

AGENDA ITEM

15 A, B
C, D

Justine Cherne

To: Justine Cherne; 'Ann Werlein'; 'Bronsell Mandi (E-mail)'; 'D'Neal Brown'; 'Evans-Smith Felicia (E-mail)'; 'Hegemier Jesse (E-mail)'; 'Johnson Laura (E-mail)'; 'Judge Hebert'; 'McCarver Jean (E-mail)'; 'Meyers Andy (E-mail)'; 'Ospina Donna (E-mail)'; 'Patterson James (E-mail)'; 'Prestage Grady (E-mail)'; 'Robin Vrana'; 'richard.morrison@co.fort-bend.tx.us'; 'Sue Brock'; 'gubbepam@co.fort-bend.tx.us'; 'rodgeher@co.fort-bend.tx.us'; 'Cordes Jr., Roy L. (corderoy@co.fort-bend.tx.us)'; 'harrisli@co.fort-bend.tx.us'; 'gutierrez@co.fort-bend.tx.us'; 'chingjen@co.fort-bend.tx.us'; 'Reveles, Mary (revalmar@co.fort-bend.tx.us)'
Cc: 'Bill Jameson (billj@wjinterests.com)'; 'Mike Stone (mikestone@cpmguru.com)'; 'Arroyave Bob (barroyave@browngay.com)'; 'Gary Gehbauer (ggehbauer@browngay.com)'; 'Cliff Kavanaugh (ckavanaugh@firstsw.com)'; 'Joe B. Allen'; 'Rich Muller'; 'Tina Tobias'; 'batallas@hartmannews.com'; 'Jim Condrey (E-mail)'; 'Sturdivant K (E-mail)'; 'james.harris@publicans.com'; 'Graham PE, Glenn D (PBS&J) EML (gdgraham@pbsj.com)'; 'Logsdon, Pamela (pmlogsdon@sbcglobal.net)'; 'ccotter@browngay.com'; 'Spackman P.E., James (Jim) (jspackman@jaengineering.com)'; 'Fields, Richard A. (richard.fields@aguirre-fields.com)'; 'jimenmel@co.fort-bend.tx.us'; 'vaughjas@co.fort-bend.tx.us'; 'chadessex@cpmguru.com'; 'Cindy Acree'; 'mbrannen@browngay.com'; 'Terrell, Cliff (terrellc@wcjc.edu)'; 'Terrell, Cliff (cliffterrell@yahoo.com)'; 'Howard, Olen D.'; 'Rencher, Charles (cgrncher@comcast.net)'; 'mhess@newfirst.com'
Subject: Fort Bend County Toll Road Authority Agenda Item Request

November 19, 2009

Dear Judge and Commissioners:


The Board of Directors of the Authority reviewed the following items at their regular meeting held on November 18, 2009, and makes the following recommendations to Commissioners Court:

1. Approval of operations invoices in the amount of \$159,320.19 for the Fort Bend Parkway, Project A and Westpark Corridor.
2. Approval of contract with Texas Services, Ltd. in an amount not to exceed \$20,000 for tree farm irrigation and maintenance.
3. Approval of Supplemental Agreement No. 3 to the Agreement for Engineering Services for Fort Bend Parkway Toll Road Segment B (Phase 1) with B&G in an amount not to exceed \$46,098.04 for change in drainage outfall channel location.
4. Approval of budget for fiscal year-ending September 30, 2010.
5. Approval of engagement letter with Joyce, McFarland & McFarland LLP for condemnation and right-of-way acquisition matters for Fort Bend Parkway.

Copies of the related documents will be forwarded for your review. Please place these items for consideration by Commissioners Court on the agenda for the meeting scheduled on November 24, 2009.

As always, if you should have any questions regarding this matter, please don't hesitate to contact any member of the Board of Directors or the Authority's consultants.

Very truly yours,


Richard L. Muller, Jr.



