM

Nobody chose to speak under tonight's Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilman Champney, seconded by Councilman Brown to approve the following items by consent: 5, 7, 8 and 9.

Motion passed 7-0-0. Mayor Story declared the motion carried.

Councilman Fisher requested that Council spend some time and do a thorough review of the Sign Ordinance and put an equal emphasis on business, business retention, and business development as well as considering the aesthetics in the City.

COUNCIL RECOGNITION

1. Proclamation declaring June, July and August 2011 as Summer Reading Club Season.

Mayor Story read a proclamation declaring June, July and August 2011 as Summer Reading Club Season. Helene Ray, the Meadow Creek School Librarian, and her Super Readers were on hand to accept the proclamation.

2. Proclamation recognizing the week of May 15-21, 2011 as Emergency Medical Services Week in Bedford, Texas.

Mayor Story read a proclamation recognizing the week of May 15-21, 2011 as Emergency Medical Services Week in Bedford, Texas. Deputy Fire Chief Bobby Sewell and a group of firefighter/paramedics were on hand to accept the proclamation.

3. Proclamation in observance of National Police Week and Police Officers' Memorial Day.

Mayor Story read a proclamation in observance of National Police Week and Police Officers' Memorial Day. Interim Police Chief Roger Gibson was on hand to accept the proclamation. Chief Gibson stated that the Police Open House will be this Saturday from 10:00 a.m. to 2:00 p.m. at the Law Enforcement Center.

4. Proclamation declaring the week of May 15-21, 2011 as National Public Works Week.

Mayor Story read a proclamation declaring the week of May 15-21, 2011 as National Public Works Week. Public Works Director John Kubala was on hand to accept the proclamation.

APPROVAL OF THE MINUTES

5. Consider approval of the following City Council minutes:

- a) April 26, 2011 regular meeting

This item was approved by consent.

NEW BUSINESS

6. Public Hearing and consider an ordinance to rezone properties known as Tract 7G, Abstract 860, William H. Jasper Survey and Lot 3R, Block 1, Crossroad East Addition, Bedford, Texas from Light Commercial to Light Commercial/Specific Use Permit/Community Garden. This property is generally located west of Industrial Boulevard and north of State Highway 183. (Z-208)

Mayor Story explained that there will be a special meeting for this item next Tuesday, May 17 at 6:30 p.m. The public hearing for tonight had already been published, so they he will open up the hearing and keep it open until the special meeting.

Mayor Story opened the public hearing at 7:05 p.m.

Nobody chose to speak under tonight's public hearing.

The public hearing will be kept open until the special meeting on May 17, 2011 at 6:30 p.m.

7. Consider an ordinance amending the following sections of the City of Bedford Sign Ordinance: Chapter 6, "Advertising," Section 6-67 "Definitions," and Section 6-71 "Permanent Signs."

This item was approved by consent.

8. Consider a resolution to accept bids and authorize the City Manager to enter into a contract with Highway Technologies, Inc. for the 2011 Pavement Striping and Marking Program at Various Locations in the amount of \$43,130.85.

This item was approved by consent.

9. Consider a resolution amending the Council Rules of Order and Procedure, Section 12. Citizen's Rights, Item 12.2 Persons to be Heard, to add e-mail as a way to send a copy of the Citizen's Rights Guidelines to a person requesting to speak to Council.

This item was approved by consent.

10. Report on most recent meeting of the following Boards and Commissions:

✓ **Animal Control Board- Councilman Griffin**

Councilman Griffin stated he attended the Pet Fair on April 30. It was a great event and Chief Gibson did a fabulous job cooking hamburgers and hot dogs. There was a lot of discussion with citizens on the animal control process. He also left with a new dog.

✓ **Animal Shelter Advisory Board- Councilman Griffin**

Councilman Griffin's report above covered this Board as well.

✓ **Beautification Commission- Councilman Turner**

Councilman Turner stated the Commission is making considerable progress on the community garden. They are looking forward to getting it approved next week and getting plants in the ground before it gets too hot.

✓ **Community Affairs Commission- Councilman Fisher**

No report was given.

✓ **Library Board- Councilman Brown**

No report was given.

✓ **Parks & Recreation Board- Councilman Griffin**

Councilman Griffin stated the Board met last week. They looking into putting together a packet of information for staff and Council in regards to a dog park. They are focusing their attention on

Meadowpark. Information has been acquired on other dog parks, such as cost. They are also focusing on trying to set up along the lines of the Library with donations and contributions for the start-up costs.

✓ **Senior Citizen Advisory Board- Councilman Savage**

No report was given.

✓ **Teen Court Advisory Board- Councilman Champney**

Councilman Champney stated Teen Court had a successful banquet and awards ceremony.

11. Council member reports

Councilman Griffin stated that fire fighters will be working the next two Saturdays to collect money for MDA at Bedford Road and S.H. 183 and Central Drive and S.H. 183.

12. City Manager report

City Manager Beverly Queen Griffith stated that the fire fighters collected approximately \$10,000 last Saturday for MDA.

13. Take any action necessary as a result of the Executive Session.

No action was necessary as a result of tonight's Executive Session.

ADJOURNMENT

Mayor Story adjourned the meeting at 7:10 p.m.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Special Session at 6:00 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive on the 17th day of May 2011 with the following members present:

Jim Story	Mayor
Chris Brown	Council Members
Ray Champney	
Roger Fisher	
Jim Griffin	
Roy Savage	
Roy W. Turner	

Constituting a quorum.

Staff present included:

Beverly Queen Griffith	City Manager
Michael Wells	City Secretary
Cathy Cunningham	City Attorney
Bill Syblon	Development Director

SPECIAL SESSION

Mayor Story called the Special Session to order at 6:00 p.m.

- **Public hearing and consider an ordinance to rezone properties known as Tract 7G, Abstract 860, William H. Jasper Survey, and Lot 3R, Block 1, Crossroad East Addition Bedford, Texas from Light Commercial to Light Commercial/Specific Use Permit/Community Garden. The property is generally located west of Industrial Boulevard and north of State Highway 183. (Z-208)**

The public hearing on this item was left open from the May 10, 2011 Council meeting. Mayor Story asked if anybody wanted to speak at tonight's public hearing.

Nobody chose to speak at tonight's public hearing.

Mayor Story closed the public hearing at 6:01 p.m.

Motioned by Councilman Turner, seconded by Councilman Griffin, to approve an ordinance to rezone properties known as Tract 7G, Abstract 860, William H. Jasper Survey, and Lot 3R, Block 1, Crossroad East Addition Bedford, Texas from Light Commercial to Light Commercial/Specific Use Permit/Community Garden with the following stipulations: the fire marshal approve the compost area location and the location of compost be no less than 100 feet from a residential property.

Motion approved 7-0-0. Mayor Story declared the motion carried.

EXECUTIVE SESSION

To convene in the Building A Conference Room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- **Section 551.087, Deliberation regarding economic development negotiations relative to the Bedford Forum Addition.**

Council convened into Executive Session pursuant to the Texas Government Code Section 551.087, Deliberation regarding economic development negotiations relative to the Bedford Forum Addition at 6:03 p.m.

Council reconvened from Executive Session at approximately 6:59 p.m.

Any necessary action to be taken as a result of the Executive Session will occur during the regular session of the Bedford City Council Meeting.

- **Take any action necessary as a result of the Executive Session.**

No action was necessary as a result of Executive Session.

ADJOURNMENT

Mayor Story adjourned the meeting at 6:59 p.m.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER:

Mirenda McQuagge-Walden, Managing Director – Community Services

ITEM:

Consider an ordinance of the City Council of the City of Bedford, Texas, (“City”) approving a negotiated resolution between the Steering Committee of cities served by Oncor (“Steering Committee”) and Oncor Electric Delivery Company LLC (“Oncor” or the “Company”) regarding the company’s application to increase electric rates in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; requiring the company to reimburse cities’ reasonable ratemaking expenses; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; approving Oncor’s proof of revenues; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; and requiring delivery of this ordinance to the company and the steering committee’s legal counsel.

DISCUSSION:

Oncor Electric Delivery Company (“Oncor” or “the Company”) filed an application on or about January 7, 2011, with cities retaining original jurisdiction, seeking to increase system-wide transmission and distribution rates by \$353 million. On January 25, 2011, the City Council voted to suspend the requested rate increase to allow for further review and negotiation.

Since the suspension, the Oncor Cities Steering Committee (“Steering Committee”) has been working with Oncor to negotiate a reasonable settlement. The proposed ordinance will authorize an increase in the Company’s base rate of \$136.7 million. The monthly bill impact for the average residential customer will be a \$2.35 increase (as opposed to the \$5.00 per bill increase as proposed in the Company’s filing).

In addition, this tariff was approved by the Steering Committee as part of the settlement agreement to resolve the Oncor rate filing at the Public Utility Commission of Texas. As stated above, the agreement reduces Oncor’s request for an increase from \$353 million to \$136.7 million. The agreement does not change the current authorized capitalization of 60% debt and 40% equity and return on equity of 10.25% from Oncor’s last rate proceeding.

Also, the settlement results in a system-wide rate increase of 6.1%. Residential customers will see an increase of 6.2%, much lower than Oncor’s requested 14.6% increase. Street lighting rates will increase 13.8%, which is also lower than Oncor’s requested increase of 25.9%. Oncor has agreed that it will not file another general base rate case prior to July 1, 2013. However, as cities are regulatory authorities, cities may still initiate a rate case prior to that date.

Additionally, consistent with the District Court’s reversal of the Commission’s decision relating to municipal franchise fees in Docket No. 35717, Oncor will increase franchise fees to the contractually agreed to amounts within 60 days of the final order, or July 1, 2011, whichever is later. Oncor will also pay cities retroactive franchise fees from the date the rates approved in Oncor’s prior rate case, Docket No. 35717, went into effect. Also, Oncor will pay cities’ rate case expenses and recover those amounts over three years with no carrying charges. Finally, at its own expense, the Company will reinstate Rider SCUD, which provides for a 20% discount for institutions of higher learning.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance of the City Council of the City of Bedford, Texas, (“City”) approving a negotiated resolution between the Steering Committee of cities served by Oncor (“Steering Committee”) and Oncor Electric Delivery Company LLC (“Oncor” or “the Company”) regarding the company’s application to increase electric rates in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; requiring the company to reimburse cities’ reasonable ratemaking expenses; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; approving Oncor’s proof of revenues; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; and requiring delivery of this ordinance to the company and the steering committee’s legal counsel.

FISCAL IMPACT:

General Fund – Estimated retroactive franchise payment \$148,197

ATTACHMENTS:

Ordinance

Attachments A and B (Tariffs) – available for review in the City Secretary’s Office

Attachment C Settlement Agreement – available for review in the City Secretary’s Office

ORDINANCE NO. 11-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS, ("CITY") APPROVING A NEGOTIATED RESOLUTION BETWEEN THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR ("STEERING COMMITTEE") AND ONCOR ELECTRIC DELIVERY COMPANY LLC ("ONCOR" OR "THE COMPANY") REGARDING THE COMPANY'S APPLICATION TO INCREASE ELECTRIC RATES IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; APPROVING ONCOR'S PROOF OF REVENUES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL.

