

RESOLUTION NO. 21-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD UTILITY AGREEMENT TO RECEIVE REIMBURSEMENT FOR UTILITY RELOCATIONS COMPLETED IN PREPARATION FOR THE CONSTRUCTION OF THE INTERSTATE HIGHWAY 635 FRONTAGE ROAD BETWEEN GROSS ROAD AND US HIGHWAY 80.

WHEREAS, the Texas Department of Transportation ("TxDOT") is currently in the process of designing modifications to the US Highway 80 ("US-80") and North Galloway Avenue interchange and to construct a new northbound frontage road along Interstate Highway 635 ("IH-635") from Gross Road to US-80; and

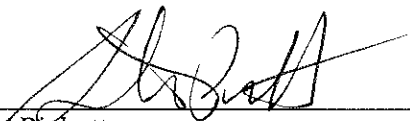
WHEREAS, the proposed TxDOT construction will require relocations of City of Mesquite (the "City") utilities along US-80 near North Galloway Avenue and along IH-635 near Gross Road; and

WHEREAS, costs associated with utility relocations along IH-635, both design and construction, are eligible for reimbursement by TxDOT.

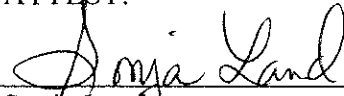
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City Manager is hereby authorized to execute the Standard Utility Agreement with the State of Texas through the Texas Department of Transportation to receive reimbursement for the utility relocations completed in preparation for the construction of the IH-635 frontage road between Gross Road and US-80 as detailed in the attached Exhibit "A."

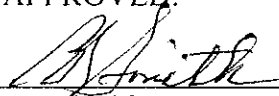
DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 18th day of April, 2016.



Stan Prickett
Mayor

ATTEST:


Sonja Land
City Secretary

APPROVED:


B. J. Smith
City Attorney

STANDARD UTILITY AGREEMENT

U-Number: **U14692**

District: Dallas
Federal Project No.: NH 1602(010)
ROW CSJ: 2374-02-141
Highway Project Letting Date: 07/2016

County: Dallas
Highway: IH 635
From: South of Gross Rd.
To: US 80

This Agreement by and between the State of Texas, acting by and through the Texas Transportation Commission, ("**State**"), and City of Mesquite, ("**Utility**"), acting by and through its duly authorized representative, shall be effective on the date of approval and execution by and on behalf of the **State**.

WHEREAS, the **State** has deemed it necessary to make certain highway improvements as designated by the **State** and approved by the Federal Highway Administration within the limits of the highway as indicated above;

WHEREAS, the proposed highway improvements will necessitate the adjustment, removal, and/or relocation of certain facilities of **Utility** as indicated in the following statement of work: Extend 40" casing on existing waterline at station 1026+50 and cut & plug existing 8" sanitary sewer line and remove existing sanitary sewer manhole at station 1043+00 along proposed NB IH 635 Frontage Road; and more specifically shown in **Utility's** plans, specifications and estimated costs, which are attached hereto as Attachment "A".

WHEREAS, the **State** will participate in the costs of the adjustment, removal, and/or relocation of certain facilities to the extent as may be eligible for State and/or Federal participation.

WHEREAS, the **State**, upon receipt of evidence it deems sufficient, acknowledges **Utility's** interest in certain lands and/or facilities that entitle it to reimbursement for the adjustment, removal, and relocation of certain of its facilities located upon the lands as indicated in the statement of work above.

NOW, THEREFORE, BE IT AGREED:

The **State** will pay to **Utility** the costs incurred in adjustment, removal, and/or relocation of **Utility's** facilities up to the amount said costs may be eligible for **State** participation.

All conduct under this agreement, including but not limited to the adjustment, removal and relocation of the facility, the development and reimbursement of costs, any environmental requirements, and retention of records will be in accordance with all applicable federal and state laws, rules and regulations, including, without limitation, the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. §§ 4601, et seq., the National Environmental Policy Act, 42 U.S.C. §§ 4231, et seq., the Buy America provisions of 23 U.S.C. § 313 and 23 CFR 635.410, the Utility Relocations, Adjustments, and Reimbursements provisions of 23 CFR 645, Subpart A, and with the Utility Accommodation provisions of 23 CFR 645, Subpart B. **Utility** shall supply, upon request by the **State**, proof of compliance with the aforementioned laws, rules and regulations prior to the commencement of construction.

The **Utility** agrees to develop relocation or adjustment costs by accumulating actual direct and related indirect costs in accordance with a work order accounting procedure prescribed by **State**, or may, with the **State's** approval, accumulate actual direct and related indirect costs in accordance with an established accounting procedure developed by **Utility**. Bills for work hereunder will be submitted to **State** not later than 90 days after completion of the work.

When requested, the **State** will make intermediate payments at not less than monthly intervals to **Utility** when properly billed and such payments will not exceed 90 percent (90%) of the eligible cost as shown in each such billing. Intermediate payments shall not be construed as final payment for any items included in the intermediate payment.

DS 5/24/16
Initial Date
TxDOT

IMK 5/11/16
Initial Date
Utility

Alternatively, **State** agrees to pay **Utility** an agreed lump sum of \$N/A as supported by the attached estimated costs. The **State** will, upon satisfactory completion of the adjustments, removals, and/or relocations and upon receipt of a final billing, make payment to **Utility** in the agreed amount.

Upon execution of this agreement by both parties hereto, the **State** will, by written notice, authorize the **Utility** to perform such work diligently, and to conclude said adjustment, removal, or relocation by the stated completion date. The completion date shall be extended for delays caused by events outside **Utility's** control, including an event of Force Majeure, which shall include a strike, war or act of war (whether an actual declaration of war is made or not), insurrection, riot, act of public enemy, accident, fire, flood or other act of God, sabotage, or other events, interference by the **State** or any other party with **Utility's** ability to proceed with the relocation, or any other event in which **Utility** has exercised all due care in the prevention thereof so that the causes or other events are beyond the control and without the fault or negligence of **Utility**.

The **State** will, upon satisfactory completion of the relocation or adjustment and upon receipt of final billing prepared in an approved form and manner, make payment in the amount of 90 percent (90%) of the eligible costs as shown in the final billing prior to audit and after such audit shall make an additional final payment totaling the reimbursement amount found eligible for **State** reimbursement.

This agreement in its entirety consists of the following elements:

1. Standard Utility Agreement;
2. Plans, Specifications, and Estimated Costs (Attachment "A");
3. Utility's Accounting Method (Attachment "B");
4. Utility's Schedule of Work and Estimated Date of Completion (Attachment "C");
5. Statement Covering Contract Work – ROW-U-48 (Attachment "D");
6. Eligibility Ratio (Attachment "F");
7. Betterment Calculation and Estimates (Attachment "G");
8. Proof of Property Interest – ROW-U-1A, ROW-U-1B, or ROW-U-1C (Attachment "H");
9. Inclusion in Highway Construction Contract (if applicable) (Attachment "I"); and
10. Utility Joint Use Acknowledgment - ROW-U-JUA and/or Utility Installation Request - Form 1082 (Attachment "E").

All attachments are included herein as if fully set forth. In the event it is determined that a substantial change from the statement of work contained in this agreement is required, reimbursement therefore shall be limited to costs covered by a modification or amendment of this agreement or a written change or extra work order approved by the **State and Utility**.

This agreement is subject to cancellation by the **State** at any time up to the date that work under this agreement has been authorized and that such cancellation will not create any liability on the part of the **State**. However, the **State** will review and reimburse the **Utility** for eligible costs incurred by the **Utility** in preparation of this Agreement.

The State Auditor may conduct an audit or investigation of any entity receiving funds from the **State** directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the Legislative Audit Committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

The **Utility** by execution of this agreement does not waive any of the rights which **Utility** may have within the limits of the law.

It is expressly understood that the **Utility** conducts the adjustment, removal, or relocation at its own risk, and that TxDOT makes no warranties or representations regarding the existence or location of utilities currently within its right of way.

DS 5/24/16
Initial Date

TxDOT

LNK 5/11/16
Initial Date

Utility

The signatories to this agreement warrant that each has the authority to enter into this agreement on behalf of the party represented.

UTILITY

Utility: City of Mesquite
Name of Utility

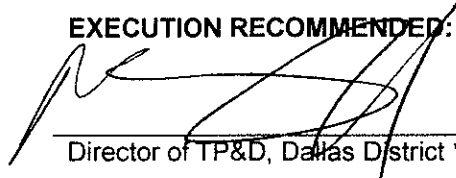
By: 
Authorized Signature


Cliff Keheley
Print or Type Name

Title: City Manager

Date: 5-11-16

EXECUTION RECOMMENDED:


Director of TP&D, Dallas District *

<p align="center">THE STATE OF TEXAS</p> <p>Executed and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.</p> <p>By: <u></u> Deputy District Engineer **</p> <p>Date: <u>5-26-16</u></p>

* For locally-executed agreements, ROW Administrator recommends execution; otherwise District Engineer (or designee) .
** For locally-executed agreements, District Engineer (or designee) approves and executes; otherwise ROW Division Director.

DS 5/24/16
Initial Date
TxDOT

CMK 5/11/16
Initial Date
Utility

ATTACHMENT "A"

U14692
City of Mesquite
Dallas County
Federal Project Number: NH 1602(010)
ROW CSJ: 2374-02-141
Const. CSJ: 2374-02-126
Roadway: IH 635
From: South of Gross Rd.
To: US 80

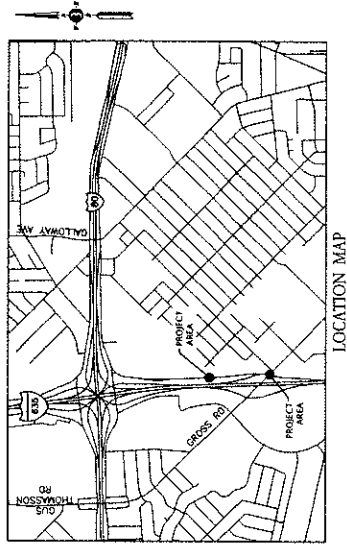
Utility Plans and Estimated Cost

- Plan & Profile Drawings
Included--see attached 8 1/2" x 11", or 11" x 17" Sheet 1 thru 6
(Only these Size Sheets will be Accepted)
- Estimated Cost
Included--see attached Cost Estimate Sheet 1 thru 4

CONSTRUCTION PLANS
FOR

UTILITY RELOCATION FOR CSJ 2374-02-126
IH-635 NORTH BOUND FRONTAGE RD. FROM SOUTH OF GROSS RD.
TO US 80 EASTBOUND FRONTAGE RD. PROJECT
CITY OF MESQUITE, TEXAS

MESQUITE
T E X A S
Real. Texas. Service.