TEXAS SERVICES, LTD dba TEXAS TREE COMPANY

CONTRACT/ESTIMATE

P.O. Box 710012 Houston, TX 77271-0012
Phone: (713) 774-6621 Fax: (713) 774-3360

CLIENT #:		DATE:	11/11/09 - revised
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BILLED TO:	Fort Bend Co Toll Road Authority	HOME:		WORK:	
	7002 Riverbrook Ste. 700	FAX:		CELL:	
	Sugar Land, TX 77479	EMAIL:			

SERVICE ADDRESS:	Attn: Chad Essex & Mike Stone
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WORK TO BE PERFORMED:	COST
Labor only:	
• Plant 500 - 5 gallon Live Oaks (provided by others) per plans.	\$3,684.00
• Provide labor and all materials necessary to install irrigation per plans.	\$8,894.00
Additional materials needed to increase survival rate:	
• 30 yards sand	\$500.00
• 30 yards mulch	\$800.00
• 500 gallons Bio Pack Plus (root stimulator)	\$2,100.00
Run additional mainline to pond south of planting area for water supply. Build pump and generator set up to manually water tree farm until meter has been established. See attached maintenance schedule.	\$2,870.00
Manual water:	
• 1 man, 8 hrs, 1 time per week, September through March. \$360/trip	
• 1 man, 8 hrs, 2 times per week, April through August. \$360/trip (Figures may need to be adjusted based on rainfall)	
Sign and fax /email this proposal if it is acceptable, we require written authorization prior to scheduling work. Thank You, Jim Sivils 832-731-0456, jim@texasservices.com	

TEXAS SERVICES LTD. dba TEXAS TREE COMPANY will not be held liable for damage to existing structure, utilities, cables, pipes, and all other improvements located under the surface of the property, or unmarked easements - unless owner or owner's agent identifies and locates, with sufficient markers, all possible hazards prior to commencement of the work being performed. TEXAS SERVICES LTD, dba TEXAS TREE CO, will not be responsible for confirming ownership of property or trees located on property where requested work is to be completed. Work may be performed at different intervals, therefore explaining several invoices from one contract. Payment is due upon receipt of invoice. A service charge of 1.5% per month or 18% APR will be added to all overdue accounts. You will also be liable for all legal and collection fees.

Subtotal \$
Sales Tax EXEMPT
Total \$20,000
Not to exceed

Approved By:

Date: 11/18/09

Tree Farm Maintenance

Based on 2.5 acres, 500 trees

		Cost Per Unit	Cost Per Trip	Total Cost Per Year
Mowing	12 cuts per year	\$45/acre	\$112.50	\$1,350.00
Herbicide (2' dia circle @ base of tree)	Year 1: 2 applications - March & Sept.	\$300/acre	\$750.00	\$1,500.00
Herbicide (3' wide strip along polly)	Years 2,3,4: 2 applications - March & Sept.	\$175/acre	\$300.00	\$875.00
Pruning	After 1 full growing season	\$2.50/tree	\$1,250.00	\$1,250.00
Pruning	Year 3 - December	\$3/tree	\$1,500.00	\$1,500.00
Fertilize	Year 2 with 28-3-10 March & Sept.	\$80/acre	\$200.00	\$400.00
Tree staking if needed	Year 1 and 2 - as needed only	\$3/tree	\$1,500.00	\$1,500.00
Irrigation inspections	6 times per year: April, May, June, July, Aug, Sept.	\$45/acre	\$112.50	\$675.00
Manual watering (Sept. through March)	Sept. through March: 1 man, 8 yrs, 1 trip per week	\$360/trip	\$360.00	\$6,120.00
Manual watering (April through Aug.)	April through Aug.: 1 man, 8 yrs, 2 trips per week	\$360/trip	\$360.00	\$7,920.00