WHEREAS, the City of Bedford, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "the Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and,

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"), a coalition of approximately 160 similarly situated cities served by Oncor that have joined together to facilitate the review of and response to electric issues affecting rates charged in the Oncor service area; and,

WHEREAS, on or about January 7, 2011, Oncor filed with the City its application to increase electric base rates by approximately \$353 million, such increase to be effective in every municipality within Oncor's service territory; and,

WHEREAS, the Steering Committee coordinated their review of Oncor's filing by designating an Executive Committee made up of Steering Committee representatives, assisted by Steering Committee attorneys and consultants, to resolve issues identified by the Steering Committee in the Company's filing; and,

WHEREAS, the Company has filed evidence that existing rates are unreasonable and should be changed; and,

WHEREAS, independent analysis by the Steering Committee's rate experts concluded that Oncor is able to justify an increase over current rates of \$136.7 million; and,

WHEREAS, the Steering Committee has entered a Settlement Agreement ("Attachment C") with Oncor to increase base rate revenues by \$136.7 million; and,

WHEREAS, the Executive Committee of the Steering Committee, and the Steering Committee's lawyers and consultants recommend that Steering Committee members approve the attached rate tariffs ("Attachment A" and "Attachment B" to this Ordinance), which will increase the Company's revenue requirement by \$136.7 million; and,

WHEREAS, the attached tariffs implementing new rates are consistent with the negotiated resolution reached by the Steering Committee and are just, reasonable, and in the public interest; and,

WHEREAS, it is the intention of the parties that if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company's filing would be more beneficial to the City than the terms of the attached tariff, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City; and,

WHEREAS, the negotiated resolution of the Company's filing and the resulting rates are, as a whole, in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

- SECTION 1.** That the findings set forth in this Ordinance are hereby in all things approved.
- SECTION 2.** That the City Council finds the existing rates for electric service provided by Oncor are unreasonable and new tariffs, which are attached hereto and incorporated herein as Attachments A and B, are just and reasonable and are hereby adopted.
- SECTION 3.** That Oncor shall reimburse the reasonable ratemaking expenses of the Steering Committee in processing the Company's rate application.
- SECTION 4.** That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.
- SECTION 5.** That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
- SECTION 6.** That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.
- SECTION 7.** That if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company's filing would be more beneficial to the City than the terms of the attached tariffs, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City.
- SECTION 8.** That this Ordinance and Settlement Agreement ("Attachment C") shall become effective from and after its passage with rates authorized by attached Tariffs to be effective in two phases. Phase one tariffs (attached to this Ordinance as "Attachment A"), increasing Oncor's revenues by \$93.7 million, are effective for bills rendered on or after July 1, 2011. Phase two tariffs (attached to this Ordinance as "Attachment B"), increasing Oncor's revenues by \$43 million, are effective for bills rendered on or after January 1, 2012.
- SECTION 9.** That a copy of this Ordinance shall be sent to Oncor, care of Autry Warren, Oncor Electric Delivery Company, LLC, 1601 Bryan St., 23rd Floor, Dallas, Texas 75201 and to Thomas Brocato, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PRESENTED AND PASSED this 24th day of May, 2011 by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



Council Agenda Background

PRESENTER:

John F. Kubala, P.E., Public Works Director

ITEM:

Consider a resolution authorizing the closure of Kentwood Circle at its intersection with the west bound service road of SH 183 and SH 121 subject to North Tarrant Express (NTE) Mobility Partners continuing the sound wall in this area.

DISCUSSION:

During the City Council Open Forum on March 22, 2011, a petition to close the Kentwood Circle access to 121/183 service road and to allow the noise wall to continue across the closed street was presented. It was signed by 30 residents that live in the area. The City Council instructed staff to canvass the residents living in the rest of the area to determine if they were in favor of this request. Notices were sent to 136 residents generally in the area between Brown Trail and Stonegate Drive North and between SH 121/183 and the area south of Saddlebrook Street South. As of May 12, 2011, staff has received a total of 71 responses back, with 53 voting "Yes," 11 voting "No" and 7 voting "No Opinion."

The Police and Fire Departments were asked if closing the street presented any operational problems and they both indicated it did not. Adequate access would still be provided by Brown Trail and Stonegate Drive North to the public and emergency services. A traffic analysis was performed in conjunction with the request. Very few vehicles, 147 cars per day, use Kentwood Circle to access the service road.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the closure of Kentwood Circle at its intersection with the west bound service road of SH 183 and SH 121 subject to North Tarrant Express (NTE) Mobility Partners continuing the sound wall in this area.

FISCAL IMPACT:

\$1,200 from Street Improvement Economic Development Corporation funds to construct a barrier at the end of the street.

ATTACHMENTS:

Resolution
Petition
Responses
Location Map

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE CLOSURE OF KENTWOOD CIRCLE AT ITS INTERSECTION WITH THE WEST BOUND SERVICE ROAD OF SH 183 AND SH 121 SUBJECT TO NORTH TARRANT EXPRESS (NTE) MOBILITY PARTNERS CONTINUING THE SOUND WALL IN THIS AREA.

WHEREAS, the City Council of Bedford, Texas determines that the closing of Kentwood Circle is beneficial to the residents in the area; and,

WHEREAS, the sound wall in this area will reduce noise pollution to adjacent property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City Council does hereby authorize the closure of Kentwood Circle at its intersection with the west bound service road of SH 183 and SH 121 subject to North Tarrant Express (NTE) Mobility Partners continuing the sound wall in this area.

SECTION 2. That the funding for the closure come from the Street Improvement Economic Development Corporation amended budget.

PASSED AND APPROVED this 24th day of May 2011, by a vote of ___ayes, ___nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

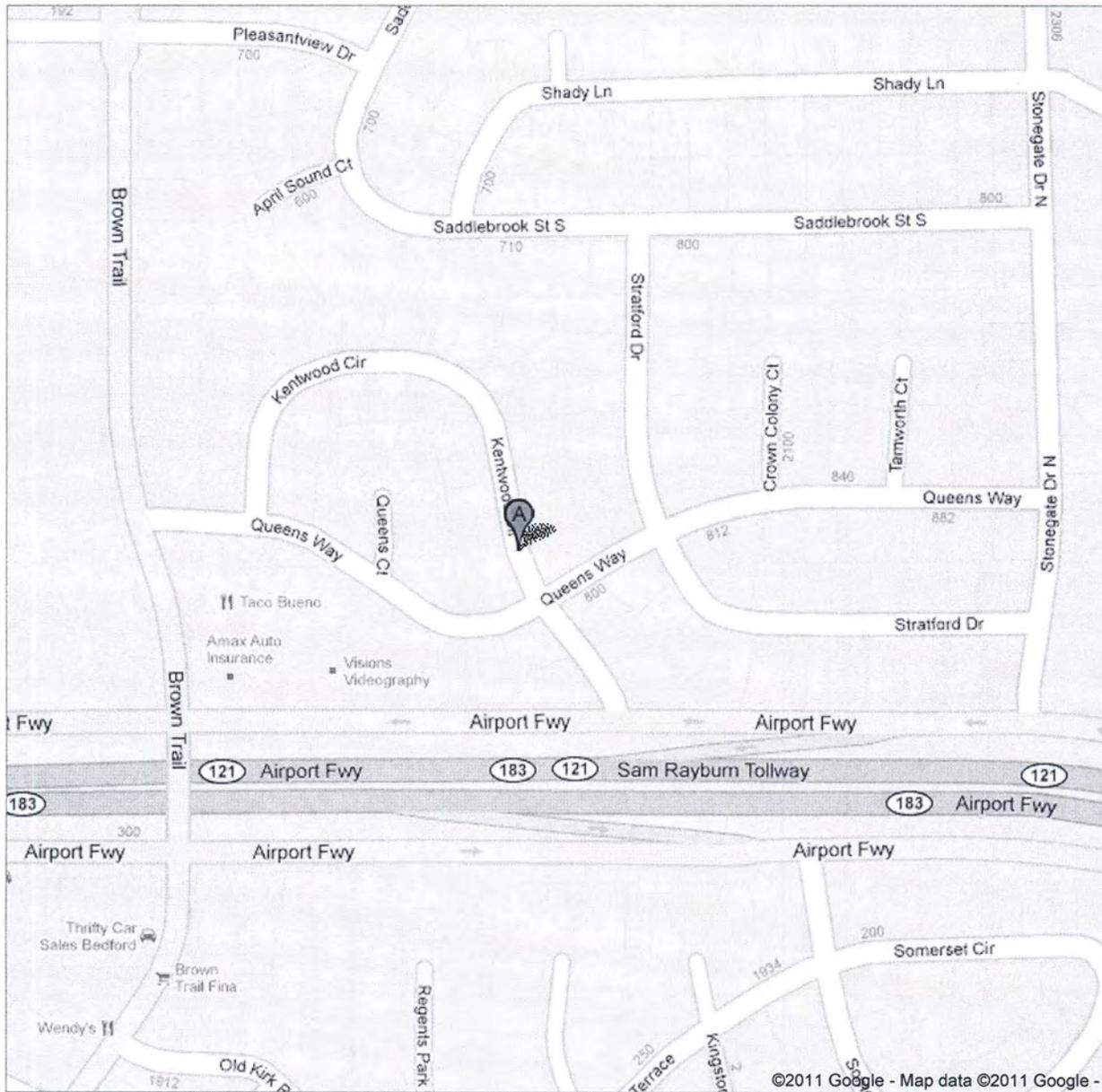
APPROVED AS TO FORM:

Stan Lowry, City Attorney

Owner Name	Owner Addr	Owner City	Owner Zip	In Favor Of	Opposed To	No Opinion	Returned Mail
JOHN R SALAZAR PROPERTIES INC	851 S R L THRNTN FWY STE 106	DALLAS TX	75203-2969				
BLANTON, ROBERT D	716 QUEENS WAY	BEDFORD TX	76021-5312	X			
THURSTON, MICHAEL T	816 STRATFORD DR	BEDFORD TX	76021-5322				
WHALEY, RONNIE A ETUX VIOLETTE	712 QUEENS WAY	BEDFORD TX	76021-5312				
GREEN, DONALD E	900 STRATFORD DR	BEDFORD TX	76021-0000		X		
HUCHTON, GENEVIEVE B EST	10806 RIVERVIEW DR	HOUSTON TX	77042-1334				
GRIFFIN, GARY MARK	820 STRATFORD DR	BEDFORD TX	76021-5322	X			
CASSATA, MICHAEL ETUX RHONDA	737 KENTWOOD CIR	BEDFORD TX	76021-5304	X			
DELORME, JOHN T	1129 WOODVALE DR	BEDFORD TX	76021-2329	X			
BENITEZ, TANIA M	909 STRATFORD DR	BEDFORD TX	76021-5323				
OGLETREE, ROBERT W ETUX VIVIAN	913 STRATFORD DR	BEDFORD TX	76021-5323		X		
LILE, W S JR	905 STRATFORD DR	BEDFORD TX	76021-5323				
LAUGHLIN, MICHAEL D ETUX KRIST	901 STRATFORD DR	BEDFORD TX	76021-5323		X		
BETHKE, BRIAN P	721 QUEENS CT	BEDFORD TX	76021-5308				
GRADY, THOMAS H	736 KENTWOOD CIR	BEDFORD TX	76021-5305	X			
MOORE, JAMES R ETUX PATRICIA	805 STRATFORD DR	BEDFORD TX	76021-5321				
WITHERED, BEN J & MARY E	741 KENTWOOD CIR	BEDFORD TX	76021-5304	X			
TABU PROPERTY I LLC	17207 N PERIMETER DR	SCOTTSDALE AZ	85255-5387				
WILCOX, DONALD A ETUX LALA S	920 QUEENS WAY	BEDFORD TX	76021-5316				
COOK, IMOGENE	908 QUEENS WAY	BEDFORD TX	76021-5316				
GREGORY, JEFFREY L ETUX NAOMI	812 QUEENS WAY	BEDFORD TX	76021-5363				
SOURJOHN, KEVIN ETUX JESSICA	620 QUEENS WAY	BEDFORD TX	76021-5310				
MAWKAWI, J & M DYKTERHUIS	725 QUEENS WAY	BEDFORD TX	76021-5350		X		
NORMAN, LEROY	PO BOX 211361	ROYAL PLM BCH FL	33421-1361				
VAN SLYKE, PATRICIA A	900 QUEENS WAY	BEDFORD TX	76021-5316			X	
HOLDER, DWAYNE E	700 QUEENS WAY	BEDFORD TX	76021-5312				
STONE, TED A ETUX DORIS I	624 QUEENS WAY	BEDFORD TX	76021-5310				
RICHARDSON, GERALDINE M	808 STRATFORD DR	BEDFORD TX	76021-5322				
MARCECA, DAVID A	2117 TAMWORTH CT	BEDFORD TX	76021-5329				
EDMONSON, JON R ETUX SUZY	2116 TAMWORTH CT	BEDFORD TX	76021-5329		X		
DICKSON, GLENDA	2113 STONEGATE DR N	BEDFORD TX	76021-5317				
ANDERSON, MARY FRANCES	2117 CROWN COLONY CT	BEDFORD TX	76021-5301				
SIMS, JEANETTE	2538 CUMBERLAND DR	MESQUITE TX	75150-5207				
GAN, MARY E	704 KENTWOOD CIR	BEDFORD TX	76021-5305	X			
EDWARDS, JANICE	2124 TAMWORTH CT	BEDFORD TX	76021-5329			X	
STRICKLAND, SCOTT ETUX KIM	2125 TAMWORTH CT	BEDFORD TX	76021-5329				
GOODE, SONNY ETUX WANDA	2124 CROWN COLONY CT	BEDFORD TX	76021-5301				

Owner Name	Owner Addr	Owner City	Owner Zip	In Favor Of	Opposed To	No Opinion	Returned Mail
WALKER, CAROL ANN	2125 CROWN COLONY CT	BEDFORD TX	76021-5301	X			
WELPMAN, MERLE N ETUX HELEN TR	2112 STRATFORD DR	BEDFORD TX	76021-5326	X			
HOPPERTON, BRIAN	2116 CROWN COLONY CT	BEDFORD TX	76021-5301				
PALAZZETTI, GRACE MARIE	2113 STRATFORD DR	BEDFORD TX	76021-5325				
PAGLIA, SALVATOR F ETUX SALLY	725 KENTWOOD CIR	BEDFORD TX	76021-5304	X			
LARSON, TERESA	632 KENTWOOD CIR	BEDFORD TX	76021-5303	X			
HARP, TONY C ETUX ALYCIA LYN	2108 STRATFORD DR	BEDFORD TX	76021-5326	X			
WARREN, VERLYN & TAWANNA TR	929 NW 34TH ST	MOORE OK	73160-1084				
BARBER, NICHOLAS D	2112 TAMWORTH CT	BEDFORD TX	76021-5329				
HILDEBRAND, JOHN C	913 QUEENS WAY	BEDFORD TX	76021-5315	X			
SHAFFER, BARBARA M	612 KENTWOOD CIR	BEDFORD TX	76021-5303	X			
CHEATHEAM, W CLAUDE	2109 STONEGATE DR N	BEDFORD TX	76021-5317	X			
DOUGLAS, KERRY A	705 QUEENS CT	BEDFORD TX	76021-5308	X			
CAMPBELL, ANDREW J III	2117 STRATFORD DR	BEDFORD TX	76021-5325	X			
WALLER, WANDA N	2116 STRATFORD DR	BEDFORD TX	76021-5326	X			
PARKS, RANDY & DEBRA PARKS	721 KENTWOOD CIR	BEDFORD TX	76021-5304	X			
DOUTHIT, JOAN MATTHEWS	2121 CROWN COLONY CT	BEDFORD TX	76021-5301	X			
PILLANS, DANESHA & G W ROGERS	733 KENTWOOD CIR	BEDFORD TX	76021-5304	X			
VELAZQUEZ, LUIS ETUX CRISTINA	717 QUEENS CT	BEDFORD TX	76021-5308				
SIGMAN, JOHN D	2201 STRATFORD DR	BEDFORD TX	76021-5327				
BOYDSTON, ROBBY ETUX CARMEN	717 KENTWOOD CIR	BEDFORD TX	76021-5304	X			
THOMASON, JOEL A ETUX ALICE E	2120 CROWN COLONY CT	BEDFORD TX	76021-5301	X			
CAWLEY, MARY PATRICIA	4006 LAZY CREEK DR	TYLER TX	75707-1544	X			
SMITH, JOYCE E	633 KENTWOOD CIR	BEDFORD TX	76021-5302	X			
HERRING, SUZANNE	624 KENTWOOD CIR	BEDFORD TX	76021-5303				
KARKALIST, KENNY LEE	20 REGENTS PARK	BEDFORD TX	76022-6537				
SMITH, DOYLE ETUX LORRAINE	2112 CROWN COLONY CT	BEDFORD TX	76021-5301			X	
NOONKESTER, DAN ETUX MARILYN	2113 CROWN COLONY CT	BEDFORD TX	76021-5301	X			
ELSON, GEORGE S ETUX MINNIE E	729 KENTWOOD CIR	BEDFORD TX	76021-5304	X			
WILLIAMSON, JAMES W	104 W CLINTON AVE	ATHENS TX	75751-3206				
KUHN, MICHAEL	709 QUEENS CT	BEDFORD TX	76021-5308				
CORNWELL, JOE ETUX LINDA	713 QUEENS CT	BEDFORD TX	76021-5308	X			
GEORGE, NORMA JEAN	2104 STRATFORD DR	BEDFORD TX	76021-5326		X		
VEAMATAHAU, FALAKIKO ETUX AITA	36231 WORTHING DR	NEWARK CA	94560-2046				
PETERSEN, FRANCIS J	2109 TAMWORTH CT	BEDFORD TX	76021-5329			X	
HART, MARY & ROSALINDA REYES	728 KENTWOOD CIR	BEDFORD TX	76021-5305	X			
DOROTHY BRAGG TRUST	2108 TAMWORTH CT	BEDFORD TX	76021-5329		X		

Owner Name	Owner Addr	Owner City	Owner Zip	In Favor Of	Opposed To	No Opinion	Returned Mail
DIBBLE, CARSON ETUX EILEEN	2105 STRATFORD DR	BEDFORD TX	76021-5325	X			
GOODWIN, DONALD R III ETUX F P	2100 STRATFORD DR	BEDFORD TX	76021-5326				Vacant
SMITH, CLIFFORD L	608 KENTWOOD CIR	BEDFORD TX	76021-5303	X			
BARR, DANA RUE	732 KENTWOOD CIR	BEDFORD TX	76021-5305	X			
NASTIUK, MARK E ETUX SHARON D	2200 STRATFORD DR	BEDFORD TX	76021-5328				
FARINA, B CRAIG ETUX CHRISTY	713 KENTWOOD CIR	BEDFORD TX	76021-5304	X			
NUNN, LAVERNE	709 KENTWOOD CIR	BEDFORD TX	76021-5304	X			
MACARTHUR, SCOTT	PO BOX 334	COLLEYVILLE TX	76034-0334	X			
LARWOOD, JAMES W	701 KENTWOOD CIR	BEDFORD TX	76021-5304	X			
PORTMAN, DARLENE	2120 TAMWORTH CT	BEDFORD TX	76021-5329		X		
CASTLE, ROBERT L ETUX JACQUELI	701 QUEENS WAY	BEDFORD TX	76021-5311			X	
GUTIERREZ, LUIS M ETUX OLIVA M	917 STRATFORD DR	BEDFORD TX	76021-0000				
BISHOP, SUZANNE SAIN	821 STRATFORD DR	BEDFORD TX	76021-5321				
MACHADO, ANDREA G ETVIR CARLOS	817 STRATFORD DR	BEDFORD TX	76021-5321				
BOSWELL, MARY	809 STRATFORD DR	BEDFORD TX	76021-5321	X			
TABU PROPERTY I LLC	=17207 N PERIMETER DR	SCOTTSDALE AZ	85255-5387				
DARWIN, SHARON S	1313 STORM DR	BEDFORD TX	76022-6749				
LIVINGSTON, UEL H	804 STRATFORD DR	BEDFORD TX	76021-5322				
KRAUSE, BRIAN	912 QUEENS WAY	BEDFORD TX	76021-5316				
LEE, CHARLES LOUIS	908 QUEENS WAY	BEDFORD TX	76021-5316	X			
HOMPER LLC	PO BOX 5287	CULVER CITY CA	90231-5287				
WRIGHT, NIDIA	812 STRATFORD DR	BEDFORD TX	76021-5322				
PATTERSON, CHARLES L	PO BOX 211014	BEDFORD TX	76095-8014	X			
WHITE, THOMAS E ETUX BARBARA S	916 STRATFORD DR	BEDFORD TX	76021-5324				
JANKE, JAMIE ETUX GRACE	912 STRATFORD DR	BEDFORD TX	76021-5324		X		
JOHNSON, TAMMY L & T JOHNSON	908 STRATFORD DR	BEDFORD TX	76021-5324			X	
VAUGHN, DELORES	904 STRATFORD DR	BEDFORD TX	76021-5324				
COOK, KERRY E	708 QUEENS WAY	BEDFORD TX	76021-5312	X			
W G ENTERPRISES LLC	8100 E 22ND ST N	WICHITA KS	67226-2388				
MILLER, GARY L	813 KENTWOOD CIR	BEDFORD TX	76021-5306	X			
BLANTON, ROBERT D	716 QUEENS WAY	BEDFORD TX	76021-5312	X			
MCCUTCHEM CHARLES Q ETUX CARLA	621 KENTWOOD CIR	BEDFORD TX	76021-5302	X			
GRIFFITH, MICHAEL A ETUX TRACY	617 KENTWOOD CIR	BEDFORD TX	76021-5302		X		
DARNELL, T R ETUX DIANNE	625 KENTWOOD CIR	BEDFORD TX	76021-5302	X			
DANGELI, JOSEPH JR ETUX BENNIE	613 KENTWOOD CIR	BEDFORD TX	76021-5302	X			
HART, DARRELL ETUX NANCY TR	609 KENTWOOD CIR	BEDFORD TX	76021-5302				
POPHAM, JOHN K JR ETUX JOYCE A	2121 STONEGATE DR N	BEDFORD TX	76021-5317	X			





Council Agenda Background

PRESENTER:

John F. Kubala, P.E., Public Works Director

ITEM:

Consider a resolution authorizing the City Manager to enter into a contract with Hall Albert Construction, LLC for Sanitary Sewer Line Replacement at Various Creek Crossing Locations in the amount of \$166,886.50.