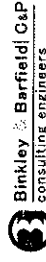


INDEX OF DRAWINGS

SHEET NUMBER	DESCRIPTION
1	COVER SHEET
2	GENERAL NOTES & QUANTITIES
3	HORIZONTAL & VERTICAL CONTROL
4	2.4" WATER MAIN ENCASEMENT
5	8" SANITARY SEWER ABANDONMENT
6	CITY DETAIL - UTILITY BORE & CROSSING--1



The seal appearing on this document was authorized by Richard A. Andri, Professional Engineer, No. 10000, State of Texas, to the responsible engineer in an engineering project as shown hereon. Any use of this seal for any other project is prohibited.



1801 Gateway Blvd.
Suite 100
Richardson, Texas 75080
972 644-2800
Fax 972 644-2807
www.binkel.com
Texas Registration Number F-3185

City Contract No. E2016-006
MAY 2016

OWNER:
CITY OF MESQUITE
1515 N. GALLOWAY
MESQUITE, TX 75149
(972) 288-7711

MICROFILM REFERENCE NO. E2016-006-01

2016 UTILITY RELOCATION FOR CSJ 2374-02-126 IH 635 PROJECT

GENERAL CONSTRUCTION NOTES

1. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY UTILITY COMPANIES (B1) & MESQUITE UTILITIES (CIRMA STOWAL) TO ARRANGE FOR EXACT LOCATIONS AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. UTILITIES SHOWN ON THE PLANS ARE THE CITY AND INFORMATION PROVIDED BY THE UTILITY COMPANIES. THE CONTRACTOR SHALL OBTAIN A HYDRAUNT WATER FROM THE CITY FOR CONSTRUCTION WATER. CONTRACTOR SHALL BE RESPONSIBLE FOR COSTS OF WATER USED.
2. ALL EXCAVATION FOR THE PROJECT IS UNCLASSIFIED.
3. THE CONTRACTOR SHALL OBTAIN A HYDRAUNT WATER FROM THE CITY FOR CONSTRUCTION WATER. CONTRACTOR SHALL BE RESPONSIBLE FOR COSTS OF WATER USED.
4. CONTRACTOR SHALL SUPPORT POWER POLES DURING ADJACENT CONSIDERED/EXCAVATION ACTIVITIES.
5. REFER TO SPECIFICATIONS FOR LIST OF REQUIRED SUBMITTALS.
6. WORK MAY NOT BE BACKFILLED OR COVERED UNTIL IT HAS BEEN INSPECTED BY THE CITY.
7. CONTRACTOR SHALL NOT PLACE CONCRETE RUBBLE OR EXCAVATED MATERIAL ON ANY STREET.

SUBGRADE & FILL

1. ALL FILL SHALL BE IN ACCORDANCE WITH THE CITY OF MESQUITE SPECIFICATIONS FOR SUBGRADE, INCLUDING TESTING PROCEDURES REQUIREMENTS.

TRAFFIC CONTROL

1. CONTRACTOR SHALL PROVIDE THE CITY ENGINEER WITH A TRAFFIC CONTROL PLAN FOR ALL EXCAVATION AND CONSTRUCTION WORK IN A CITY STREET. TRAFFIC CONTROL MEASURES SHALL CONFORM TO PART M OF THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND TRAFFIC CONTROL MEASURES SHALL BE INSTALLED BY THE CONTRACTOR FOR ANY WORK STREET OR RAMPED RACE. THE CITY ENGINEER MAY REQUIRE A TRAFFIC CONTROL PLAN TO BE DESIGNED AND SEALED BY AN ENGINEER LICENSED IN THE STATE OF TEXAS.
2. TRAFFIC CONTROL DEVICE NOTE: CONTACT TRAFFIC ENGINEERING DIVISION FOR THE REMOVAL OR RELOCATION OF TRAFFIC SIGNS, TRAFFIC CONTROL EQUIPMENT OR OTHER TRAFFIC CONTROL DEVICES. TRAFFIC CONTROL DEVICES SHALL BE INSTALLED IN ACCORDANCE WITH THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND TRAFFIC CONTROL MEASURES.

CONCRETE

1. STANDARD DETAILS FOR THIS PROJECT SHALL APPLY. THE CONTRACTOR SHALL PROVIDE THE CITY ENGINEER WITH A TRAFFIC CONTROL PLAN FOR ALL EXCAVATION AND CONSTRUCTION WORK IN A CITY STREET. TRAFFIC CONTROL MEASURES SHALL CONFORM TO PART M OF THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND TRAFFIC CONTROL MEASURES SHALL BE INSTALLED BY THE CONTRACTOR FOR ANY WORK STREET OR RAMPED RACE. THE CITY ENGINEER MAY REQUIRE A TRAFFIC CONTROL PLAN TO BE DESIGNED AND SEALED BY AN ENGINEER LICENSED IN THE STATE OF TEXAS.
2. CONTRACTOR SHALL PROVIDE CONSTRUCTION STAKING AND SURVEYING TO THE CITY ENGINEER FOR ALL EXCAVATION AND CONSTRUCTION WORK IN A CITY STREET. TRAFFIC CONTROL MEASURES SHALL CONFORM TO PART M OF THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND TRAFFIC CONTROL MEASURES SHALL BE INSTALLED BY THE CONTRACTOR FOR ANY WORK STREET OR RAMPED RACE. THE CITY ENGINEER MAY REQUIRE A TRAFFIC CONTROL PLAN TO BE DESIGNED AND SEALED BY AN ENGINEER LICENSED IN THE STATE OF TEXAS.

3. BEFORE BEGINNING CONSTRUCTION THE CONTRACTOR SHALL PREPARE A CONSTRUCTION SEQUENCE SCHEDULE. THE CONSTRUCTION SEQUENCE SCHEDULE IS TO BE SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.
4. THE CONTRACTOR IS RESPONSIBLE FOR EROSION CONTROL THROUGHOUT CONSTRUCTION. THE CITY ANTICIPATES INLET PROTECTION, SEGMENTS OF SILT FENCING, PROTECTION AROUND EXCAVATIONS AND OTHER EROSION CONTROL MEASURES (FOR SLOPED, WINDY GRASS THAT MATCHES EXISTING LAWN). SOODING AND FERTILIZING SHALL BE DONE IN ACCORDANCE WITH THE CITY ENGINEER'S SPECIFICATIONS FOR EROSION CONTROL. CONSTRUCTION (FROM 2021). THE CONTRACTOR SHALL MAINTAIN SOODING AREAS FOR A TWO (2) WEEK PERIOD FOLLOWING PLANTING AND/OR UNTIL FINAL ACCEPTANCE OF THE PROJECT BY THE CITY.
5. THE CONTRACTOR SHALL BE RESPONSIBLE TO PREPARE AND SUBMIT A CONSTRUCTION SEQUENCE SCHEDULE CLEARLY SHOWING THE LOCATION AND CONDITION OF ALL IMPROVEMENTS TO BE CONSTRUCTED. THE CONTRACTOR SHALL DOCUMENT THE CONDITION OF EXISTING IMPROVEMENTS. ANY IMPROVEMENTS TO EXISTING IMPROVEMENTS MAY RESULT IN THE CONTRACTOR BEING REQUIRED TO REPAIR OR REPLACE EXISTING IMPROVEMENTS.



CAUTION EXISTING UTILITIES !!!
 The contractor shall be responsible for the location and depth of all existing utilities. The contractor shall verify the location and depth of all existing utilities prior to construction. The contractor shall be responsible for the location and depth of all existing utilities. The contractor shall be responsible for the location and depth of all existing utilities. The contractor shall be responsible for the location and depth of all existing utilities.

The seal represents on this document was authorized by Richard A. Arribu, P.E. (B1812) as the responsible engineer to the responsible engineer is on file with the State of Texas Engineering Board, Act No. 1206, effective 10/1/2016.



MESQUITE CITY OF MESQUITE
 1515 N. Galloway
 Mesquite, Texas 75149
 Reg'l. Texas Service.

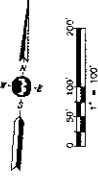
Blindley & Barfield | C&P
 consulting engineers
 501 Gurnsey Blvd.
 Richardson, Texas 75080
 Tel: 972-444-2800
 Fax: 972-444-2807
 www.bbrp.com

UTIL. RELOCATION FOR N.B. IH 635
 GENERAL NOTES & QUANTITIES
 Date: 7-31-2015
 Job No: BCB046
 Sheet: 2

QUANTITIES

Item	Description	Units	Plan Quantity	Bid Quantity	Sheet 4	Sheet 5
1	40" STEEL CASING PIPE	LF	33	35	33	0
2	REMOVE EX SANITARY SEWER MANHOLE	EA	1	1	0	1
3	CUT & PLUG EXISTING SANITARY SEWER	EA	1	1	0	1
4	SOODING OF DISTURBED AREAS	SY	67	71	44	23
5	DEVELOPMENT OF TRENCH SAFETY PLAN	EA	1	1	0	0
6	IMPLEMENTATION OF TRENCH SAFETY PLAN	LF	51	54	33	18
7	SWPPP PREPARATION, IMPLEMENTATION & MAINTENANCE	EA	1	1	0	0
8	BARRICADEING & TRAFFIC CONTROL	WK	5	5	0	0
9	MOBILIZATION	LS	1	1	0	0

MICROFILM REFERENCE NO. E2015-006-02



BENCHMARK #1 - 7" BRASS DISK IN CONCRETE
BRASS DISK IN CONCRETE CURB INLET ON THE NORTH SIDE OF THE
RAMP TO CROWN AVE. 350' WEST OF THE CENTERLINE OF
CROWN AVE.