See attached schedule

TREE FARM MAINTENANCE

JANUARY

MOWING
PRUNING YEAR 2
PRUNING YEAR 3
MANUAL WATERING ONCE PER WEEK

FEBRUARY

MOWING
MANUAL WATERING ONCE PER WEEK

MARCH

MOWING
HERBICIDE @ TREE BASE YEAR 1
HERBICIDE @ POLLY STRIP YEAR 2-3-4

FERTILIZATION YEAR 2
MANUAL WATERING ONCE PER WEEK

APRIL

MOWING
IRRIGATION INSPECTION
MANUAL WATERING TWICE PER WEEK

MAY

MOWING
IRRIGATION INSPECTION
MANUAL WATERING TWICE PER WEEK

JUNE

MOWING
IRRIGATION INSPECTION
MANUAL WATERING TWICE PER WEEK

JULY

MOWING
IRRIGATION INSPECTION
MANUAL WATERING TWICE PER WEEK

AUGUST

MOWING
IRRIGATION INSPECTION
MANUAL WATERING TWICE PER WEEK

SEPTEMBER

MOWING
HERBICIDE @ TREE BASE YEAR 1
HERBICIDE @ POLLY STRIP YEAR 2-3-4
IRRIGATION INSPECTION
MANUAL WATERING ONCE PER WEEK

OCTOBER

MOWING
MANUAL WATERING ONCE PER WEEK

NOVEMBER

MOWING
MANUAL WATERING ONCE PER WEEK

DECEMBER

MOWING
MANUAL WATERING ONCE PER WEEK

AGENDA ITEM

15B

**BROWN
& GAY**
ENGINEERS, INC.

November 11, 2009

Dr. Jim Condrey
Fort Bend County Toll Road Authority
P.O. Box 2789
Sugar Land, TX 77489-2789

Re: Outfall Drainage Channel
Supplemental Agreement No. 3
Fort Bend Parkway Toll Road, Segment B-1

Dear Dr. Condrey:

Enclosed is Supplemental Agreement No. 3 for additional work consisting of environmental assessment, field survey, easement documents, and engineering design services for changing the drainage outfall channel location on the west end of the tollway.

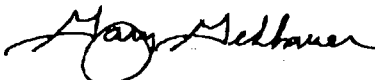
During the initial phases of design, the original location for the outfall drainage channel was to run along Sienna Parkway north to an existing detention pond. This location was recommended and agreed upon by consultants for the Sienna LID. However, during a recent coordination meeting with adjacent landowners, Sienna LID consultants, Mr. Mike Stone, and Mr. Rich Muller, it was determined that the original location would not work with the LID's latest drainage plan for the area. Therefore, four alternative outfall drainage channel locations were suggested. Also, it was determined that this drainage channel should be considered temporary due to concerns about future changes to adjacent land use and possible impacts from Parkway Segment B-2. Attached is a sketch showing the original outfall location and the proposed alternative locations.

In order to revise the design for the new outfall channel, the alternatives will be studied and the best alternative will be selected for final design. Also, additional environmental assessment, field surveying, easement description preparation, and design engineering work will be required.

Attached with the Supplemental Agreement are the scope and fees for the additional work, including cost information from Berg Oliver Associates, Inc., and LJA Engineering & Surveying, Inc. The lump sum cost for this work is \$46,098.04 and increases the contract to a total cost of \$1,163,105.28.

If you have any questions, please contact me at 281-558-8700 or via my e-mail at ggehbauer@browngay.com.

Sincerely,



Gary Gehbauer, P.E.
Senior Project Manager

enclosures

**SUPPLEMENTAL AGREEMENT NO. 3
TO
AGREEMENT OF FEBRUARY 20, 2008
FOR
ENGINEERING SERVICES for
Fort Bend Parkway Toll Road Segment B (Phase 1)**

This Supplemental Agreement is made and entered into this 18th day of November, 2009, and modifies the ENGINEERING SERVICES AGREEMENT made with Brown & Gay Engineers, Inc., dated February 20, 2008 for engineering design, environmental assessment, geotechnical and survey services for the extension of the Fort Bend Parkway Toll Road, Segment B (Phase 1).

The agreement is hereby modified as follows:

The Scope of Services are amended to include the additional service as described in Attachment A-1, which are made part of this Supplemental Agreement.

