

RESOLUTION NO. R-2014-28

**A RESOLUTION OF THE TYLER, TEXAS CITY COUNCIL
DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH
PROCEEDS OF FUTURE DEBT.**

STATE OF TEXAS

§

COUNTY OF SMITH

§

§

CITY OF TYLER

§

§

WHEREAS, the City of Tyler, Texas (the "Issuer") reserves the right to issue debt for construction and equipment of a booster pump station, pipelines and other appurtenances in the vicinity of Barbara Street, Jan Street and Troup Highway low pressure zones, including land and right-of-way (the "Project") and further intends to make certain capital expenditures with respect to the Project and currently reserves the right to reimburse the capital expenditures with proceeds of such debt; and

WHEREAS, under 26 CFR § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the Issuer must declare its expectation to make such reimbursement; and

WHEREAS, the Issuer desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations,

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

Part 1: That the City of Tyler reasonably expects to reserve the right to reimburse capital expenditures with respect to the Project with proceeds of future potential debt hereafter which may be incurred by the issuer, and that this resolution shall constitute a declaration of official intent under the Regulation. The maximum principal amount of obligations expected to be issued for the Project is \$3,000,000.

Part 2: That this Resolution shall be effective immediately upon adoption.

PASSED AND APPROVED, this the 10th day of December, 2014.


MARTIN HEINES, MAYOR OF THE
CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


CITY ATTORNEY



**WORK ORDER FOR PROFESSIONAL SERVICES
CONTRACT NO. TYL - 355
WORK ORDER NO. 1**

Preliminary Study and Preliminary Design Phase Services For a Booster Pumping Station and Associated Pipeline and Appurtenances For the Barbara St., Jan St. and Troup Highway Isolated Pressure Zones

This Work Order constitutes authorization by the City of Tyler (CITY) for Wisenbaker, Fix & Associates (ENGINEER) to provide engineering services for the above titled project (hereinafter called the Project). The Project includes Preliminary Study and Preliminary Design Phase professional services.

ENGINEER shall provide engineering services for CITY in accordance with the ENGINEERING CONTRACT dated October 26, 2011. The scope of services for this part of the work is generally as follows:

- 1) During the Preliminary Report Phase ENGINEER shall: Provide the services described in SECTION 2 B of the ENGINEERING CONTRACT.
- 1) During the Preliminary Design Phase ENGINEER shall: Provide the services described in SECTION 2 C of the ENGINEERING CONTRACT limited to Preliminary Project Design.

The Preliminary Study and Preliminary Design Phase Services will be completed within 100 calendar days following written authorization from CITY to ENGINEER to proceed with the services, subject to such time extensions as may be mutually agreed upon by ENGINEER and CITY in response to unforeseen conditions or events beyond the control of ENGINEER.

- 2) During the Construction Phase ENGINEER shall: Not Applicable to this Task Order
- 3) Project Specific Scope:

Engineering services will consist of the performance of a preliminary engineering study and preliminary design for a potable water booster pumping station (or stations if necessary), water supply pipeline(s), isolating check valve assemblies and related appurtenances to create an isolated zone of increased water pressure to alleviate existing low water pressure issues in the areas generally identified as the Barbara Street, Troup Highway Standpipe and Jan Street Extension and as further approximately delineated on the graphic exhibit attached to this Task Order. The Scope of Work shall include the following:

1. Consult with the Owner to determine the requirements of the Project.
2. Prepare a preliminary engineering study and letter report on the Project in sufficient detail to indicate clearly the problems involved and the potential alternate solutions available to the Owner, to include schematic layouts and sketches and a general opinion of probable cost for the Project, and to set forth the Engineer's recommendations.
3. Provide consultation and advice as to the necessity of the Owner providing or obtaining other services such as property, boundary, right-of-way, topographic and utility surveys; core borings, auger borings, soil tests or other subsurface explorations; laboratory testing and inspection of samples or materials; other special consultation; and act as the Owner's representative in connection with any such services.
4. Furnish the Owner copies of the preliminary report as required.
5. On the basis of the approved preliminary study and report documents prepare preliminary hydraulic design calculations for the pumping station(s) and appurtenant water line work. It is anticipated that the preliminary calculations will form the basis for the detailed Final Design Phase engineering calculations.

6. On the basis of the approved preliminary study and report documents prepare preliminary drawings for review and Owner approval for the Project. It is anticipated that the drawings will form the basis for the detailed Final Design Phase drawings.