GROUND COORDINATES
N: 597630.004
E: 254824.118

ELEV = 523.134
100' SURFACE ADJUSTMENT FACTOR = 1.000136506

BENCHMARK #2 - 7" BRASS DISK IN CONCRETE
BRASS DISK IN CONCRETE CURB INLET ON THE NORTH SIDE OF
CROWN AVE. 350' WEST OF THE CENTERLINE OF CROWN AVE.
MILES SOUTH OF THE CENTERLINE OF US HWY 80.

GROUND COORDINATES
N: 597534.832
E: 254908.689

ELEV = 491.532
100' SURFACE ADJUSTMENT FACTOR = 1.000136506

BENCHMARK #3 - 3 1/2" ALUM. DISK SET IN CONCRETE
ALUMINUM DISK SET IN CONCRETE FOR MEASUREMENT POINT
EAST OF PAVEMENT ON THE NORTH SIDE OF CROWN AVE.
500' WEST OF THE CENTERLINE OF EAST BOUND HWY 80.

GROUND COORDINATES
N: 597760.833
E: 254476.957

ELEV = 481.96'
DALLAS COUNTY SCALE FACTOR = 1.000136506

BENCHMARK #4 - 3 1/2" ALUM. DISK SET IN CONCRETE
ALUMINUM DISK SET IN CONCRETE FOR MEASUREMENT POINT
EAST OF PAVEMENT ON THE NORTH SIDE OF CROWN AVE.
500' WEST OF THE CENTERLINE OF EAST BOUND HWY 80.

GROUND COORDINATES
N: 597760.833
E: 254476.957

ELEV = 481.96'
DALLAS COUNTY SCALE FACTOR = 1.000136506

BENCHMARK #5 - 3 1/2" ALUM. DISK SET IN CONCRETE
ALUMINUM DISK SET IN CONCRETE FOR MEASUREMENT POINT
EAST OF PAVEMENT ON THE NORTH SIDE OF CROWN AVE.
500' WEST OF THE CENTERLINE OF EAST BOUND HWY 80.

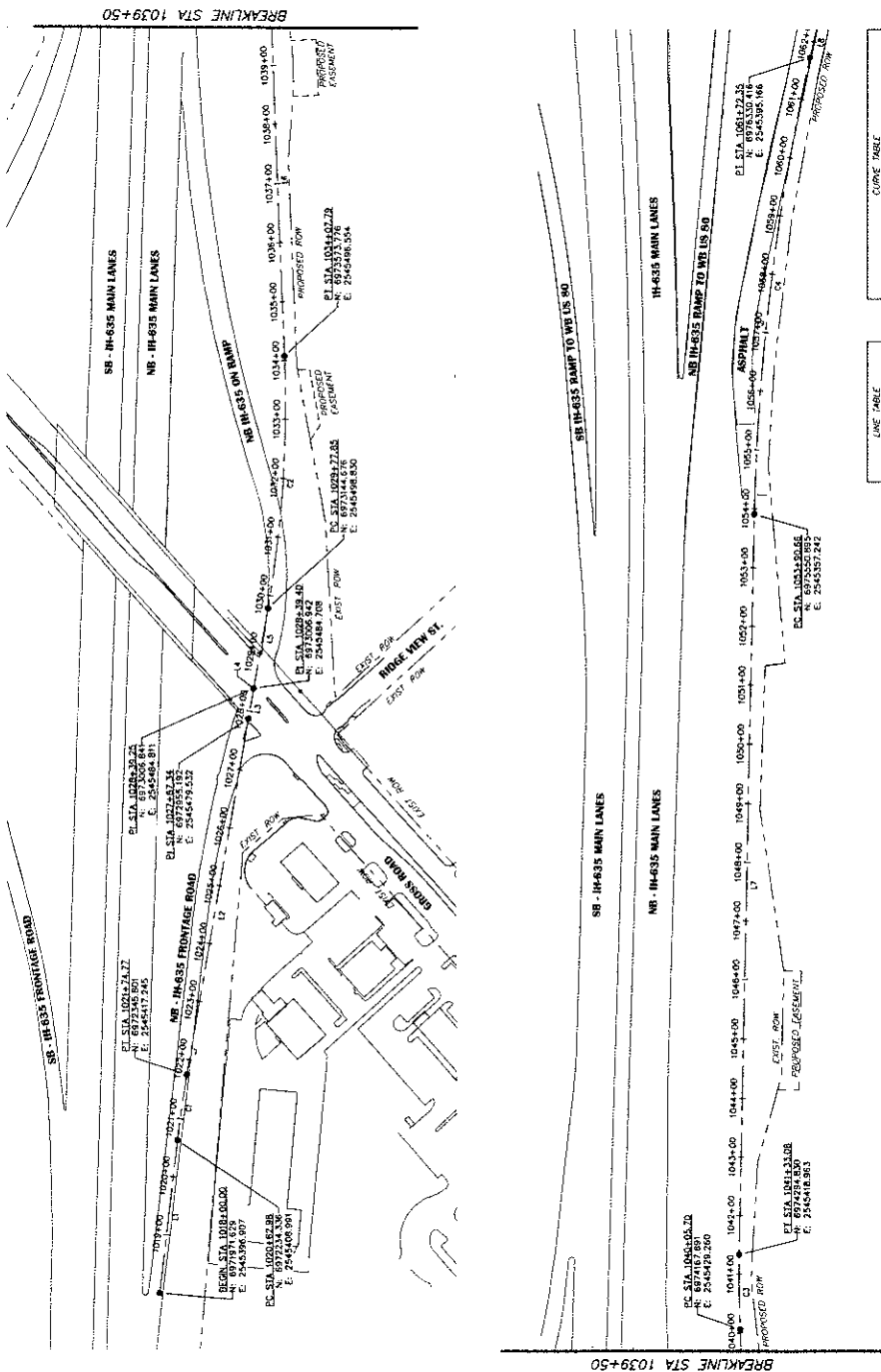
GROUND COORDINATES
N: 597760.833
E: 254476.957

ELEV = 481.96'
DALLAS COUNTY SCALE FACTOR = 1.000136506

BENCHMARK #6 - 3 1/2" ALUM. DISK SET IN CONCRETE
ALUMINUM DISK SET IN CONCRETE FOR MEASUREMENT POINT
EAST OF PAVEMENT ON THE NORTH SIDE OF CROWN AVE.
500' WEST OF THE CENTERLINE OF EAST BOUND HWY 80.

GROUND COORDINATES
N: 597760.833
E: 254476.957

ELEV = 481.96'
DALLAS COUNTY SCALE FACTOR = 1.000136506



CURVE TABLE

No.	Delta	Radius	Length	Ch. B	Ch. L
C1	172°59'	2000.00	171.78	N47°14'00"E	111.27
C2	127°19'00"	2000.00	429.83	N07°18'74"W	429.11
C3	3°28'52"	2000.00	177.38	N43°36'16"W	127.36
C4	171°11'49"	4000.00	201.69	N24°27'07"E	786.44

LINE TABLE

No.	Bench	Length	Ch. B	Ch. L
L1	N2°30'01"E	262.98		
L2	N2°50'10"E	612.57		
L3	N2°50'10"E	51.92		
L4	N45°45'00"W	0.14		
L5	N53°18'E	108.46		
L6	N2°27'47"W	297.91		
L7	N2°49'47"W	1297.58		
L8	N6°23'01"E	226.14		

UTIL. RELOCATION FOR N.B. IH 635
TYGOT HORIZONTAL & VERTICAL CONTROL PLAN

Scale: 1" = 100'

DATE: 7-27-2015

PROJECT NO: 8015045

3

Binkley & Barfield & P
consulting engineers

1850 Columbia Blvd
Suite 101
Reno, NV 89502

Phone: 775.784.2665
Fax: 775.784.2817
www.binkleybarfield.com

Texas Registration Number P-2185

MESQUITE
CITY OF MESQUITE
1515 N. Gateway
Mesquite, Texas 75149

Real. Texas Service.