The first sentence of Paragraph 2.a is replaced with the following:

"Compensation for performance of the Services defined in Attachment A-1 will be as follows: The Additional Services compensation shall be for a lump sum amount of \$46,098.04, as shown in Attachment B-1. The maximum amount payable under this agreement shall not exceed \$1,163,105.28 for all work except by separate agreement in accordance with the provisions of this agreement."

IN WITNESS WHEREOF, this Supplemental Agreement is hereby executed as of the date first set forth above.

Supplemental Agreement No. 3
To Agreement of February 29, 2008

FORT BEND COUNTY TOLL ROAD
AUTHORITY, a local government
Texas Corporation

By: 

James Condrey
Chairman, Board of Directors

ATTEST:

By 

Brown & Gay Engineers, Inc.
ENGINEER

By: 

Name: J. Roberto Arroyave, P.E.

Title: Vice President

ATTACHMENT A-1
FORT BEND PARKWAY TOLL ROAD
SUPPLEMENTAL AGREEMENT NUMBER 3 TO
ENGINEERING SERVICES AGREEMENT
SCOPE OF SERVICES

TEMPORARY DRAINAGE OUTFALL CHANNEL
(SIENNA PARKWAY TO FLAT BANK OUTFALL)
Fort Bend Parkway Toll Road Segment B, Phase 1

GENERAL DESCRIPTION

Temporary Drainage Outfall Channel

It has been recently determined that the drainage outfall location for the west end of the project should be changed. The location of the drainage channel should be along the proposed right-of-way for the Segment B-2 and outfall at Flat Bank Creek or one of three other upstream locations to an existing channel. The work under this supplemental agreement includes wetlands delineation and permitting, field surveying, temporary easement descriptions, and drainage design engineering.

C. ENVIRONMENTAL ASSESSMENT

The environmental subconsultant (Berg+Oliver) shall perform the following tasks for the proposed temporary drainage outfall channel:

- 1) Wetland Delineation and GPS per the 1987 Wetland Delineation Manual, Atlantic Gulf Coast Regional Supplement, and GPS Standard Operating Procedure
- 2) Visual Inspection of the Drainage Right of Way for Potential Hazards/Chemicals of Concern

The findings will be included in the Wetland Delineation report for the widening of Sienna Parkway.

D. FIELD SURVEYS

The surveying subconsultant (LJA Engineering & Surveying, Inc.) shall perform all work necessary to complete field surveys for the additional work identified in this supplemental agreement.

1. Field Surveys - Field surveys will be performed as follows:
 - a. Cross-sections and topo along the proposed outfall drainage channel from Sienna Parkway to Flat Bank Creek and additionally three option routes from the proposed channel northerly to an existing channel.
2. Temporary Easement Descriptions -
 - a. Prepare and Exhibit and Property description for a proposed Temporary Drainage Easement located west of Sienna Parkway. Scope includes preparing 1 or 2 descriptions as needed.
 - b. Monument the proposed Temporary Drainage Easement with 5/8-inch rods.

F. DRAINAGE Design

Brown & Gay Engineers, Inc. shall perform the following engineering design work:

1. Analyze the outfall location options
2. Develop preliminary cost estimates for each option
3. Revise base map and DTM with additional field survey data.
4. Model proposed outfall location
5. Develop outfall channel plan and profile sheets
6. Develop cross-sections for channel
7. Calculate and prepare quantities and summary sheet

Fort Bend Parkway Toll Road
Segment B, Phase 1
From SH 6 to Sienna Pkwy

ATTACHMENT B-1
FEE SCHEDULE
SUMMARY

SUPPLEMENTAL AGREEMENT NO. 3

	DESCRIPTION	BERG OLIVER	LJA	BGE	TOTAL
	ENVIRONMENTAL	\$ 4,800.00	\$ -	\$ -	\$ 4,800.00
	FIELD SURVEY & TEMPORARY EASEMENTS	\$ -	\$ 23,083.25	\$ -	\$ 23,083.25
	ENGINEERING DESIGN	\$ -	\$ -	\$ 18,214.79	\$ 18,214.79
	TOTAL	\$ 4,800.00	\$ 23,083.25	\$ 18,214.79	\$ 46,098.04



BERG • OLIVER ASSOCIATES, INC.