DISCUSSION:

The Public Works Department Wastewater Division identified numerous locations where the sanitary sewer system creek crossings were in need of rehabilitation and/or reconstruction because of deterioration. This project addresses three locations that are in need of reconstruction. They are Hurricane Creek at L. Don Dodson Drive, West Fork Hurricane Creek at Hospital Parkway and Sulphur Branch Tributary at Schumac Lane. The low bidder was Hall Albert Construction, LLC in the amount of \$166,886.50. The Opinion of Probable Cost, furnished by the design consultant for the work, was \$200,000. Funding was provided in the 2010 Wastewater Certificates of Obligation.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a contract with Hall Albert Construction, LLC for Sanitary Sewer Line Replacement at Various Creek Crossing Locations in the amount of \$166,886.50.

FISCAL IMPACT:

Funding in the amount of \$166,886.50 will come from the 2010 Wastewater Certificates of Obligation.

ATTACHMENTS:

Resolution
Bid Tabulation
Location Map

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HALL ALBERT CONSTRUCTION, LLC FOR SANITARY SEWER LINE REPLACEMENT AT VARIOUS CREEK CROSSING LOCATIONS IN THE AMOUNT OF \$166,886.50.

WHEREAS, the City Council of Bedford, Texas determines the necessity for these sanitary sewer system improvements; and,

WHEREAS, the City Council of Bedford, Texas determines these improvements will further protect the environment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City Council does hereby authorize the City Manager to enter into a contract with Hall Albert Construction, LLC for Sanitary Sewer Line Replacement at Various Creek Crossing Locations in the amount of \$166,886.50.

SECTION 2. That the funding for the Sanitary Sewer Line Replacement at Various Creek Crossing Locations shall come from the 2010 Wastewater Certificates of Obligation.

PASSED AND APPROVED this 24th day of May 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

CITY OF BEDFORD
SANITARY SEWER LINE REPLACEMENT
AT VARIOUS CREEK CROSSING LOCATIONS--PROJECT NO. SE 10-02
BID TABULATION
MAY 10, 2011

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	HALL ALBERT*		SABRE UTILITIES		T & T PIPELINE CORP	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
HURRICANE CREEK AT L. DON DODSON DRIVE									
1	REMOVE AND DISPOSE OF 12-INCH VCT/PVC SEWER PIPE	LF	48	\$13.00	\$624.00	\$50.00	\$2,400.00	\$20.00	\$960.00
2	FURNISH AND INSTALL 4-FOOT DIA. CAST IN PLACE R/C MANHOLE	EACH	1	\$3,200.00	\$3,200.00	\$4500.00	\$4,500.00	\$5,000.00	\$5,000.00
3	FURNISH AND INSTALL EXTRA VERTICAL FEET OF 4' R/C MANHOLE	EVF	2	\$180.00	\$360.00	\$200.00	\$400.00	\$300.00	\$600.00
4	FURNISH AND INSTALL 20" WELDED STREET CASING W/12" PVC	EACH	44	\$350.00	\$15,400.00	\$390.00	\$17,160.00	\$140.00	\$6,160.00
5	FURNISH AND INSTALL 12-INCH PVC SEWER PIPE W/CONNECTION TO	LF	4	\$167.00	\$668.00	\$85.00	\$340.00	\$70.00	\$280.00
6	FURNISH AND INSTALL R/C CRADLE TO SUPPORT 20" WELDED STEEL	EACH	2	\$4,200.00	\$8,400.00	\$2000.00	\$4,000.00	\$8,000.00	\$16,000.00
7	FURNISH, MAINTAIN AND OPERATE BY-PASS PUMPING SYSTEM	LS	1	\$2,950.00	\$2,950.00	\$8000.00	\$8,000.00	\$10,000.00	\$10,000.00
8	FURNISH, INSTALL, MAINTAIN AND REMOVE TEMPORARY CHANNEL	LS	1	\$1,600.00	\$1,600.00	\$11000.00	\$11,000.00	\$3,000.00	\$3,000.00
9	REMOVE AND REPLACE METAL BEAM GUARD RAIL	LF	30	\$64.00	\$1,920.00	\$15.00	\$450.00	\$50.00	\$1,500.00
10	REMOVE AND DISPOSE R/C RIP-RAP AND REPLACE W/5-INCH R/C RIP-	SF	66	\$15.00	\$990.00	30.00	\$1,980.00	\$20.00	\$1,320.00
11	FURNISH AND INSTALL NATURAL STONE RIP-RAP ON NON-WOVEN	CY	52	\$140.00	\$7,280.00	\$120.00	\$6,240.00	\$150.00	\$7,800.00
12	FOR HYDROMULCH SEEDING OF DISTURBED AREAS	SF	2400	\$1.00	\$2,400.00	\$0.75	\$1,800.00	\$0.60	\$1,440.00
13	FURNISH & INSTALL EXTRA GRAVEL EMBEDMENT	CY	10	\$35.00	\$350.00	\$35.00	\$350.00	\$35.00	\$350.00
14	FURNISH & INSTALL BALLAST STONE	CY	2	\$45.00	\$90.00	\$45.00	\$90.00	\$45.00	\$90.00
15	ALLOWANCE FOR UTILITY RELOCATION/REPAIR	LS	1	\$1,500.00	\$1,500.00	\$1500.00	\$1,500.00	\$1,500.00	\$1,500.00
16	FURNISH AND INSTALL TRENCH/ EXCAVATION SAFETY SYSTEM	LS	1	\$320.00	\$320.00	\$1000.00	\$1,000.00	\$500.00	\$500.00
SUB-TOTAL HURRICANE CREEK AT L. DON DODSON DRIVE					\$48,052.00		\$61,210.00		\$56,500.00
WEST FORK HURRICANE CREEK AT HOSPITAL PARKWAY									
17	REMOVE AND DISPOSE OF 12-INCH VCT/PVC SEWER PIPE	LF	37	\$13.00	\$481.00	\$50.00	\$1,850.00	\$20.00	\$740.00
18	FURNISH AND INSTALL 20" WELDED STREET CASING W/12" PVC	LF	33	\$410.00	\$13,530.00	\$465.00	\$15,345.00	\$140.00	\$4,620.00
19	FURNISH AND INSTALL 12-INCH PVC SEWER PIPE W/CONNECTION TO	LF	4	\$168.00	\$672.00	\$85.00	\$340.00	\$70.00	\$280.00
20	FURNISH AND INSTALL R/C CRADLE TO SUPPORT 20" WELDED STEEL	EACH	2	\$4,200.00	\$8,400.00	\$2,000.00	\$4,000.00	\$8,000.00	\$16,000.00
21	FURNISH, MAINTAIN AND OPERATE BY-PASS PUMPING SYSTEM	LS	1	\$3,000.00	\$3,000.00	\$1,000.00	\$1,000.00	\$10,000.00	\$10,000.00
22	FURNISH AND INSTALL NATURAL STONE RIP-RAP ON NON-WOVEN	CY	32	\$140.00	\$4,480.00	\$120.00	\$3,840.00	\$150.00	\$4,800.00
23	FOR HYDROMULCH SEEDING OF DISTURBED AREAS	SF	1700	\$1.00	\$1,700.00	\$0.75	\$1,275.00	\$0.60	\$1,020.00
24	REMOVE AND DISPOSE OF 6 10-INCH TREES	LS	1	\$1,550.00	\$1,550.00	\$1,000.00	\$1,000.00	\$5,000.00	\$5,000.00
25	REMOVE AND REPLACE WROUGHT IRON FENCE FOR INGRESS-	LS	1	\$440.00	\$440.00	\$500.00	\$500.00	\$6,000.00	\$6,000.00
26	FURNISH & INSTALL EXTRA GRAVEL EMBEDMENT	CY	5	\$35.00	\$175.00	\$35.00	\$175.00	\$35.00	\$175.00
27	FURNISH & INSTALL BALLAST STONE	CY	5	\$45.00	\$225.00	\$45.00	\$225.00	\$45.00	\$225.00
28	ALLOWANCE FOR UTILITY RELOCATION/REPAIR	LS	1	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
29	FURNISH AND INSTALL TRENCH/ EXCAVATION SAFETY SYSTEM	LS	1	\$320.00	\$320.00	\$300.00	\$300.00	\$500.00	\$500.00
SUB-TOTAL WEST FORK HURRICANE CREEK/HOSPITAL PARKWAY					\$36,973.00		\$31,850.00		\$51,360.00

TRIBUTARY SB-1 AT SCHUMAC LANE									
30	REMOVE AND DISPOSE OF 12-INCH VCT/PVC SEWER PIPE	LF	148	\$6.50	\$962.00	\$50.00	\$7,400.00	\$20.00	\$2,960.00
31	FOR REPLACING 12-INCH VCT/PVC/CONCRETE SEWER PIPE WITH 12"	LF	172	\$127.00	\$21,844.00	\$150.00	\$25,800.00	\$150.00	\$25,800.00
32	FURNISH AND INSTALL 12" PVC SEWER PIPE (0'-6'CUT) W/CLASS 2	LF	153	\$71.00	\$10,863.00	\$85.00	\$13,005.00	\$55.00	\$8,415.00
33	FURNISH AND INSTALL 20-INCH O.D. WELDED STEEL CASING W/12"	LF	29.5	\$425.00	\$12,537.50	\$365.00	\$10,767.50	\$140.00	\$4,130.00
34	FURNISH AND INSTALL 4-FOOT DIA. CAST IN PLACE R/C MANHOLE	EACH	3	\$3,200.00	\$9,600.00	\$4,000.00	\$12,000.00	\$5,000.00	\$15,000.00
35	FURNISH AND INSTALL EXTRA VERTICAL FEET OF 4-FOOT DIA	EVF	2	\$160.00	\$320.00	\$200.00	\$400.00	\$300.00	\$600.00
36	REMOVE AND REPLACE R/C MANHOLE BOTTOM IN EXISTING 4-FOOT	EACH	2	\$580.00	\$1,160.00	\$1,200.00	\$2,400.00	\$1,000.00	\$2,000.00
37	REHABILITATE EXISTING 4-FOOT DIAMETER MANHOLE INCLUDING	VF	18	\$360.00	\$6,480.00	\$190.00	\$3,420.00	\$100.00	\$1,800.00
38	FURNISH AND INSTALL R/C CRADLE FOR 20-INCH CASING	EACH	2	\$4,150.00	\$8,300.00	\$2,000.00	\$4,000.00	\$8,000.00	\$16,000.00
39	FURNISH, MAINTAIN AND OPERATE BY-PASS PUMPING SYSTEM	LS	1	\$3,220.00	\$3,220.00	\$1,500.00	\$1,500.00	\$10,000.00	\$10,000.00
40	FURNISH AND INSTALL NATURAL STONE RIP-RAP ON NON-WOVEN	CY	7	\$140.00	\$980.00	\$85.00	\$595.00	\$150.00	\$1,050.00
41	FOR HYDROMULCH SEEDING OF DISTURBED AREAS	SY	3700	\$1.00	\$3,700.00	\$0.75	\$2,775.00	\$0.60	\$2,220.00
42	FURNISH & INSTALL EXTRA GRAVEL EMBEDMENT	CY	10	\$35.00	\$350.00	\$35.00	\$350.00	\$35.00	\$350.00
43	FURNISH & INSTALL BALLAST STONE	CY	5	\$45.00	\$225.00	\$45.00	\$225.00	\$45.00	\$225.00
44	ALLOWANCE FOR UTILITY RELOCATION/REPAIR	LS	1	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
45	FURNISH AND INSTALL TRENCH/ EXCAVATION SAFETY SYSTEM	LS	1	\$320.00	\$320.00	\$300.00	\$300.00	\$500.00	\$500.00
SUB-TOTAL TRIBUTARY SB-1 AT SCHUMAC LANE					\$81,861.50		\$85,937.50		\$92,050.00