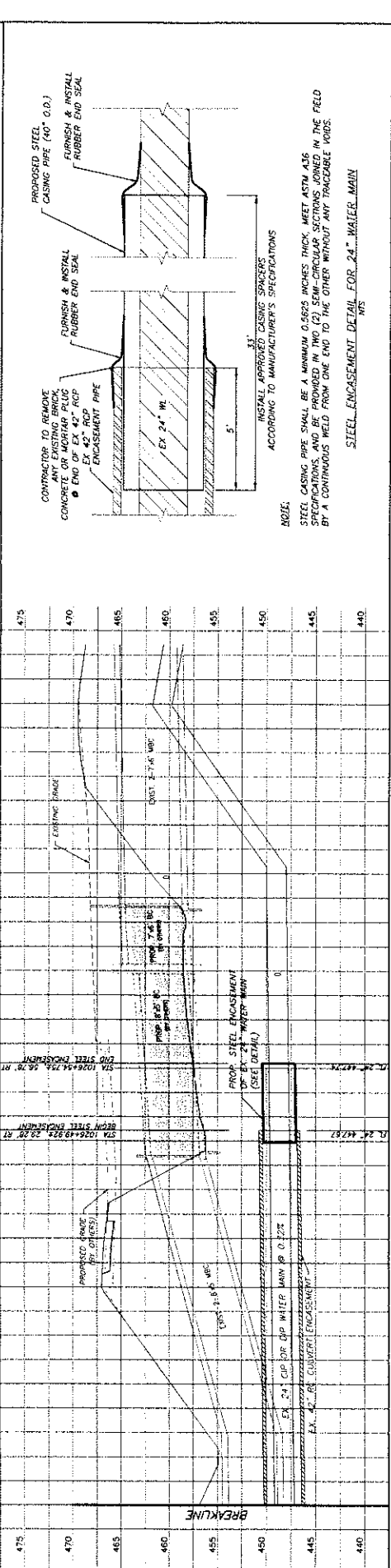
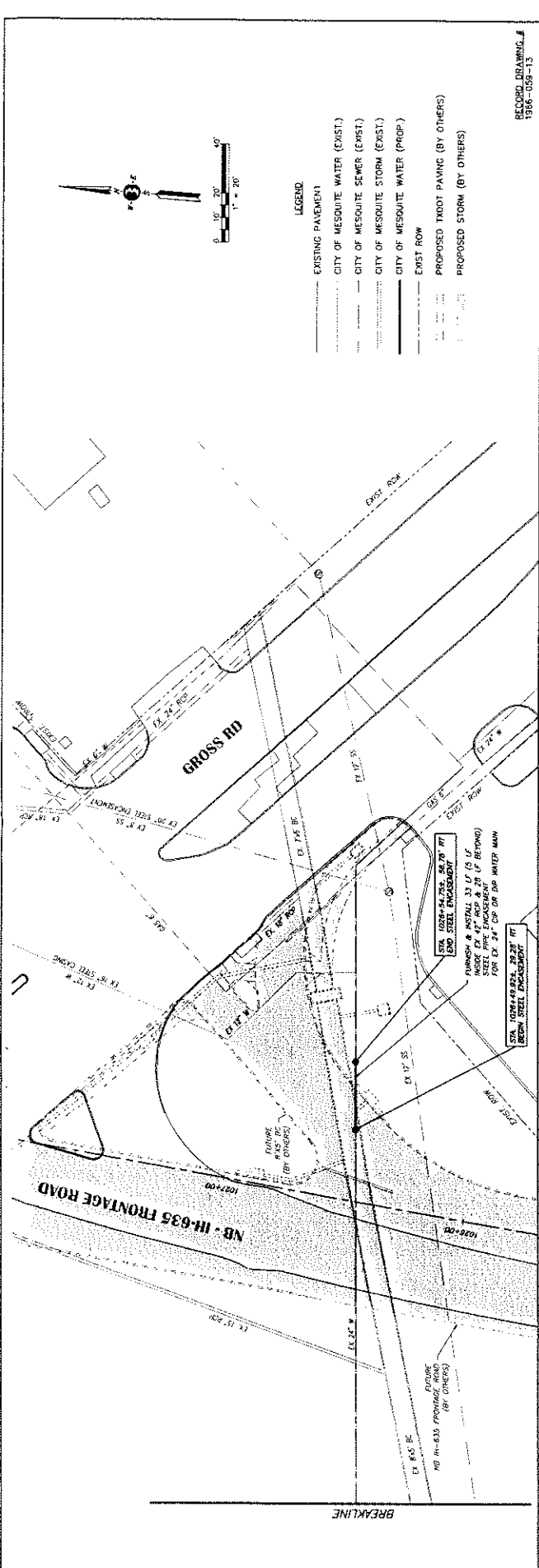
The seal appearing on this document was authorized by Richard A. Arbib, State Engineer, State of Texas, under the authority of the National Board of Fire Underwriters, Inc. and the National Board of Fire Underwriters, Inc. to the national engineer in accordance with the provisions of the Engineering Practice Act of 1981, Chapter 489, Section 489.001.

CAUTION EXISTING UTILITIES (U)

EXISTING UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. TO TAKE THE NECESSARY PRECAUTIONS TO AVOID DAMAGE TO EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.

No.	Description	Date

MICROFILM REFERENCE NO. E2016-006-03



RECORD DRAWING - J
1986-058-15

MICROFILM REFERENCE NO. E20 5-035-04

UTIL. RELOCATION FOR N.B. IH 635
24" WATER MAIN ENCASEMENT
PLAN & PROFILE

Scale: 1" = 20'
Date: 7-31-2015
Job No.: BR0945

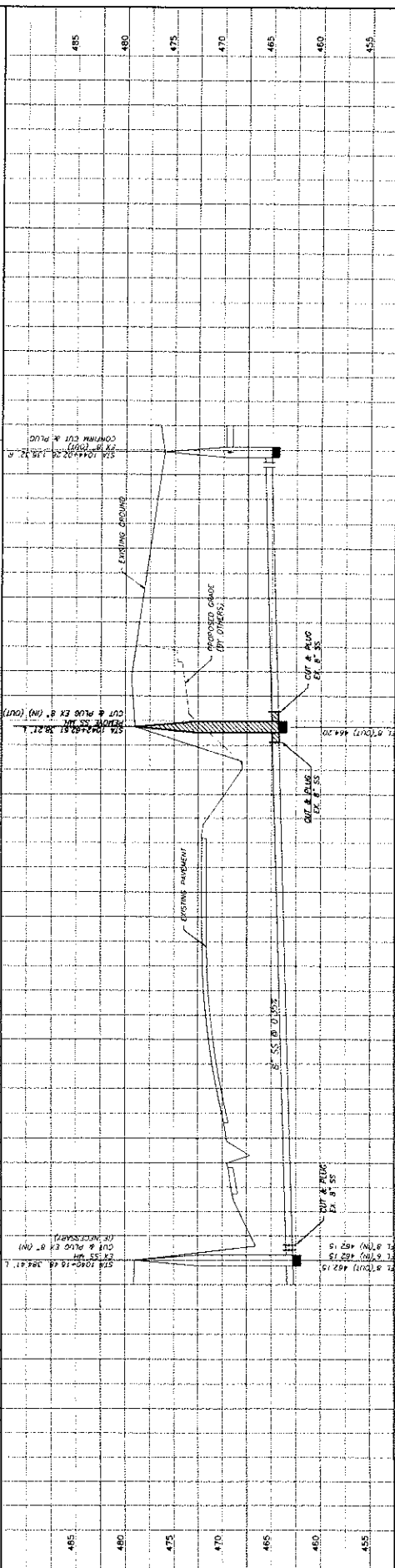
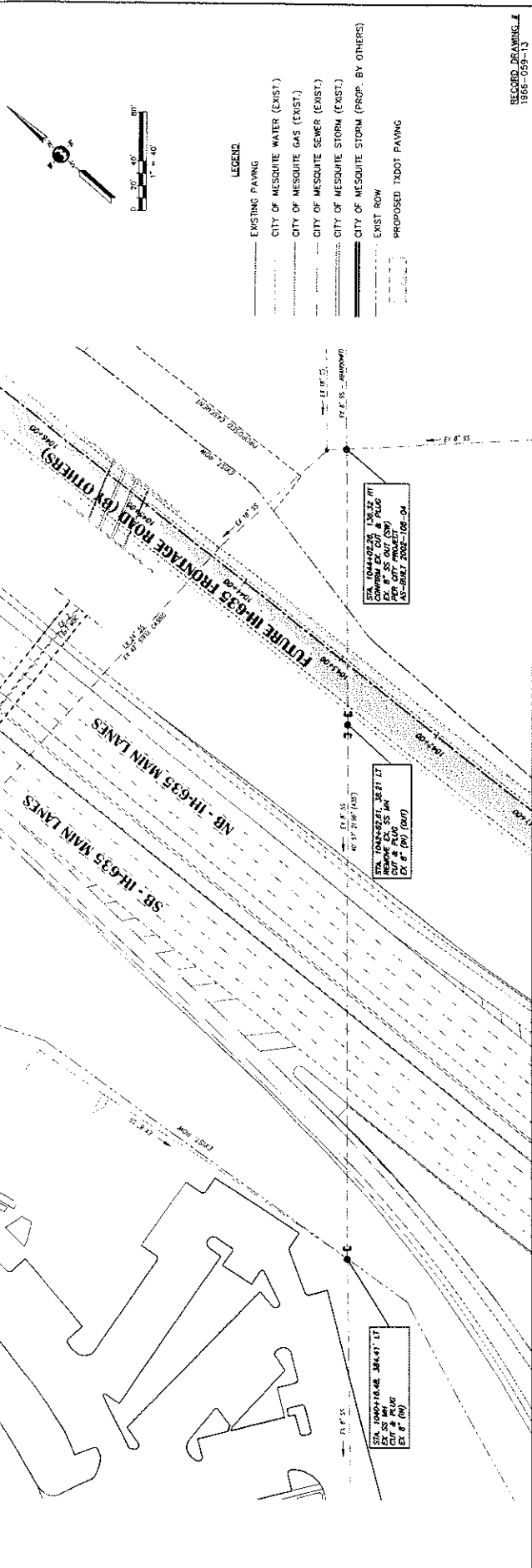
Binkley & Barfield | C&P
consulting engineers
1804 Gateway Blvd.
Richfield, Texas 75080
Phone: 937.644.2885
Fax: 937.644.2917
www.bfbcp.com
Texas Registration Number: F-3185

MESQUITE CITY OF MESQUITE
1515 N. Gateway
Mesquite, Texas 75149
Real. Texas Service.

I hereby certify that the above information is true and correct to the best of my knowledge and belief.
[Signature]
Professional Engineer
No. 102649
State of Texas

The work appearing on this document was authorized by Richard A. Arzu, to the responsible engineer is an independent contractor and is not employed by the City of Mesquite. The City of Mesquite is not responsible for the design or construction of the project.

No.	Description	Date	Revision



RECORDED DRAWING
1966-059-13

LEGEND

- EXISTING PAVING
- CITY OF MESQUITE WATER (EXIST.)
- CITY OF MESQUITE GAS (EXIST.)
- CITY OF MESQUITE STORM (EXIST.)
- CITY OF MESQUITE STORM (PROP. BY OTHERS)
- EXIST ROW
- PROPOSED TADOT PAVING

MICROFILM REFERENCE NO. E2016-096-03

UTIL. RELOCATION FOR N.B. IH 635

8" SANITARY SEWER ABANDONMENT

PLAN & PROFILE

Scale: 1" = 40'
Date: 7-31-2015
Job No.: B019045
Sheet: 5

Binkey & Barfield | Cap
consulting engineers
92244 2800
1301 Gateway Blvd.
Richardson, Texas 75080
www.bkb.com
Trust Registration Number F-3185

MESQUITE
CITY OF MESQUITE
1515 N. Galloway
Mesquite, Texas 75149
Real. Texas Service.

The work shown on this document is authorized by Richard A. Evans, P.E. (8111) with the approval of the City of Mesquite. The responsible engineer is on file with the State of Texas, Engineering Division, Act No. 2015.

CAUTION EXISTING UTILITIES (H)
Existing utilities shown on this plan have been located from reference information. It shall be the responsibility of the contractor to verify both horizontal and vertical locations of all utilities prior to construction. To locate the necessary relocations, the contractor shall be responsible for the presence and protection of existing utilities from damage during construction.