- 4) Additional Services of ENGINEER: The ENGINEER is hereby authorized to perform the following additional services: Not Applicable to this Task Order
- 5) CITY's Responsibilities: The CITY's responsibilities shall be as described in SECTION 4 of the ENGINEERING CONTRACT.
- 6) Engineering Fees: The fees for the various services to be provided by the ENGINEER are as follows (subject to the conditions of the Agreement):

<u>Description</u>	<u>Preliminary</u>	
	<u>Study & Preliminary</u>	<u>Total</u>
	<u>Design Phase</u>	
Preliminary Engineering Study/Report/Design Phase Services (Basic Fee) (Lump Sum)	\$ 90,000.00	\$ 90,000.00
Reimbursables (Estimated Budget)	\$ 1,000.00	\$ 1,000.00
Total		\$ 91,000.00

Reimbursables

Reimbursable expenses, if any, incurred by the ENGINEER in the performance of this contract shall be paid by the CITY to the ENGINEER upon presentation of a detailed invoice for such reimbursable item.

Outside Services

Expenses incurred by the ENGINEER for arranging and monitoring Outside Services such as necessary sub-consultants, materials testing charges, etc. shall be paid by the CITY to the ENGINEER at the invoice price from the Outside Service provider plus a fifteen (15%) service charge by the ENGINEER upon presentation of a detailed invoice for such Outside Services provided.

- 7) Method of payment for various project components:

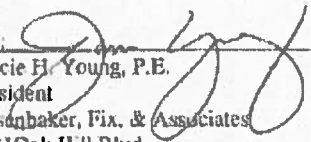
CITY shall pay ENGINEER for services rendered as provided for in SECTION 5 of said ENGINEERING CONTRACT unless modified herein and agree to by both parties to said contract.

IN WITNESS WHEREOF, the parties hereto have made and executed this Work Order No. One (1)
to the ENGINEERING CONTRACT dated _____ on this the _____ day of _____, 2014.

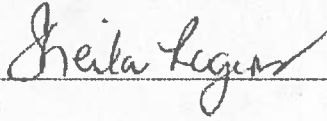
CITY:
CITY OF TYLER, TEXAS

ENGINEER:
WISEBAKER, FIX, & ASSOCIATES

BY: _____
Susan Guthrie
Acting City Manager
City of Tyler, Texas
P.O. Box 2039
Tyler, Texas 75710

BY:  _____
Joncie H. Young, P.E.
President
Wisebaker, Fix, & Associates
6781 Oak Hill Blvd.
Tyler, Texas 75703
11/24/14

ATTEST: _____

ATTEST:  _____



WISENBAKER FIX & ASSOCIATES

2014 SCHEDULE OF HOURLY FEES - GENERAL *

Principal	\$185.00/hour
Senior Project Manager	\$160.00/hour
Electrical Engineer	\$160.00/hour
Environmental Planner	\$155.00/hour
Mechanical Engineer	\$140.00/hour
Senior Project Architect	\$140.00/hour
Project Manager	\$130.00/hour
Project Architect	\$120.00/hour
Project Engineer	\$110.00/hour
Design Engineer	\$90.00/hour
GIS Specialist	\$100.00/hour
GIS Analyst	\$125.00/hour
Engineering Technician	\$95.00/hour
Senior Design Technician	\$90.00/hour
Design Technician	\$70.00/hour
Safety Consultant	\$70.00/hour
Project Assistant	\$70.00/hour
CADD Technician	\$60.00/hour
Administrative Assistant	\$50.00/hour
Secretary	\$40.00/hour
Senior Project Representative	\$70.00/hour
Project Representative	\$65.00/hour
Four-Man Survey Crew	\$165.00/hour
Three-Man Survey Crew	\$140.00/hour
Two-Man Survey Crew	\$115.00/hour
Registered Surveyor	\$100.00/hour
Survey Technician	\$70.00/hour
Mileage	\$0.58/mile
ATV (4-Wheeler)	\$100.00/day

WFA Fee Schedule (2014) Concluded

Per Diem (Survey Crew):

Meals: \$25.00/person/day

Lodging: At Cost

Reimbursable Expenses (Air Travel, Copies, Printing) Actual Cost

Outside Consultants Cost + 15%

***Subject to adjustments on an annual basis.**

EXHIBIT FOR CONTRACT NUMBER TYL-355 (TASK ORDER NO. ONE)