SUMMARY

HURRICANE CREEK AT L. DON DODSON	\$48,052.00	\$61,210.00	\$56,500.00
WEST FORK HURRICANE CREEK AT HOSPITAL PARKWAY	\$36,973.00	\$31,850.00	\$51,360.00
TRIBUTARY SB-1 AT SCHUMAC LANE	\$81,861.50	\$85,937.50	\$92,050.00

TOTAL	\$166,886.50	\$178,997.50	\$199,910.00
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CITY OF BEDFORD
SANITARY SEWER LINE REPLACEMENT
AT VARIOUS CREEK CROSSING LOCATIONS~PROJECT NO. SE 10-02
BID TABULATION
MAY 10, 2011

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	TEXAS COMMERCIAL		TX RE-EXCAVATION		CHAMPION UTILITY	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
HURRICANE CREEK AT L. DON DODSON DRIVE									
1	REMOVE AND DISPOSE OF 12-INCH VCT/PVC SEWER PIPE	LF	48	\$35.00	\$1,680.00	\$25.00	\$1,200.00	\$270.00	\$12,960.00
2	FURNISH AND INSTALL 4-FOOT DIA. CAST IN PLACE R/C MANHOLE	EACH	1	\$3,800.00	\$3,800.00	\$5500.00	\$5,500.00	\$2,400.00	\$2,400.00
3	FURNISH AND INSTALL EXTRA VERTICAL FEET OF 4' R/C MANHOLE	EVF	2	\$165.00	\$330.00	\$550.00	\$1,100.00	\$300.00	\$600.00
4	FURNISH AND INSTALL 20" WELDED STREET CASING W/12" PVC	EACH	44	\$265.00	\$11,660.00	\$365.00	\$16,060.00	\$600.00	\$26,400.00
5	FURNISH AND INSTALL 12-INCH PVC SEWER PIPE W/CONNECTION TO	LF	4	\$350.00	\$1,400.00	\$450.00	\$1,800.00	\$220.00	\$880.00
6	FURNISH AND INSTALL R/C CRADLE TO SUPPORT 20" WELDED STEEL	EACH	2	\$4,500.00	\$9,000.00	\$5500.00	\$11,000.00	\$1,400.00	\$2,800.00
7	FURNISH, MAINTAIN AND OPERATE BY-PASS PUMPING SYSTEM	LS	1	\$8,500.00	\$8,500.00	\$6500.00	\$6,500.00	\$12,000.00	\$12,000.00
8	FURNISH, INSTALL, MAINTAIN AND REMOVE TEMPORARY CHANNEL	LS	1	\$12,500.00	\$12,500.00	\$7000.00	\$7,000.00	\$18,000.00	\$18,000.00
9	REMOVE AND REPLACE METAL BEAM GUARD RAIL	LF	30	\$50.00	\$1,500.00	\$75.00	\$2,250.00	\$75.00	\$2,250.00
10	REMOVE AND DISPOSE R/C RIP-RAP AND REPLACE W/5-INCH R/C RIP-	SF	66	\$15.00	\$990.00	65.00	\$4,290.00	\$31.00	\$2,046.00
11	FURNISH AND INSTALL NATURAL STONE RIP-RAP ON NON-WOVEN	CY	52	\$140.00	\$7,280.00	\$125.00	\$6,500.00	\$265.00	\$13,780.00
12	FOR HYDROMULCH SEEDING OF DISTURBED AREAS	SF	2400	\$1.25	\$3,000.00	\$1.25	\$3,000.00	\$0.80	\$1,920.00
13	FURNISH & INSTALL EXTRA GRAVEL EMBEDMENT	CY	10	\$35.00	\$350.00	\$35.00	\$350.00	\$35.00	\$350.00
14	FURNISH & INSTALL BALLAST STONE	CY	2	\$45.00	\$90.00	\$45.00	\$90.00	\$45.00	\$90.00
15	ALLOWANCE FOR UTILITY RELOCATION/REPAIR	LS	1	\$1,500.00	\$1,500.00	\$1500.00	\$1,500.00	\$1,500.00	\$1,500.00
16	FURNISH AND INSTALL TRENCH/ EXCAVATION SAFETY SYSTEM	LS	1	\$800.00	\$800.00	\$500.00	\$500.00	\$1,500.00	\$1,500.00
	SUB-TOTAL HURRICANE CREEK AT L. DON DODSON DRIVE				\$64,380.00		\$68,640.00		\$99,476.00
WEST FORK HURRICANE CREEK AT HOSPITAL PARKWAY									
17	REMOVE AND DISPOSE OF 12-INCH VCT/PVC SEWER PIPE	LF	37	\$35.00	\$1,295.00	\$45.00	\$1,665.00	\$270.00	\$9,990.00
18	FURNISH AND INSTALL 20" WELDED STREET CASING W/12" PVC	LF	33	\$220.00	\$7,260.00	\$365.00	\$12,045.00	\$700.00	\$23,100.00
19	FURNISH AND INSTALL 12-INCH PVC SEWER PIPE W/CONNECTION TO	LF	4	\$350.00	\$1,400.00	\$450.00	\$1,800.00	\$200.00	\$800.00
20	FURNISH AND INSTALL R/C CRADLE TO SUPPORT 20" WELDED STEEL	EACH	2	\$4,500.00	\$9,000.00	\$5,500.00	\$11,000.00	\$1,400.00	\$2,800.00
21	FURNISH, MAINTAIN AND OPERATE BY-PASS PUMPING SYSTEM	LS	1	\$8,500.00	\$8,500.00	\$7,000.00	\$7,000.00	\$7,500.00	\$7,500.00
22	FURNISH AND INSTALL NATURAL STONE RIP-RAP ON NON-WOVEN	CY	32	\$140.00	\$4,480.00	\$125.00	\$4,000.00	\$430.00	\$13,760.00
23	FOR HYDROMULCH SEEDING OF DISTURBED AREAS	SF	1700	\$1.25	\$2,125.00	\$1.25	\$2,125.00	\$1.00	\$1,700.00
24	REMOVE AND DISPOSE OF 6 10-INCH TREES	LS	1	\$2,000.00	\$2,000.00	\$800.00	\$800.00	\$1,000.00	\$1,000.00
25	REMOVE AND REPLACE WROUGHT IRON FENCE FOR INGRESS-	LS	1	\$1,200.00	\$1,200.00	\$600.00	\$600.00	\$3,000.00	\$3,000.00
26	FURNISH & INSTALL EXTRA GRAVEL EMBEDMENT	CY	5	\$35.00	\$175.00	\$35.00	\$175.00	\$35.00	\$175.00
27	FURNISH & INSTALL BALLAST STONE	CY	5	\$45.00	\$225.00	\$45.00	\$225.00	\$45.00	\$225.00
28	ALLOWANCE FOR UTILITY RELOCATION/REPAIR	LS	1	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
29	FURNISH AND INSTALL TRENCH/ EXCAVATION SAFETY SYSTEM	LS	1	\$1,000.00	\$1,000.00	\$300.00	\$300.00	\$600.00	\$600.00
	SUB-TOTAL WEST FORK HURRICANE CREEK/HOSPITAL PARKWAY				\$40,660.00		\$43,735.00		\$66,650.00