Rev	Description	Date

REQUIREMENTS FOR UTILITY BORE AND CROSSING

BORE (TUNNEL ALIGNMENT AND LOCATION)

- Utility-bore or tunnels shall, where practicable, be located at approximately right angles to major roads, streets and alleys.
- All bores or tunnels shall have a uniform profile on the plan.
- Plan and profile view of the bore or tunnel shall include all existing utility lines, lines, signs, poles, manholes, light poles and other obstacles.

LENGTH OF CASINGS

- Casing pipe length shall be determined by the respective governing authority.

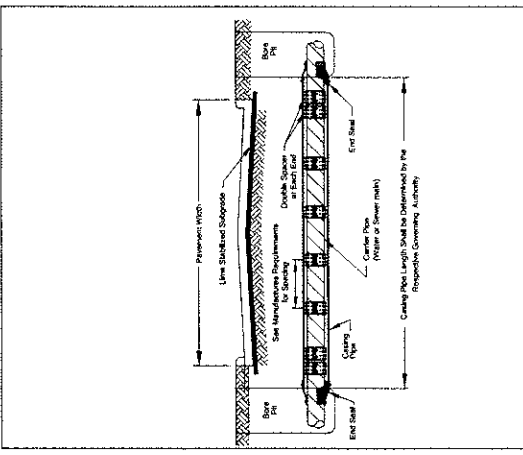
BORE OR JACKING RIGS

- The location of the jacking rig shall be determined by the respective governing authority. The location of the bore or tunnel shall be determined by the plan and profile view of the bore or tunnel. The boring machine and the pipe jacking rig shall be located in accordance with the following:

ISOLATION VALVES

- Where isolation valves are required, they shall be located in accordance with the following:
 - Isolation valves shall be located at each end of the main run with the bore.

MESQUITE No. 1001 11-1-10	Public Works	UTILITY BORE & CROSSING GENERAL NOTES	DATE: 11/1/10	SCALE: N.T.S.	REV.:
			APPROVED: [Signature]	DATE: 11/1/10	BY: [Signature]



MESQUITE No. 1001 11-1-10	Public Works	UTILITY BORE & CROSSING PROFILE DETAIL	DATE: 11/1/10	SCALE: N.T.S.	REV.:
			APPROVED: [Signature]	DATE: 11/1/10	BY: [Signature]

REQUIREMENTS FOR UTILITY BORE AND CROSSING (cont.)

CASING PIPE

- Casing pipe shall be used in accordance with the following:
 - Minimum pipe diameter shall be 12 inches.
 - Casing pipe shall be used in all cases consisting of (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100) (101) (102) (103) (104) (105) (106) (107) (108) (109) (110) (111) (112) (113) (114) (115) (116) (117) (118) (119) (120) (121) (122) (123) (124) (125) (126) (127) (128) (129) (130) (131) (132) (133) (134) (135) (136) (137) (138) (139) (140) (141) (142) (143) (144) (145) (146) (147) (148) (149) (150) (151) (152) (153) (154) (155) (156) (157) (158) (159) (160) (161) (162) (163) (164) (165) (166) (167) (168) (169) (170) (171) (172) (173) (174) (175) 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IH 635 Northbound Frontage Road - Utility Relocations

Munis Code: E0040



Description:

Water and sewer utility relocations necessary on IH635 for the proposed US 80 and Galloway Interchange modifications by TxDOT.

Engineer's Opinion Of Probable Cost

Item	Total Cost	Funding Source
Design Contract - Binkley & Barfield		
Design - IH 635	\$ 19,500.00	W/S Bond
Subtotal	\$ 19,500.00	
Construction Contract Items		
Construction - Water/Sewer - IH635	\$ 40,506.00	W/S Bond
Subtotal	\$ 40,506.00	
City of Mesquite Cost		
Project Management / Inspector	\$ 2,135.49	W/S Bond
Subtotal	\$ 2,135.49	
Construction Subtotal	\$ 42,641.49	
Project Total	\$ 62,141.49	

US80/Galloway Interchange - Utility Relocations

Munis Code: E0040

DESIGN CONTRACT OVERVIEW - IH 635 Relocations

MUNIS Contract No: 808
Consultant: Binkley and Barfield
Contact: Richard Arvizu, PE

Service	Original Amount
Research and Data Collection	\$ 3,300.00
Preliminary Design	\$ 6,000.00
Final Design	\$ 2,500.00
Cost Estimates	\$ 800.00
Bid Phase	\$ 3,500.00
Construction Phase	\$ 2,000.00
Prints, Plots, Deliverables	\$ 1,400.00
Total	\$ 19,500.00

Note: Contract amount not to exceed \$19,500

IH 635 Northbound Frontage Road - Utility Relocations

Munis Code: E0040

CONSTRUCTION CONTRACT OVERVIEW

Contract: E2016-006

Contractor:

Contact:

Item	Description	Element Type	Units	Unit Price	Estimate	
					Qty	Total
1	40" STEEL CASING PIPE*	Water/Sewer	LF	\$800.00	35	\$ 28,000.00
2	REMOVE EX. SANITARY SEWER MANHOLE	Water/Sewer	EA	\$2,500.00	1	\$ 2,500.00
3	CUT & PLUG EXISTING SANITARY SEWER	Water/Sewer	EA	\$1,000.00	1	\$ 1,000.00
4	SODDING OF DISTURBED AREAS	Water/Sewer	SY	\$6.00	71	\$ 426.00
5	DEVELOPMENT OF TRENCH SAFETY PLAN	Water/Sewer	EA	\$1,500.00	1	\$ 1,500.00
6	IMPLEMENTATION OF TRENCH SAFETY PLAN	Water/Sewer	LF	\$20.00	54	\$ 1,080.00
7	SWPPP PREPARATION, IMPLEMENTATION & MAINTENANCE	Water/Sewer	EA	\$1,500.00	1	\$ 1,500.00
8	BARRICADING & TRAFFIC CONTROL	Water/Sewer	WEEK	\$500.00	5	\$ 2,500.00
9	MOBILIZATION	Water/Sewer	LS	\$2,000.00	1	\$ 2,000.00
	TOTAL					\$ 40,506.00

Buy America compliance documentaion will be provided as required for items with * in accordance with TxDOT/FHWA guidance letter dated April 7, 2014

IH 635 Northbound Frontage Road - Utility Relocations
 Munis Code: E0040

City of Mesquite Cost

Task	Estimated Hours	
	Project Engineer	Inspector
Review 90% Plan Submittal	4	
Review 100% Plan Submittal	2	
TxDOT Coordination Meetings	3	
Bidding	2	1
Award	2	
Pre-Construction Meeting	1	1
Site Inspection	5	25
Pay Applications	1	2
Project Closeout & Documentation	8	4
Total Hours	28	33
Hourly Rate*	\$ 45.33	\$ 26.25
Estimated Cost	\$ 1,269.24	\$ 866.25

Cost Summary

Project Engineer Estimated Cost	\$ 1,269.24
Inspector Estimate Cost	\$ 866.25
TOTAL	\$ 2,135.49

*Hourly rate includes salary and fringe benefit rate

ATTACHMENT "B"

U14692
City of Mesquite
Dallas County
Federal Project Number: NH 1602(010)
ROW CSJ: 2374-02-141
Const. CSJ: 2374-02-126
Roadway: IH 635
From: South of Gross Rd.
To: US 80

Utility Accounting Method

- Actual Cost Method of Accounting
The utility accumulates cost under a work order accounting procedure prescribed by the Federal or State regulatory body; and
The utility proposes to request reimbursement for actual direct or related indirect costs.
- Lump Sum Method of Accounting
The utility proposes to request reimbursement based on an agreed lump sum amount supported by a detailed cost analysis.

ATTACHMENT "C"

U14692
City of Mesquite
Dallas County
Federal Project Number: NH 1602(010)
ROW CSJ: 2374-02-141
Const. CSJ: 2374-02-126
Roadway: IH 635
From: South of Gross Rd.
To: US 80

Utility Schedule of Work and Estimated Date of Completion

Anticipated Construction Start	Tentative Date
To be Scheduled Upon Receipt of Approved Agreement	<u>6/1/16</u>
Construction Duration	Total Days
(Calendar Days)	<u>60</u>
Estimated Completion Date	Tentative Date
	<u>7/31/16</u>

ATTACHMENT "D"

U14692
City of Mesquite
Dallas County
Federal Project Number: NH 1602(010)
ROW CSJ: 2374-02-141
Const. CSJ: 2374-02-126
Roadway: IH 635
From: South of Gross Rd.
To: US 80

Statement Covering Contract Work

See attached TxDOT Form ROW-U-48
Statement Covering Utility Construction Contract Work
(As appearing in Estimate)

STATEMENT COVERING UTILITY CONSTRUCTION CONTRACT WORK
(AS APPEARING IN ESTIMATE)

U-Number: U14692

ROW CSJ Number: 2374-02-141 District: Dallas
County: Dallas Highway No.: IH 635
Federal Project No.: NH 1602(010)

I, Cliff Keheley, a duly authorized and qualified representative of
City of Mesquite, hereinafter referred to as **Owner**, am fully cognizant of the
facts and make the following statements in respect to work which will or may be done on a contract basis as appears in the
estimate to which this statement is attached.

It is more economical and/or expedient for **Owner** to contract this adjustment, or **Owner** is not adequately staffed or equipped
to perform the necessary work on this project with its own forces to the extent as indicate on the estimate.

Procedure to be Used in Contracting Work

- A. Solicitation for bids is to be accomplished through open advertising and contract is to be awarded to the lowest qualified bidder who submits a proposal in conformity with the requirements and specifications for the work to be performed.
- B. Solicitation for bids is to be accomplished by circulating to a list of pre-qualified contractors or known qualified contractors and such contract is to be awarded to the lowest qualified bidder who submits a proposal in conformity with the requirements and specifications for the work to be performed. Such presently known contractors are listed below:
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
- C. The work is to be performed under an existing continuing contract under which certain work is regularly performed for **Owner** and under which the lowest available costs are developed. (If only part of the contract work is to be done under an existing contract, give detailed information by attachment hereto.)
- D. The utility proposes to contract outside the foregoing requirements and therefore evidence in support of its proposal is attached to the estimate in order to obtain the concurrence of the State, and the Federal Highway Administration Division Engineer where applicable, prior to taking action thereon (approval of the agreement shall be considered as approval of such proposal).
- E. The utility plans and specifications, with the consent of the State, will be included in the construction contract awarded by the State.