Environmental Science, Engineering & Land Use Consultants

14701 St. Mary's Lane, Suite 400, Houston, Texas 77079

(281) 589-0898 fax: (281) 589-0007

Houston • Austin • WDBE/HUB • www.bergoliver.com

November 5, 2009

Gary Gehbauer, P.E.
Brown & Gay Engineers, Inc.
10777 Westheimer, Suite 400
Houston, Texas 77042-3455

Re: Proposal for environmental services for the Sienna Parkway Drainage Outfall Channel to Flat Bank Creek
in Fort Bend County, Texas
BOA Proposal No. 6634 d

Dear Mr. Gehbauer,

The following proposed services are an addendum to the Sienna Parkway Additional Lanes and Storm Sewer Project, previously authorized. The proposed addendum is for the Drainage Outfall Channel located west of the Sienna Parkway Right of Way and south of the Sienna Plantation Home Finders Center, south of Sienna Springs Boulevard and terminating at Flat Bank Creek.

As we discussed, Berg•Oliver Associates, Inc. (Berg•Oliver), has reviewed previous work performed in the vicinity of the proposed Drainage Outfall location to determine if any of the previous work may be adequate to be utilized in the expanded project area. Based on this review, Berg•Oliver proposes the minimum services listed below for the additional project scope.

- 1) Wetland Delineation and GPS per the 1987 Wetland Delineation Manual, Atlantic Gulf Coast Regional Supplement, and GPS Standard Operating Procedure
- 2) Visual Inspection of the Drainage Right of Way for Potential Hazards/Chemicals of Concern

Finding will be included with the permitting associated with the Sienna Parkway project under the original contract, if needed.

Berg•Oliver proposes to conduct these services for the lump sum of \$4,800.00. This addendum is subject to all terms and conditions of the previously authorized proposal for the Sienna Parkway project between Berg-Oliver Associates, Inc., Brown & Gay Engineers, Inc., and the Fort Bend Toll Road Authority.

We look forward to working with you on this project. Thank you for considering Berg•Oliver Associates, Inc. to assist you with your environmental planning. Please contact me if you have any questions, I can be reached at 281-589-0898.

Sincerely,

Susan Alford
President

Berg•Oliver Associates, Inc.
6634dESPR revised
November 5, 2009

LJA Engineering & Surveying, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5028
www.ljaengineering.com

November 6, 2009

PROPOSAL

Mr. Gary Gehbauer, PE
Brown & Gay Engineers, Inc.
10777 Westheimer, Suite 400
Houston, Texas 77042

Re: Fort Bend Toll Road Segment B-1: Drainage
LJA Proposal No. 09-0168

Dear Mr. Gehbauer:

LJA Engineering & Surveying, Inc. (LJA) is pleased to submit this proposal to provide additional topographic surveys to support design of Segment B-1 Drainage and perform on the ground surveys and prepare parcel plats and property descriptions for a temporary drainage easement.

Scope of Services

Additional Field Survey - Fort Bend Parkway Toll Road Segment B-1: Drainage

Topographic Survey for proposed Temporary Drainage Easement

1. Cross-sections and topo along the proposed Fort Bend Parkway Toll Road from Sienna Parkway to Flat Bank Creek and additionally along three option routes from the proposed Toll Road northerly to an existing channel.

Temporary Easement Descriptions

1. Prepare an Exhibit and Property description for a proposed Temporary Drainage Easement located west of Sienna Parkway. The exact route will be Determined at a future date. Scope includes preparing 1 or 2 descriptions as needed.
2. Monument the proposed Temporary Drainage Easement with 5/8-inch rods.

Compensation

Our compensation for these professional services will be on a lump basis of \$23,083.25 and Invoiced in accordance with the attached *Professional Services Agreement (PSA)*.