TRIBUTARY SB-1 AT SCHUMAC LANE

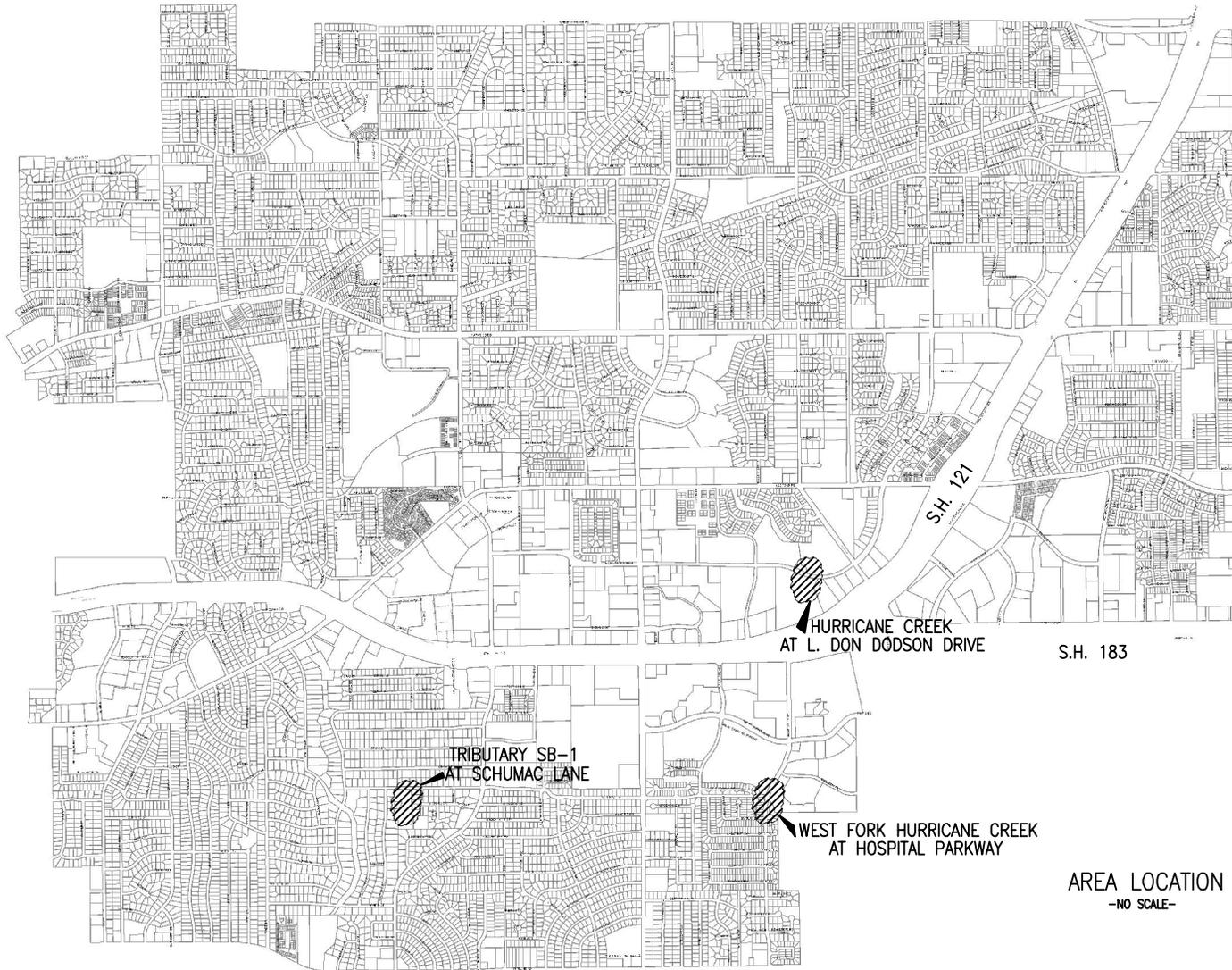
30	REMOVE AND DISPOSE OF 12-INCH VCT/PVC SEWER PIPE	LF	148	\$47.00	\$6,956.00	\$25.00	\$3,700.00	\$200.00	\$29,600.00
31	FOR REPLACING 12-INCH VCT/PVC/CONCRETE SEWER PIPE WITH 12"	LF	172	\$147.00	\$25,284.00	\$95.00	\$16,340.00	\$163.00	\$28,036.00
32	FURNISH AND INSTALL 12" PVC SEWER PIPE (0'-6" CUT) W/CLASS 2	LF	153	\$62.00	\$9,486.00	\$72.00	\$11,016.00	\$125.00	\$19,125.00
33	FURNISH AND INSTALL 20-INCH O.D. WELDED STEEL CASING W/12"	LF	29.5	\$245.00	\$7,227.50	\$365.00	\$10,767.50	\$610.00	\$17,995.00
34	FURNISH AND INSTALL 4-FOOT DIA. CAST IN PLACE R/C MANHOLE	EACH	3	\$3,500.00	\$10,500.00	\$5,500.00	\$16,500.00	\$2,800.00	\$8,400.00
35	FURNISH AND INSTALL EXTRA VERTICAL FEET OF 4-FOOT DIA	EVF	2	\$165.00	\$330.00	\$550.00	\$1,100.00	\$300.00	\$600.00
36	REMOVE AND REPLACE R/C MANHOLE BOTTOM IN EXISTING 4-FOOT	EACH	2	\$2,300.00	\$4,600.00	\$2,100.00	\$4,200.00	\$1,000.00	\$2,000.00
37	REHABILITATE EXISTING 4-FOOT DIAMETER MANHOLE INCLUDING	VF	18	\$300.00	\$5,400.00	\$325.00	\$5,850.00	\$100.00	\$1,800.00
38	FURNISH AND INSTALL R/C CRADLE FOR 20-INCH CASING	EACH	2	\$4,500.00	\$9,000.00	\$5,500.00	\$11,000.00	\$1,400.00	\$2,800.00
39	FURNISH, MAINTAIN AND OPERATE BY-PASS PUMPING SYSTEM	LS	1	\$12,500.00	\$12,500.00	\$5,000.00	\$5,000.00	\$13,000.00	\$13,000.00
40	FURNISH AND INSTALL NATURAL STONE RIP-RAP ON NON-WOVEN	CY	7	\$140.00	\$980.00	\$125.00	\$875.00	\$530.00	\$3,710.00
41	FOR HYDROMULCH SEEDING OF DISTURBED AREAS	SY	3700	\$1.25	\$4,625.00	\$1.25	\$4,625.00	\$0.75	\$2,775.00
42	FURNISH & INSTALL EXTRA GRAVEL EMBEDMENT	CY	10	\$35.00	\$350.00	\$35.00	\$350.00	\$35.00	\$350.00
43	FURNISH & INSTALL BALLAST STONE	CY	5	\$45.00	\$225.00	\$45.00	\$225.00	\$45.00	\$225.00
44	ALLOWANCE FOR UTILITY RELOCATION/REPAIR	LS	1	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
45	FURNISH AND INSTALL TRENCH/ EXCAVATION SAFETY SYSTEM	LS	1	\$1,200.00	\$1,200.00	\$500.00	\$500.00	\$1,000.00	\$1,000.00
SUB-TOTAL TRIBUTARY SB-1 AT SCHUMAC LANE						\$99,663.50		\$93,048.50	\$132,416.00

SUMMARY

HURRICANE CREEK AT L. DON DODSON	\$64,380.00	\$68,640.00	\$99,476.00
WEST FORK HURRICANE CREEK AT HOSPITAL PARKWAY	\$40,660.00	\$43,735.00	\$66,650.00
TRIBUTARY SB-1 AT SCHUMAC LANE	\$99,663.50	\$93,048.50	\$132,416.00

TOTAL \$204,703.50 \$205,423.50 \$298,542.00

*LOW BIDDER



AREA LOCATION
-NO SCALE-



Council Agenda Background

PRESENTER:

John F. Kubala, P.E., Public Works Director

ITEM:

Consider a resolution authorizing the City Manager to enter into Amendment #1 and Amendment #2 to the professional services contract with Kimley-Horn and Associates, Inc. in the amount of \$11,000 for Signal Warrant Analysis, Traffic Signal Design, Traffic Signal System Upgrade and Coordinated Signal Timing Implementation.

DISCUSSION:

During the construction of the Traffic Signal Synchronization Project, it was discovered that numerous underground conduits for wiring, from the controller/cabinet to the communication equipment located on the traffic signal pole, had collapsed and the new wiring could not be run through them. It was necessary for Kimley-Horn to design new conduit layouts to replace the collapsed ones. Amendment #1, in the amount of \$6,000, details the additional services involved with this design.

It is possible to significantly improve the benefits of the City's new system by coordinating the interchange of SH 121/Harwood Road with the Harwood Road signals maintained by the City of Bedford. This intersection represents the first or last link for a citizen entering or leaving the City via Harwood Road. By synchronizing this intersection with the system, drivers along Harwood Road will have a consistent drive all the way through Harwood Road and onto SH 121. This coordination will become even more important as construction moves forward along SH 183 and drivers look for alternative routes. Through discussions with TxDOT, they have agreed to work with the City on coordinating the interchange timing with Harwood Road.

The original scope of work was only for the traffic signals currently maintained by the City of Bedford to be upgraded and integrated into the new traffic signal management system. Amendment #2, in the amount of \$5,000, adds the portion of traffic signal timing only for SH 121/Harwood interchange which is currently controlled by TxDOT. As this is not controlled by the City, it was not included in the original scope of work.

This will bring the total amount of Kimley-Horn's contract to \$255,000. Funding in the amount of \$204,000 will come from the American Recovery & Reinvestment Act of 2009 (ARRA) Grant and \$51,000 will come the City of Bedford match.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into Amendment #1 and Amendment #2 to the professional services contract with Kimley-Horn and Associates, Inc. in the amount of \$11,000 for Signal Warrant Analysis, Traffic Signal Design, Traffic Signal System Upgrade and Coordinated Signal Timing Implementation.

FISCAL IMPACT:

Funding in the amount of \$204,000 will come from the American Recovery & Reinvestment Act of 2009 (ARRA) Grant and \$51,000 will come from the City of Bedford match.

ATTACHMENTS:

Amendment #1
Amendment #2
Summary of Estimated Costs and Funding

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AMENDMENT #1 AND AMENDMENT #2 TO THE PROFESSIONAL SERVICES CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. IN THE AMOUNT OF \$11,000 FOR SIGNAL WARRANT ANALYSIS, TRAFFIC SIGNAL DESIGN, TRAFFIC SIGNAL SYSTEM UPGRADE AND COORDINATED SIGNAL TIMING IMPLEMENTATION.

WHEREAS, the City of Bedford has been awarded a grant for Traffic Signal Synchronization or Replacement, under the American Recovery & Reinvestment Act of 2009 (ARRA) through the State Energy Conservation Office (SECO); and,

WHEREAS, the City Council of Bedford determines the necessity for proceeding with these additional improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City does hereby authorize the City Manager to enter into Amendment #1 and Amendment #2 to the professional services contract with Kimley-Horn and Associates, Inc. in the amount of \$11,000 for Signal Warrant Analysis, Traffic Signal Design, Traffic Signal System Upgrade and Coordinated Signal Timing Implementation.

SECTION 2. That funding of \$204,000 for this contract will come from the American Recovery & Reinvestment Act of 2009 (ARRA) Grant and \$51,000 will come from the City of Bedford Match.

PASSED AND APPROVED this 24th day of May 2011, by a vote of ____ayes, ____nays and ____abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

**AMENDMENT NUMBER 1 TO THE AGREEMENT BETWEEN THE
CITY OF BEDFORD, TEXAS AND KIMLEY-HORN AND
ASSOCIATES, INC.**

AMENDMENT NUMBER 1 DATED May 5, 2011 to the agreement between City of Bedford, ("Client") and Kimley-Horn and Associates, Inc., ("Consultant") dated February 25, 2010 ("the Agreement") concerning IPO Number 2010-1 Signal Warrant Analysis, Traffic Signal Design, Traffic Signal System Upgrade and Coordinated Signal Timing Implementation (the "Project").

The Consultant has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

Therefore, it is mutually agreed that the Agreement is amended to include Additional Services to be performed by Consultant and provisions for additional compensation by the Client to the Consultant, all as set forth in Exhibit A hereto. The parties ratify the terms and conditions of the Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

CLIENT:

By: _____

Title: _____

Date: _____

CONSULTANT:

KIMLEY-HORN AND ASSOCIATES, INC.

By: _____

Title: _____

Date: _____

Exhibit A to Amendment Number 1,
Dated May 5, 2011.

Consultant shall perform the following Additional Services:

The plans will include the conduit design from the controller/cabinet to the communication equipment located on the traffic signal pole. The following services for each signalized intersection are described below.

- A. Data Collection and Field Survey.** The Consultant will conduct a field survey of the existing conduit layout to determine conduit routing. The field survey will include locating existing ground boxes and identifying conduit fill availability in order to run new communication cables.

- B. Construction Documents.** The Consultant will prepare construction documents that include proposed conduit layouts for the signal system upgrade and future communication equipment. The conduit layouts will be shown in each submittal.

- C. Preparation of Engineer's Opinion of Probable Construction Cost.** The Consultant will include proposed conduit in preparing preliminary (60%) and final (100%) Engineer's opinion of probable construction costs for the traffic signal system upgrade construction package as specified in the plans and specifications.