Signature



Date

5-11-16

City Manager

Title



ATTACHMENT "E"

U14692
City of Mesquite
Dallas County
Federal Project Number: NH 1602(010)
ROW CSJ: 2374-02-141
Const. CSJ: 2374-02-126
Roadway: IH 635
From: South of Gross Rd.
To: US 80

Utility Joint Use Acknowledgment Reimbursable Utility Adjustment

- See Attached TxDOT Form ROW-U-JUAA (Retaining Property Rights)
- Utility Installation Review/Approval (Relocating Back Into State ROW)
- N/A (Relocating Outside of State ROW)

APPROVAL

To Christina Hickey
City of Mesquite
1515 N. Galloway Avenue
Mesquite, TX 75149

Date 5/25/2016
Application No. DAL20160525093650
District App. No. DAL20160525093650
Highway IH 0635
Control Section 237402
Maintenance Section Southeast Dallas Maintenance
County Dallas

TxDOT offers no objection to the location on the right-of-way of your proposed utility installation, as described by Notice of Proposed Utility Installation No. DAL20160525093650 (District Application No. DAL20160525093650) dated 5/25/2016 and accompanying documentation, except as noted below.

Not applicable

When installing utility lines on controlled access highways, your attention is directed to governing laws, especially to Texas Transportation Code, Title 6, Chapter 203, pertaining to Modernization of State Highways; Controlled Access Highways. Access for serving this installation shall be limited to access via (a) frontage roads where provided, (b) nearby or adjacent public roads or streets, (c) trails along or near the highway right-of-way lines, connecting only to an intersecting roads; from any one or all of which entry may be made to the outer portion of the highway right-of-way for normal service and maintenance operations. The Installation Owner's rights of access to the through-traffic roadways and ramps shall be subject to the same rules and regulations as apply to the general public except, however, if an emergency situation occurs and usual means of access for normal service operations will not permit the immediate action required by the Utility Installation Owner in making emergency repairs as required for the safety and welfare of the public, the Utility Owners shall have a temporary right of access to and from the through-traffic roadways and ramps as necessary to accomplish the required emergency repairs, provided TxDOT is immediately notified by the Utility Installation Owner when such repairs are initiated and adequate provision is made by the Utility Installation Owner for convenience and safety of highway traffic.

The installation shall not damage any part of the highway and adequate provisions must be made to cause minimum inconveniences to traffic and adjacent property owners. In the event the Installation Owner fails to comply with any or all of the requirements as set forth herein, the State may take such action as it deems appropriate to compel compliance.

It is expressly understood that the TxDOT does not purport, hereby, to grant any right, claim, title, or easement in or upon this highway; and it is further understood that the TxDOT may require the Installation Owner to relocate this line, subject to provisions of governing laws, by giving thirty (30) days written notice.

If construction has not started within six (6) months of the date of this approval, the approval will automatically expire and you will be required to submit a new application. You are also requested to notify this office prior to commencement of any routine or periodic maintenance which requires pruning of trees within the highway right-of-way, so that we may provide specifications for the extent and methods to govern in trimming, topping, tree balance, type of cuts, painting cuts and clean up. These specifications are intended to preserve our considerable investment in highway planting and beautification, by reducing damage due to trimming.

Special Provisions:

General water sewer lines Trench Pit Location Backfill

You are required to notify TxDOT 48 hours (2 business days) before you start construction to allow for proper inspection and coordination of work days and traffic control plans. Use the UIR website for the 48-hour notification. DO NOT start construction until you have coordinated the construction start date and inspection with TxDOT. You are also required to keep a copy of this Approval, the Notice of Proposed Installation, and any approved amendments at the job site at all times.

Texas Department of Transportation
By Terry Carter
Title Permit Approval
District Dallas

ATTACHMENT "F"

U14692
City of Mesquite
Dallas County
Federal Project Number: NH 1602(010)
ROW CSJ: 2374-02-141
Const. CSJ: 2374-02-126
Roadway: IH 635
From: South of Gross Rd.
To: US 80

Eligibility Ratio



Interstate Project

On Interstate highways, Texas Transportation Code section 203.092 provides that utility reimbursement for facility relocation is dependent upon whether the relocation costs are eligible for federal participation. Pursuant to current state and federal law, federal participation is 100% of all eligible costs.



State and Local Project

On State and Local projects, Texas Transportation Code section 203.092 provides that utility reimbursement for facility relocation is dependent upon whether the utility possesses a valid property interest. "Eligibility Ratio" is **0.00%**
See Attachment H for proof of property interest.



Eligibility Calculation - See attached

ATTACHMENT "G"

U14692
City of Mesquite
Dallas County
Federal Project Number: NH 1602(010)
ROW CSJ: 2374-02-141
Const. CSJ: 2374-02-126
Roadway: IH 635
From: South of Gross Rd.
To: US 80

Betterment Calculations and Cost Estimates

- Betterment does not exist in this agreement
- Forced Betterment exists in this agreement
- At the Request of the State
 - Due to Technological Advances
 - Due to Utility Standards - See attached documentation
- Betterment exists - **See Attached Calculations**

ATTACHMENT "H"

U14692
City of Mesquite
Dallas County
Federal Project Number: NH 1602(010)
ROW CSJ: 2374-02-141
Const. CSJ: 2374-02-126
Roadway: IH 635
From: South of Gross Rd.
To: US 80

Proof of Property Interest

- Interstate Project
On Interstate highways, Texas Transportation Code section 203.092 provides that utility reimbursement for facility relocation is dependent upon whether the relocation costs are eligible for federal participation. Pursuant to current state and federal law, **Federal Participation is 100% of all eligible costs.**
- Recorded easements exist in current Utility name - See attached
- Easement Documents
 - Affidavit A (TxDOT Form ROW-U-1A)

ATTACHMENT "I"

U14692
City of Mesquite
Dallas County
Federal Project Number: NH 1602(010)
ROW CSJ: 2374-02-141
Const. CSJ: 2374-02-126
Roadway: IH 635
From: South of Gross Rd.
To: US 80

Construction Contract Inclusion Waiver

City of Mesquite

Utility does **NOT** wish to be included in Highway Construction Project Contract.

General Utility Installations

1. GENERAL - A copy of the approved notice must be kept onsite at all times during construction. Unless other arrangements are made with the designated Texas Department (TxDOT) inspector, no work will be performed on Saturday, Sunday, Holidays, or hours other than standard working hours. Utility lines shall be located to avoid or minimize the need for adjustments to accommodate future highway improvements.

All utility installations will be made without excavation or longitudinal placement being made any closer than three (3) feet from the back of curb. No pavement cuts are permitted unless specifically stated on the permit that approval is given to open cut the pavement.

No explosives shall be used within the limits of the TxDOT highway right of way for utility installations.

2. COORDINATION OF WORK - Prior to the start of construction the local TxDOT Office MUST BE NOTIFIED at the number listed on the approval notice. Traffic control plans must be approved by the Area Office before work can begin. If the installation is within the limits of an active highway construction project, the utility work must be coordinated with the TxDOT Contractor and Inspectors. The utility work shall not cause any delay or disruption to the TxDOT contractor or construction.

Location existing utility facilities and coordination with the owners is the responsibility of the utility agency.

3. TRAFFIC SAFETY, BARRICADES, WARNING DEVICES - Traffic control and protective devices shall be used and must conform to the TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES for streets and highways. All barricades, warning devices, signs, flashers, and flag persons shall be provided by the utility agency or contractor.

Traffic shall not be stopped at any time without the use of a flag person. Prior to beginning work, the traffic control plans must be approved by the Area Engineer or his designated representative. Lane closures for any utility work will not be permitted without prior approval of Area Engineer or his designated representative. Lane closures are not permitted during peak "rush hour" traffic times.

Vehicles, equipment, construction material and personnel not necessary to the timely installation of the facility shall be kept as far as possible from the traveling public. Any above ground obstruction or bore pit located closer than the clear zone distances outlined in the "Trench Excavation and Pit Locations" specification shall be protected by barricades, metal beam guard fence and/or concrete traffic barriers as deemed necessary by the TxDOT Inspector. At the end of every construction day, all equipment and materials shall be removed as far from the roadway edge as possible.

4. SURVEYING AND STAKING OF UTILITIES - All utility installations shall be staked by utility agency so that TxDOT may inspect the alignment prior to start of construction. The ROW line is to be staked and the utility installed based on a set distance from the ROW line. The utility is ultimately responsible for the accuracy of the installation.

5. TIME PERIOD ALLOWED FOR INSTALLATION - If the installation of the work covered by this utility permit has not started within twelve (12) months from the approval date, a written request for an extension must be submitted to the District Office. It is expected that the installation will progress to completion in an efficient manner. However, if the work is delayed or abandoned for a period of one (1) month or more, a written request must be submitted to continue under the authority of the original permit.

6. FULL TIME SUPERVISION and INSPECTION - The utility agency shall provide competent, full time inspectors or supervisors to be present on-site during the installation. Also, the utility may be required to provide a telephone number at which someone may be contacted 24 hours in case of an emergency. The utility construction may be delayed or stopped when it is observed by the TxDOT Inspector that there is not an agency inspector or supervisor present on the job site.

7. DEPARTMENT INTERVENTION - TxDOT has the right to take charge of an to remedy any immediate hazard to the traveling public when it is obvious the utility agency will not do so. Any costs associated with TxDOT's action will be charged to the utility agency.

8. UTILITY ACCOMMODATION RULES - Utility installations within the TxDOT Right of Way shall conform to the requirements contained in the TxDOT Utility Accommodation Rules, dated February 2, 2005, the Dallas District Utility Specifications and the following industry policies.