We anticipate that we can complete these professional surveying services within one-hundred eighty (180) days after written authorization to proceed.

Mr. Gary Gehbauer, PE
November 6, 2009
Page 2

If this proposal meets with your approval, please execute both copies, returning one copy to our office and keeping one copy for your records. Your signature below and on the attached PSA will be sufficient authorization to commence the stated work.

We appreciate this opportunity to submit this proposal, and look forward to working with you on this project. If you have questions please call me at 713.953.5273.

Sincerely,



Keith W. Monroe, RPLS
Survey Department Manager

KWM/tp

Attachments

ACCEPTED FOR
BROWN & GAY ENGINEERS, INC.

By: _____

Title: _____

Date: _____

Fort Bend Parkway Toll Road
Segment B, Phase 1
From SH 6 to Sigma Pkwy

ATTACHMENT B-1
FEE SCHEDULE
BROWN & GAY ENGINEERS, INC.

Supplemental Agreement No. 3

MANHOOR COST SUMMARY - BROWN & GAY ENGINEERS, INC.	PROJECT MANAGER	SENIOR ENGINEER	PROJECT ENGINEER	EIT	SENIOR CADD	JUNIOR ENGR TECH	CLERICAL	TOTAL
DRAINAGE	10	4	55	108	0	0	0	177
MISCELLANEOUS ROADWAY	0	0	0	0	0	0	0	0
TOTAL HOURS	10	4	55	108	0	0	0	177
MANHOOR RATES	\$ 55.00	\$ 55.00	\$ 36.00	\$ 28.00	\$ 35.00	\$ 20.00	\$ 21.00	
TOTAL DIRECT LABOR COSTS	\$ 550.00	\$ 220.00	\$ 1,980.00	\$ 3,024.00	\$ -	\$ -	\$ -	\$ 5,774.00
EXPENSE COST SUMMARY - BGE								EXPENSE TOTAL
TOTAL								\$ 500.00
FEE SUMMARY - BGE				HOURS	DIRECT LABOR	OVERHEAD 166.785%	PROFIT 15%	EXPENSES TOTAL
DRAINAGE				177	\$ 5,774.00	\$ 9,630.17	\$ 2,310.62	\$ 17,714.79
MISCELLANEOUS ROADWAY				0	\$ -	\$ -	\$ -	\$ -
SubTotals				177	\$ 5,774.00	\$ 9,630.17	\$ 2,310.62	\$ 500.00 \$ 18,214.79
								TOTAL \$ 18,214.79

MANHOOR ESTIMATE - BROWN & GAY ENGINEERS, INC.									
	DESCRIPTION	PROJECT MANAGER	SENIOR ENGINEER	PROJECT ENGINEER	EIT	SENIOR CADD	JUNIOR ENGR TECH	CLERICAL	TOTAL
1	DRAINAGE								
1	Fort Bend Pkwy Outfall Ditch								
	Analyze Three Outfall Location Alignments	2		6	30				38
	Develop Preliminary Cost Estimates for Outfall Location options	1		3	6				10
	Model Proposed Outfall Location	1	4	8	30				43
	Design Proposed Ditch Profile	1			4				5
	Develop Ditch Plan & Profile Sheets (1"=100')	3		3	30				36
	Develop Cross Sections at 100' Intervals	1		32					33
	Revise Base Map and DTM with Additional Survey Data			2	4				6
	Quantity Summary	1		1	4				6
	SUBTOTAL	10	4	55	108	0	0	0	177

FBCTRA Budget Summary

AGENDA ITEM
15C

Revenues

Parkway	7,348,145
Westpark	8,135,106
Admin (Violation & Interest)	1,104,878
Total Revenues	16,588,130

Expenses

Parkway	1,102,101
Westpark	1,191,657
Admin	997,992
Total Expenses	3,291,749

(Revenues - Expenses) = 13,296,380

less Special Projects 487,000

less Debt Service 6,753,432

Amount to Be Allocated
To FBCTRA Funds 6,542,948