The schedule for these additional services will remain the same as set forth in the original agreement. (IPO 2010-1; February 25, 2010)

For the Additional Services set forth above, Client shall pay Consultant the following additional compensation on a labor fee plus expense basis, not to exceed \$6,000



**AMENDMENT NUMBER 2 TO THE AGREEMENT BETWEEN THE
CITY OF BEDFORD, TEXAS AND KIMLEY-HORN AND
ASSOCIATES, INC.**

AMENDMENT NUMBER 2 DATED May 5, 2011 to the agreement between City of Bedford, ("Client") and Kimley-Horn and Associates, Inc., ("Consultant") dated February 25, 2010 ("the Agreement") concerning IPO Number 2010-1 Signal Warrant Analysis, Traffic Signal Design, Traffic Signal System Upgrade and Coordinated Signal Timing Implementation (the "Project").

The Consultant has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

Therefore, it is mutually agreed that the Agreement is amended to include Additional Services to be performed by Consultant and provisions for additional compensation by the Client to the Consultant, all as set forth in Exhibit A hereto. The parties ratify the terms and conditions of the Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

CLIENT:

By: _____

Title: _____

Date: _____

CONSULTANT:

KIMLEY-HORN AND ASSOCIATES, INC.

By: [Signature]

Title: ASSISTANT SECRETARY

Date: 05/05/11



Exhibit A to Amendment Number 2,
dated May 5, 2011.

Consultant shall perform the following Additional Services:

The traffic signal timing plans will include incorporating the SH 121/Harwood Road interchange as part of the timing improvements.

A. The Consultant will review or collect the following data for SH 121/Harwood Road:

1. Turning Movement Counts. New turning movement count data will be collected by the City and summarized for the weekday AM, Noon, and PM peaks at the interchange. Data will be tabulated by 15-minute increments, by approach direction (e.g., northbound, etc.), and by turning movement (e.g., left, straight, or right). The Consultant will review the data for accuracy and consistency with previous turning movement counts.
2. Conduct Field Observation. Prior to the development of new signal timing, the Consultant will conduct field observation during each time period.

B. Generate Timing Plans.

1. Generate Timing Plans. Using Synchro™, the Consultant will generate new signal timing plans. It is anticipated that up to four (4) unique plans will be generated. This generally will consist of unique plans for the weekday AM, Noon, and PM and Saturday peak time periods. The Consultant will coordinate with TxDOT.

Each timing plan will include a cycle length, offset, and split for each intersection and a time-space diagram for each corridor. The plans will be submitted to the Client for review. At a subsequent review meeting, the Consultant will discuss the characteristics of each plan and receive comments. Timing plans will accommodate the City's school zones, as appropriate.

2. Finalize Timing Plans. The Consultant will then finalize each timing plan to incorporate such comments. Once the signal system communications is operational, the Consultant will coordinate with Client staff to enter the new timing plans into the signal system software.

The following actions will be completed as part of the implementation of the timing:

- The timing data will be entered by Consultant personnel; and
 - The Consultant's role relative to timing plan implementation will be limited to responding to questions that may arise during the implementation process.
3. Timing Plan Fine-Tuning. When the new timing is operational, the Consultant will provide qualified staff members for on-site fine-tuning assistance. During the course



of this assistance, the Consultant will observe the operation of the new timing plans and suggest minor adjustments to improve the operation, if necessary.

The Client personnel will be encouraged to participate in this process, thereby gaining familiarity with the timing plans.

The schedule for these additional services will remain the same as set forth in the original agreement. (IPO 2010-1; February 25, 2010)

For the Additional Services set forth above, Client shall pay Consultant the following additional compensation on a labor fee plus expense basis, not to exceed \$5,000

City of Bedford Traffic Signal System Summary of Estimated Costs and Funding

Item	Contractor/Consultant	Cost
Grant coordination	Kimley-Horn and Associates, Inc.	\$255,000
Design of traffic signal system upgrade		
Signal timing optimization		
Plan, design and construct City-wide communication system to connect 24 signalized intersections to a traffic management center	Motorola/Scientel	\$443,988
Service Center Tower Construction and Water Tower Installation Inspection		\$46,717
Mounting School Zone Communications Hardware on Water Tower		\$15,381
Procurement of signal system equipment	Paradigm	\$771,596
High Speed Communications Backup		\$65,862
Traffic Management Hardware	City of Bedford	\$19,861
Installation Contractor	Durable Specialties	\$415,900
School Zone Warning System Communications and Control Upgrade	Consolidated Traffic Controls, Inc.	\$33,654
Total Estimated Cost		\$2,067,959

Grant Funding at 80%	\$1,654,367
City Matching Funding at 20%	\$413,592
Total Funding	\$2,067,959

Maximum Grant Funding	\$1,856,000
Existing City Traffic Bonds	\$300,000
City Proposed General Obligation Bonds	\$250,000
Total Maximum Funding	\$2,406,000



Council Agenda Background

PRESENTER:

John F. Kubala, P.E., Public Works Director

ITEM:

Consider a resolution to abandon a Landscape Easement in Lot A, Block 1, Dallas Federal Addition to the City of Bedford, Texas as described in Exhibit A.

DISCUSSION:

The property owner at 1851 Central Drive has requested the City of Bedford abandon the existing landscape easement on the property. The easement was dedicated to the City by the previous property owner in 2002. The purpose was to have a uniform landscaping plan for the City's right-of-way along Central Drive. The City accepted responsibility for the installation and maintenance of planting materials and irrigation in the easement. The construction of the North Tarrant Express now requires additional right-of-way in this area. The Texas Department of Transportation requires the property to be free and clear of any encumbrances in order to close the transaction. The property owner has paid a \$450 fee to pay for the City's expense of document preparation and filing with Tarrant County.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution to abandon a Landscape Easement in Lot A, Block 1, Dallas Federal Addition to the City of Bedford, Texas as described in Exhibit A.

FISCAL IMPACT:

\$450 paid by the property owner.

ATTACHMENTS:

Resolution
Exhibit A

RESOLUTION NO. 11-

A RESOLUTION TO ABANDON A LANDSCAPE EASEMENT IN LOT A, BLOCK 1, DALLAS FEDERAL ADDITION TO THE CITY OF BEDFORD, TEXAS AS DESCRIBED IN EXHIBIT A.

WHEREAS, The City Council desires to abandon a landscape easement on Central Drive; and,

WHEREAS, said abandonment includes all that certain parcel of land as described in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City Council of the City of Bedford, Texas hereby abandons a Landscape Easement in Lot A, Block 1, Dallas Federal Addition to the City of Bedford, Texas as described in Exhibit A.

PASSED AND APPROVED this the 24th day of May 2011, by a vote of ___ ayes, ___ nays and ___ abstentions at a regular meeting of the City Council of the City of Bedford, Texas,.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

11-11-01

EXHIBIT "A"
PERMANENT LANDSCAPE EASEMENT
W. YANTIS SURVEY ABSTRACT NO. 1752
TARRANT COUNTY, TEXAS

SITUATED in the City of Bedford, Tarrant County, Texas and being a strip of land out of the W. Yantis Survey, Abstract No. 1752, said strip of land being out of a tract of land conveyed to Franklin D. Early by deed recorded in Volume 10851, Page 1203 of the Deed Records, Tarrant County, Texas (D.R.T.C.T.), said tract also being Lot A, Block 1, Dallas Federal Addition according to the Plat recorded in Volume 388-183, Page 18 of the Plat Records, Tarrant County, Texas (P.R.T.C.T) said strip of land being herein described as a proposed Variable Width Landscape Easement and being herein more particularly described by metes and bounds as follows:

BEGINNING at a point on the northeast property corner of the said Early tract, said point being located at the intersection of the south right-of-way line of Shoalmont Drive and the westerly right-of-way line of Central Drive;

THENCE, South 01 degree 53 minutes 30 seconds West, along the easterly property line of the said Early tract and the said westerly right-of-way line of Central Drive, 28.92 feet to a point;

THENCE, South 04 degrees 03 minutes 15 seconds West, continuing along the said easterly property line and westerly right-of-way line, 53.24 feet to a point, said point being on the north line of a Fire Lane and Emergency Access easement as shown on the said Dallas Federal Addition Plat;

THENCE, North 89 degrees 49 minutes 00 seconds West, along the said north line of the Fire Lane and Emergency Access Easement, 9.37 feet to a point;

THENCE, North 04 degrees 12 minutes 40 seconds East 82.23 feet to a point on the aforementioned north property line and south right-of-way line;

THENCE, South 89 degrees 49 minutes 00 seconds East, along the said north property line and south right-of-way line, 8.04 feet to the **POINT OF BEGINNING**.

The proposed Permanent Landscape Easement being herein described contains **0.0170 acres (743 square feet)** of land to be acquired.

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FROM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUND AND THAT SAME IS TRUE AND CORRECT.

Company Name: Spooner and Associates, Inc

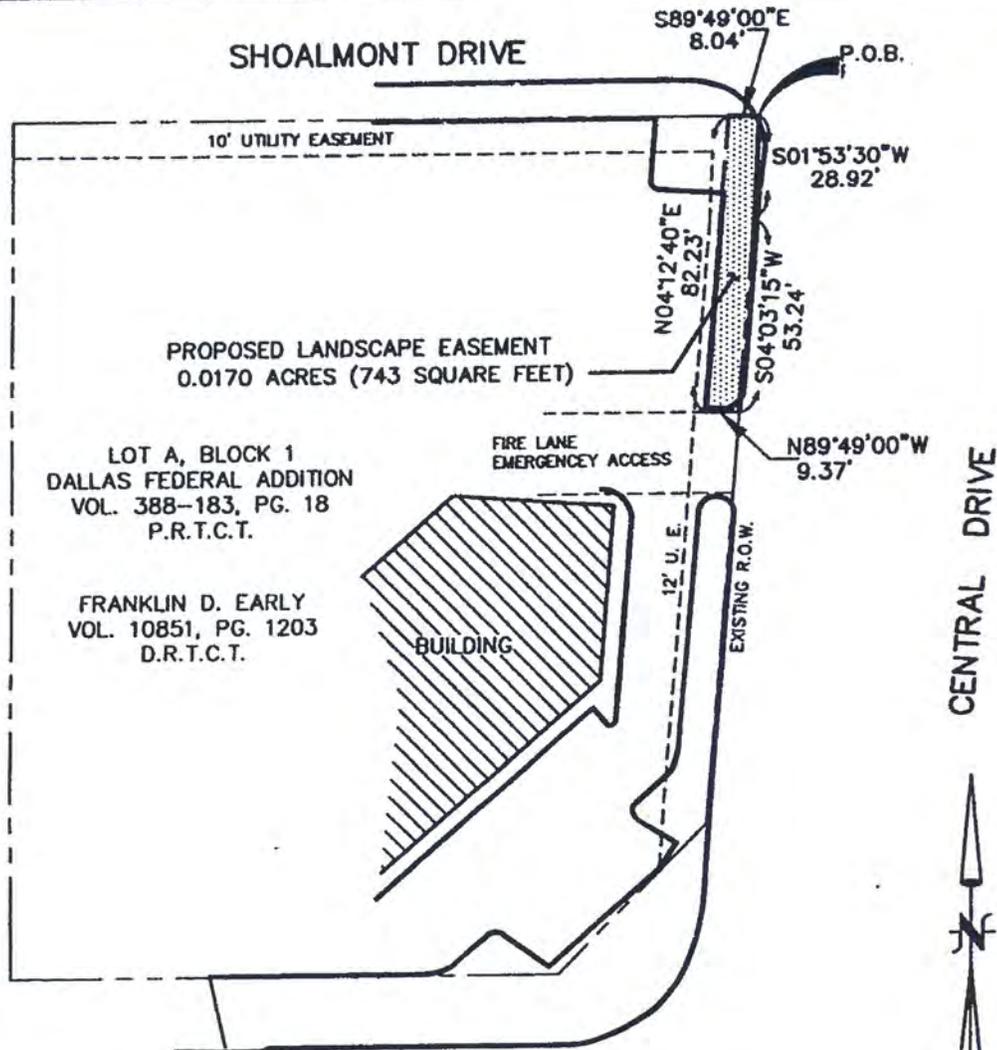
By: Shaun Spooner
Shaun Spooner



Registered Professional Land Surveyor,
Texas No. 4183,
Date of Survey: 12-26-2001,
S&A Job No. 1101-12-01

SURVEY: W. YANTIS SURVEY A-1752
 LOCATION: TARRANT COUNTY, TEXAS
 PERM. LANDSCAPE EASEMENT: 0.0170 AC.-743 SQ. FT.