- A. Safety rules for the installation and maintenance of electric and communication lines - National Electrical Safety Code.
- B. Latest edition of the Rules and Regulations for Public Water Systems, published by the Texas Department of Health, Water Hygiene Division.
- C. Gas Pipelines - Title 49, C.F.R., Part 195, Transportation of Natural and Other Gas by Pipeline; Minimum Federal Safety Standards and amendments.
- D. Liquid Petroleum Pipelines - Title 49, C.F.R., Part 195, Transportation of Liquids by Pipelines and amendments.
- E. Latest edition of the American Society for Testing and Materials (ASTM) Specifications.
- F. Latest edition of the AASHTO policy entitled "A Policy on the Accommodations of Utilities within Freeway Right of Way".
- G. Latest edition of the Occupational Safety and Health Administration (OSHA) Standards and Interpretations.

Water & Sanitary Sewer Lines

1. **GENERAL** - Longitudinal water and sanitary sewer pipelines shall be placed on uniform alignment three (3) to ten (10) feet from the right of way line. The minimum depth of cover shall be twenty-four (24) inches for non-plastic lines and thirty (30) inches for plastic lines. If a nonmetallic line is installed, a durable metal wire or other device shall be concurrently installed for detection purposes.

Each line may be installed with enough vertical flexibility to prevent stresses; however, horizontal "snaking" of the line is prohibited.

The utility agency shall place identification markers at the right of way line in sufficient number for longitudinal installations and at each highway crossing.

All paved side streets crossed by a longitudinal line within TxDOT right of way must be installed as outlined in item #2 below.

2. **CROSSING** - Highway crossings are to be installed at or near right angles to highway and must be installed with an encasement pipe. Encasement pipe is also to be installed under normal center medians, extend from the top of back slope for cut sections, and five (5) feet beyond the toe of slope for fill sections, unless an additional length is required as outlined in the "TRENCH EXCAVATION AND PIT LOCATION" specification.

All crossings under existing pavement must be installed as outlined in the "CONSTRUCTION OF HIGHWAY CROSSINGS BY BORE" specification.

The depth of cover for crossings shall be twenty-four (24) inches for non-plastic pipe and thirty (30) inches for plastic pipe under ditches. The encasement pipe must be a minimum of eighteen (18) inches or $\frac{1}{2}$ the diameter of the pipe, whichever is greater, below the bottom of the pavement structure.

The encasement shall consist of a steel pipe around and outside the carrier pipe and support the load of the ground above the pipe, the highway, and the superimposed loads there on, including construction equipment. HDPE pipe with a SDR ratio of 11 or greater may be used for encasement of water service lines. The HDPE pipe must be a single continuous piece with no joints. The strength of the encasement pipe shall equal or exceed the structural requirements for highway drainage culverts covered under ASTM specifications.

3. **ABOVE GROUND APPURTENANCES** - Fire hydrants, air release valves, and other similar appurtenances should be located at or near the right of way line. All fire hydrants will be equipped with breakaway bases and should not be located in the sidewalk. Any appurtenances may not be located any closer than 3 ft from back of curb.

Pumps, wells, and other structures associated with lift stations and pump stations will not be permitted within the limits of TxDOT right of way.

4. **MANHOLES** - The outside diameter of the manhole chimney at ground level shall not exceed thirty-six (36) inches. The inside diameter of the manhole for lines up to twelve (12) inches shall not exceed four (4) feet. For any increase in line size greater than twelve (12) inches the manhole may be increased a like amount. The manhole cover shall be installed flush with the ground, meet HS-20 load requirements, and weigh at least 175 pounds.

Trench Excavation and Pit Location

1. GENERAL - No dirt from a trench or pit excavation shall be placed on the roadway or shoulders. All equipment and stockpiled dirt shall meet the safety clear zone distances listed below or have adequate barricades and warning devices to protect the traveling public.

Topsoil shall be kept separate from other excavation material, and be replaced in accordance with "BACKFILLING" specification.

All pits and trenches shall be kept free from standing water. If trenches and/or bore pits are left open for extended periods of time without a continuous progression of work, the utility will be required to backfill the trench and/or bore pits. Any other pit will not be left open for more than a forty eight (48) hour period.

In all excavations where sloughing is likely to occur, shoring will be utilized to prevent damage to the highway structure(s). The utility agency or contractor shall be responsible for maintaining trench excavation protections as required by provisions of Part 1926, Subpart P - Excavations, Trenching and Shoring of OSHA Standards.

2. TRENCHING - Longitudinal installations must be placed as near a uniform alignment to the right of way line as possible. Trenching machine or backhoe may be used. A backhoe will be required if a uniform alignment can't be maintained by use of a trenching machine.
3. SAFETY CLEAR ZONE DISTANCES - Minimum clear zone distances required for trench excavations and bore pit locations are as follows:

For UNCURBED Highways

- A. Thirty (30) ft. from the edge of pavement (traveled lane) of high-speed (more than 40 mph), high volume (more than 750 vehicles per day) highways.
 - B. Sixteen (16) ft* from edge of pavement of high-speed, low volume (less than 750 vehicles per day) highways
 - C. Sixteen (16) ft* from ramps.
 - D. Ten (10) ft* for low-speed (40 mph or less) highways.
 - E. Ten (10) ft* for any paved intersections side streets.
- * Five (5) ft MINIMUM from edge of any shoulder.

For CURBED Highways

- A. Thirty (30) ft from the back of curb for high-speed highways
- B. Five (5) ft from the back of curb, plus any additional distance to clear sidewalks, for low-speed highways
- C. Five (5) ft from the back of curb for intersecting side street.

Construction of Highway Crossing by Bore

1. **GENERAL - WATER JETTING OR JACKING WILL NOT BE PERMITTED.** All paved streets which are maintained by TxDOT must be bored & encased unless it is specifically stated on the permit that an exception for open cutting and/or no encasement is granted.

At no time shall the boring operation interfere with the traveling public. The safety of the traveling public and maintaining the integrity of the roadway is the primary concern.

2. **BORE PIT LOCATIONS** - No excavations for bore pits will be allowed to be any closer to the edge of the pavement (travel lane) than as outlined in the "TRENCH EXCAVATIONS AND PIT LOCATION" specification. If the required clear zoned distance is closer than outlined in the above mentioned specification, then appropriate traffic control devices such as barricades, signs, barrel mounted guard fence and/or concrete traffic barriers will be required as deemed necessary by the TxDOT inspector.

No excavated material will be stored closer to the traveled way than the bore pit. All pits and trenches shall be backfilled immediately after the encasement and carrier pipes have been installed. Upon completion of the backfill, all excess material will be removed from the right of way.

3. **METHOD OF INSTALLATION** - Crossings are to be installed by the AUGER or "DRY" BORE method and shall be accomplished by use of a laser sighted bore machine or a bore machine requiring a pilot hole. The pilot hole will serve as the centerline of the large diameter hole to be bored. The user of water or fluids in the boring operation will only be allowed for lubricating the cutting head.

The boring operation shall be performed from the low or downstream end. Lateral or vertical variation of the encasement pipe from the proposed line and grade will be permitted only to the extent of one (1) inch in ten (10) feet, provided that such a variation shall be regular and only in one direction.

The encasement pipe shall be approximately the same diameter as the bore hole. Over cutting in excess of one (1) inch shall be remedied by pressure grouting the entire length of the installation with a mixture consisting of two (2) sacks of cement per yard of sand.

4. **OPTIONAL WET BORE** - The utility or contractor may request installation by the Slurry or "Wet" bore method. The approval to wet bore is granted by the Area Engineer or his designated representative on an individual permit basis. If the area office allows wet bores in their designated area, approval will be based on bore size and soil conditions. Wet bores should be restricted to areas of rock or other suitable material which will prevent the sides of the bore hole from "caving in". A geotechnical report may be required prior to approval. In no instance will wet bores be allowed to exceed eighteen (18) inches in diameter.

The amount of water used for creating the slurry will be such that little or no runoff is encountered. If, in the opinion of the TxDOT inspector, at any time during the boring operation inadequate conditions are encountered for performing the wet bore, the process will be stopped and the bore will be completed by Auger bore.

The slurry material removed from the bore may not be used in the backfilling of the bore pit.

Backfill Specifications

1. **GENERAL** - As soon as practical, all portions of the excavation shall be backfilled. Trenches and pits shall be backfilled with the material obtained from the excavation or from other sources. Backfill material will be free from stones of such size as to interfere with compactions; free from large lumps which will not break down readily under compaction; and free from frozen lumps, wood or other extraneous material. The TxDOT inspector may reject any material containing more than twenty (20) percent by weight of material retained on a three (3) inch sieve.

The portion of top soil removed from the original excavation shall be replaced, as nearly as feasible, in its original position.

2. **DEPTH OF LIFTS** - The portion of backfill below the top of pipe shall be placed in uniform layers not to exceed eight (8) inches in depth (loose measurement). Backfill above the top of the pipe shall be placed in layers not to exceed ten (10) inches in depth (loose measurement). If the backfill is to support a portion of roadway or embankment, then the material will be placed in uniform layers not to exceed eight (8) inches in depth (loose measurement).
3. **PROCEDURE FOR COMPACTION** - Each layer of backfill material, if dry, shall be wetted uniformly to the moisture content required to obtain a density comparable with the adjacent undisturbed soil and shall be compacted to that density by means of mechanical tampers or rammers. The use of rolling equipment of the type generally used in compacting embankments will be permitted on portions that are accessible to such equipment. Water jetting or ponding will not be permitted.

Special care shall be taken to ensure thorough compaction of material placed under the haunches of the pipe.

Cohesionless materials, such as sand, may be used for general backfilling purposes. Compaction of cohesionless materials shall be done with vibratory equipment.

4. **RESTORATION OF RIGHT OF WAY** - Prompt replacement of sod, removal of debris, and any other restoration necessary to restore the right of way to a condition equal to that which existed prior to the utility installation will be required. In areas of erosion, the use of stabilized backfill may be required. Should settlement or erosion occur within six (6) months of the utility installation, the utility agency will be required to reshape, reseed, and/or resod the area.



Texas Department of Transportation

125 EAST 11TH STREET | AUSTIN, TEXAS 78701-2483 | (512) 463-8588 | WWW.TXDOT.GOV

April 7, 2014

Al Alonzi
Assistant Division Administrator
Federal Highway Administration
J.J. Pickle Federal Building
300 E. 8th Street; Room 826
Austin, TX 78701

RECEIVED ON

APR 09 2014

TEXAS DIVISION

6:12

**Subject: TxDOT Implementation of Buy America Laws
for Utility Accommodations**

The Texas Department of Transportation (TxDOT) is pleased to offer our proposed guidelines (attached) to the Federal Highway Administration (FHWA) Texas Division. Utilities will use these guidelines to clarify and implement BUY AMERICA requirements for utility relocations within the state of Texas.

These guidelines are relevant for all federally eligible transportation projects where FHWA is determined to be the lead federal agency. These guidelines do not take precedence over projects where the Federal Transit Administration (FTA) or the Federal Railroad Administration (FRA), is determined to be the lead federal agency. These guidelines are intended to supplement the guidance issued by the FHWA on July 12, 2013, and to document the cooperative effort of the FHWA Texas Division and TxDOT.

I am hopeful you will find this satisfactory and that you will be able to offer concurrence, noted on the final page of the proposed guidelines.

Should you have questions or require additional information, please contact Jesse Cooper, RPLS, Map Survey & Utility Section Director, at 512-416-2874.

Sincerely,

John Campbell, P.E., SRWA
Director, TxDOT Right of Way Division

BUY AMERICA: Proposed Guidelines – Utility Accommodations

The following utility structures and component materials, when composed of more than 90% steel or iron by weight, are subject to BUY AMERICA compliance:

- Poles, cross arms, structural support members
- Towers and Girders used to comprise transmission towers and stand-alone structures;
- Conductor support cables
- High-strength bolts used as anchor bolts and anchor rods;
- Iron or Steel Baseplates
- Encasement pipes, pipes and valves (except as stated below);
- Rebar and other reinforcing iron/steel for all cast-in-place and precast installations;
- Conduit and ducting;
- Fire Hydrants
- Manhole covers and rims, and drop-inlet grates.

Certain Utility Agreements executed before Dec. 31, 2013, that do not have federal funding for utility materials or relocation are not subject to BUY AMERICA (even if other contracts associated with the project were reimbursed with federal funds)

The date of the original Utility Agreement will be used as the date to determine BUY AMERICA compliance if the Utility Agreement is amended after December 31, 2013 unless the amendment includes major changes in the scope of work.

BUY AMERICA does not apply to existing utility materials that are relocated from one location to another within the project limits.

If the project sponsor does not wish to subject betterment materials (as defined below) to BUY AMERICA provisions, then the betterments must be excluded from the utility agreement or contract that includes work eligible for Federal-aid.

BUY AMERICA does not apply to assembly materials, attachment materials, housing encasements, or miscellaneous electronics, as defined below.

BUY AMERICA does not apply to any associated materials (including spare materials) required for maintenance.

BUY AMERICA does not apply to any materials necessary to repair equipment that was discovered or damaged during construction **and** requires immediate action to restore to safe conditions or to minimize adverse public impact.

BUY AMERICA does not apply to associated materials necessary for a temporary utility relocation.

Non-domestic iron and steel materials may be used provided the cost of such materials does not exceed one-tenth of one percent (0.1 %) of the individual Utility Agreement amount, or \$2,500.00 whichever is greater. The De Minimus equation is calculated by the following formula:
Combined Cost of Only those Materials that are Subject to BUY AMERICA and are Non-Compliant (limited to the individual Utility Agreement) Total Utility Relocation Cost (cited in the individual Utility Agreement)

BUY AMERICA does not apply if the utility relocation effort is not eligible for reimbursement. For example, if the utility owner is required to pay for 100% of the entire relocation effort, then the materials associated with that relocation are not subject to BUY AMERICA. However, all such work must remain separate from and cannot be accomplished under a utility agreement or contract that includes work eligible for Federal-aid.

Per 23 CFR 635.410, the work to be performed under the utility agreement may include foreign iron and steel products if the cost of BUY AMERICA compliant materials will cause the cost of the work to increase by at least 25%. To determine applicability of this provision, one of the following two procedures shall be used:

1) If the utility company will use a contractor or developer or concessioner to perform the work included in the utility agreement, the following procedures apply: Demonstration of meeting the 25% excess cost requirement must be accomplished by receiving two separate bids each from at least two qualified contractors for the work. Requests for bids from the qualified contractors must conform to 23 CFR 635.410 (b)(3). One bid from each contractor will include a cost of performing the work described in the utility agreement using BUY AMERICA compliant material and the other bid will include a cost for the same work assuming foreign materials. If the bid with the BUY AMERICA compliant materials is at least 25% greater than the bid that includes foreign material, then the contract can be awarded to the lowest bid based on materials that are not compliant with BUY AMERICA.

2) If the utility company will perform work in the utility agreement with its own forces, the following procedures apply: Demonstration of meeting the 25% excess cost requirement must be accomplished by receiving two separate bids from vendors or manufacturers listing the cost of BUY AMERICA compliant materials on one bid document and listing the cost of non-compliant materials on a separate bid document. The utility company will take the cost of the BUY AMERICA compliant materials and use it to create the total estimated cost of the work included in the utility agreement. The utility company will do the same with the cost of the noncompliant materials. If the cost of the work included in the utility agreement with BUY AMERICA compliant materials is at least 25% greater than the cost using the materials that are not compliant with BUY AMERICA, then the non-compliant materials may be used.

Definitions:

TxDOT intends to use the following definitions to provide clarity and to assist utility-service providers as they develop internal processes to ensure compliance with BUY AMERICA.

TxDOT and the utility will identify the proposed utility structures and their components that will be monitored in the Utility Agreement Estimate.

Anchor & High-Strength Bolts -- Anchor & high-strength bolts will be identified and consistently applied. The utility owner and TxDOT will identify anchor & high-strength bolts in the estimate, specifications or plans in the Utility Agreement as necessary for the safe and functional design of the utility relocation. If a bolt is not called out as an anchor or high strength bolt the supplied bolt is not subject to BUY AMERICA.

Assembly Materials (miscellaneous steel) -- The collection of miscellaneous materials used to fasten, hold, attach, secure and/or assemble materials including but not limited to nuts, bolts, U-bolts, screws, washers, clips, fittings, sleeves, lifting hooks, mounting brackets, pole steps, clamps, brackets, mountings, straps, fasteners, hooks, pins, braces, disks, clevises, couplers, swivels, snaps, crimps, trunnions, dead-ends, compression swages, and other miscellaneous materials used to assemble.

Attachment Materials -- An item or material that is not an integral part or permanently attached to the pole, pipe or valve. Cross arms are an exception to this rule and do not qualify as attachment materials. Attachment materials include but are not limited to cross-arm bracing, insulators, avian equipment, miscellaneous hardware (defined below), fittings, racks, ladders, encasements, guy wire, strand, conductors and tubing 0.75-inch diameter or less.

Betterments -- Any upgrading of the facility being relocated that is not attributable to the highway construction and is made solely for the benefit of and at the election of the utility (23 CFR 645.105). Betterments as part of a reimbursable Utility Agreement must be Buy American compliant.

Conductor -- A material (specifically wires and cables) that allows the flow of energy including electricity, heat, data, audio/video transmission, etc.

Conductor support cables -- Iron or steel cables that support conductor lines between towers or poles.

Housing Encasements -- Include cabinets, housings, boxes, vaults, covers, shelves, and other items use to protect or house equipment or miscellaneous electronics.

Fittings -- Individual parts used to join, adjust or adapt a system of pipes including but not limited to elbows, tees, wyes, crosses, nipples, reducers, end caps, couplers, o-lets, transitions, connectors (steady state, seismic and flexible), unions, mechanical flanges (not permanently affixed to the pipe), bushings, ferrules, gaskets, O-rings, plugs or taps.

Girders -- A load bearing beam or strut commonly taking the cross-sectional shape of a circle, square, rectangle, or an I, C, L, or Z, and assembled for the purpose of creating lattice towers, stand-alone platforms or transmission towers. Lattice Towers - A structure that is compiled of girders and is typically used in series to support conductor cables.

Maintenance -- An action or application of materials necessary to keep a system functioning safely and at optimal capacity; general up-keep.

Miscellaneous Electronics -- Manufactured products or assemblies consisting of many components such as electronic equipment, routers, switches, radios, processors, power supplies, batteries, antennas, splice cases, pre-connected hubs and terminals, and cross-boxes.

Miscellaneous Hardware -- An assembly of small parts that are compiled to form a finished product that is often used independently or as an attachment material, including but not limited to, locks, switches, cutouts, regulators, gauges, meters, barometers, strainers, filters, pilots, arrestors, insulators, ball bearings, dampeners, needle valves, braces, pipe supports, actuators, motors and pumps.

Permanent Installation -- Is the final location and final installation of the materials as defined on the plans or in the specifications. No further adjustments or relocations are necessary to accommodate the final transportation project improvements.

Stand-alone Platforms -- A structure that is compiled of girders and is used to permanently hold or support large equipment.

Temporary Utility Relocation -- A temporary utility relocation is generally subject to the schedule necessary to accomplish the scope of the project as defined by the NEPA document. A temporary utility relocation is one that is needed to allow the project to proceed, but is not required to remain in its relocation upon completion of the project. For example, if the scope of the project requires the sequential completion of six separate construction contracts, theoretically a temporary utility relocation could remain in place prior to commencement of the first construction contract and extend beyond completion of the sixth construction contract prior to its final placement. A temporary utility relocation can also be established if the contract specification or plans require that the steel or iron material used on the project either must be removed at the end of the project or may be removed at the contractor's convenience.

Execution of TxDOT Form 1818

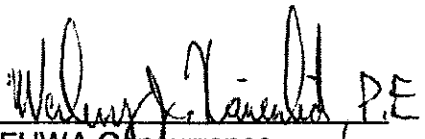
Included in the submittal of an invoice to TxDOT will be an executed TxDOT Form 1818 by the utility.

TxDOT will periodically review, or audit, the Form 1818 and Bills of Materials (BOMs) for utility projects and determine if the above categories are adequately resulting in certification of compliance with BUY AMERICA as intended by Federal law.

These periodic reviews may result in the addition of categories that are not currently listed above.

Statement of FHWA Texas Division Concurrence

The FHWA Texas Division concurs in principal with this general guidance on BUY America compliance. It is recognized there may be minor variations in the final implementation documentation which will be jointly agreed upon by the FHWA and TxDOT.


FHWA Concurrence
4/21/14