CITY OF BEDFORD
 RIGHT-OF-WAY IMPROVEMENTS



AIRPORT

FREEWAY

SPOONER & ASSOC.
 REGISTERED PROFESSIONAL
 LAND SURVEYORS



Shaun G. Spooner



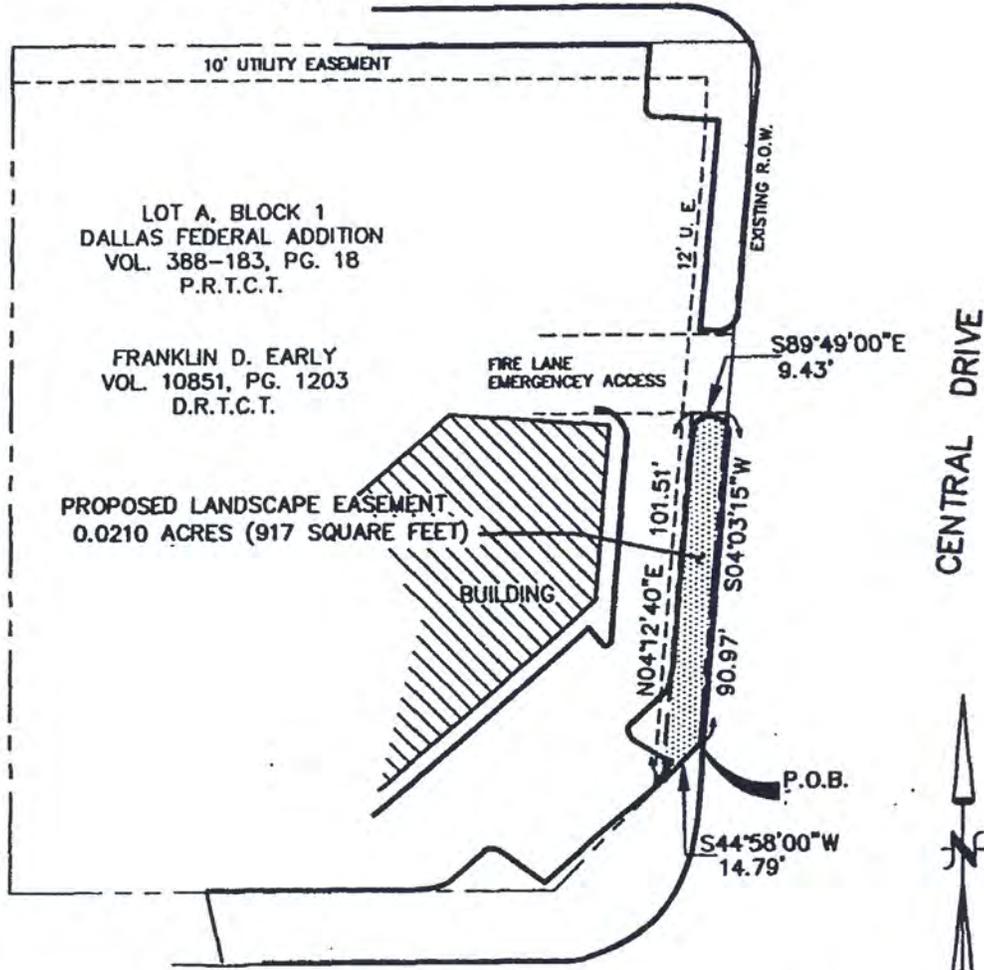
352 HURST BLVD.
 HURST, TX 76053
 (817) 282-6981

JOB NO.: 1101-12-01
 DATE: 12-27-01
 COGO FILE: NONE
 ACAD FILE: 608-1101-EASE
 DRAWN BY: A.K.D.
 COMPUTED BY: A.K.D.
 CHECKED BY: S.G.S.

SURVEY: W. YANTIS SURVEY A-1752
 LOCATION: TARRANT COUNTY, TEXAS
 PERM. LANDSCAPE EASEMENT: 0.0210 AC.-917 SQ. FT.

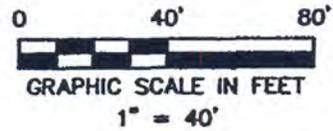
CITY OF BEDFORD
 RIGHT-OF-WAY IMPROVEMENTS

SHOALMONT DRIVE



AIRPORT

FREEWAY



SPOONER & ASSOC.
 REGISTERED PROFESSIONAL
 LAND SURVEYORS



Shaun G. Spooner



352 HURST BLVD.
 HURST, TX 76053
 (817) 282-6981

JOB NO.: 1101-12-01
 DATE: 12-27-01
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 ACAD FILE: 608-1101-EASE
 DRAWN BY: A.K.D.
 COMPUTED BY: A.K.D.
 CHECKED BY: S.G.S.



Council Agenda Background

PRESENTER:

Maria Redburn, Library Manager

ITEM:

Consider a resolution ratifying an amendment to the contract with Harrison, Walker and Harper for the construction of a 250 kW photovoltaic solar array system for the new Bedford Public Library requiring that the construction comply with the Buy America Act and the Davis-Bacon Act.

DISCUSSION:

On March 10, 2010, staff was notified by the Comptroller of Public Accounts Office that the City of Bedford had been awarded a Distributed Renewable Energy Technology Program Grant, under the American Recovery & Reinvestment Act of 2009 through the State Energy Conservation Office for \$1,998,800. The City Council voted to accept these funds to install solar panels on the roof of the new Library. On May 12, 2010, the City Council voted to amend the existing contract with Harrison, Walker and Harper to oversee the bidding, management and construction of the photovoltaic solar array system.

The construction of the photovoltaic solar array is funded through a Distributed Renewable Energy Technology Program Grant from the Texas State Energy and Conservation Office (SECO). The grant requires that the solar array and all components comply with the Buy America Act and the Davis-Bacon Act. Buy America requires that the components used in the project are made in the United States and the Davis-Bacon statutes require that contractors pay their workers the prevailing union wage. Staff included statements in the bid documents and the Notice to Proceed requiring all contractors to comply with the statutes. However, as a formality, SECO requested that we adopt a contract amendment that specifically addresses compliance. Due to a deadline of May 20, 2011 set by SECO, the City Manager signed the needed contract on May 18, 2011 and forwarded it to SECO. This item is the ratification of that contract.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution ratifying an amendment to the contract with Harrison, Walker and Harper for the construction of a 250 kw photovoltaic solar array system for the new Bedford Public Library requiring that the construction comply with the Buy America Act and the Davis-Bacon Act.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution
Contract Amendment

RESOLUTION NO. 11-

A RESOLUTION RATIFYING AN AMENDMENT TO THE CONTRACT WITH HARRISON, WALKER AND HARPER FOR THE CONSTRUCTION OF A 250 KW PHOTOVOLTAIC SOLAR ARRAY SYSTEM FOR THE NEW BEDFORD PUBLIC LIBRARY REQUIRING THAT THE CONSTRUCTION COMPLY WITH THE BUY AMERICA ACT AND THE DAVIS-BACON ACT.

WHEREAS, the City Council of Bedford, Texas voted to accept funds for the Distributed Renewable Energy Technology Program Grant to install solar panels on the roof of the new Library in the amount of \$1,998,800; and,

WHEREAS, the City Council of Bedford, Texas has determined that the contract with Harrison, Walker and Harper, LP (hereafter "HWH") be amended to include the construction of a 250 kW photovoltaic solar array system for the new Bedford Public Library; and,

WHEREAS, the City of Bedford (hereafter "City") and HWH have an Agreement dated the 12th day of May 2010 regarding the construction of a 250 kW photovoltaic solar array for the new Bedford Public Library; and,

WHEREAS, the construction of the photovoltaic solar array is funded through a Distributed Renewable Energy Technology Program Grant from the Texas State Energy and Conservation Office, and,

WHEREAS, the City has agreed to comply with all American Recovery and Reinvestment Act of 2009 requirements; and,

WHEREAS, due to a deadline of May 20, 2011 set by the Texas State Energy and Conservation Office (SECO), the City Manager has signed the needed contract and forwarded it to SECO.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City Council does hereby ratify the amendment to the contract with Harrison, Walker and Harper for the construction of a 250 kw photovoltaic solar array system for the new Bedford Public Library requiring that the construction comply with the Buy America Act and the Davis-Bacon Act.

PASSED AND APPROVED this 24th day of May 2011, by a vote of ___ayes, ___nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, Acting City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

CONTRACT AMENDMENT

Whereas the City of Bedford. (hereafter "City") and Harrison, Walker & Harper, LP (hereafter "HWH") have an Agreement dated the 12th day of May 2010 regarding the construction of a 250 kW photovoltaic solar array for the new Bedford Public Library And, whereas, the Agreement is stated in lump-sum terms,

And whereas, both parties agree to amend the existing contract for HWH to oversee the bidding, management and construction of the 250 kW photovoltaic solar array for the new Bedford Public Library,

And whereas, the construction of the photovoltaic solar array is funded through a Distributed Renewable Energy Technology Program Grant from the Texas State Energy and Conservation Office,

And whereas, the City of Bedford has agreed to comply with all American Recovery and Reinvestment Act (hereafter "ARRA") of 2009 requirements,

And whereas, HWH agrees to comply with all ARRA, Buy American and Davis-Bacon Act requirement for the construction of a 250 kW photovoltaic solar array for the new Bedford Public Library

And whereas, HWH Now, therefore, the parties mutually agree that the construction of the photovoltaic solar array for the new Bedford Public Library will comply with all ARRA, Buy American and Davis-Bacon Act requirements in the Distributed Renewable Energy Program Grant from the Texas State Energy and Conservation Office.

The parties hereto agree that the effective date of this contract amendment shall be the 12th day of May 2010. All other terms and the conditions of the contract dated May 12, 2010, between the City and HWH shall remain the same and unaltered.

Agreed to:

City of Bedford, Texas

Harrison, Walker & Harper, LP

By:

By: