

NOV 23 2020

Approved

REQUEST FOR AGENDA PLACEMENT FORM

Submission Deadline - Tuesday, 12:00 PM before Court Dates

SUBMITTED BY: Rexann Knowles

TODAY'S DATE: 11/16/2020

DEPARTMENT: COUNTY JUDGE

SIGNATURE OF DEPARTMENT HEAD: X _____

REQUESTED AGENDA DATE: November 23, 2020

SPECIFIC AGENDA WORDING: Consideration of Texas Department of Agriculture Texas Community Development Block Grant Program Amendment No. 1 Contract No. 7218250 County of Johnson, Amendment No. 1 Exhibit A, Amendment No. 1 Exhibit C and Authorization for the County Judge to Docusign the Amendment.

PERSON(S) TO PRESENT ITEM: Rexann Knowles

SUPPORT MATERIAL: (Must enclose supporting documentation)

TIME: 2 minutes

ACTION ITEM: X

WORKSHOP: _____

(Anticipated number of minutes needed to discuss item) **CONSENT: _____**

EXECUTIVE: _____

STAFF NOTICE:

COUNTY ATTORNEY: XX

IT DEPARTMENT: _____

AUDITOR: XX

PURCHASING DEPARTMENT: _____

PERSONNEL: _____

PUBLIC WORKS: _____

BUDGET COORDINATOR: _____

OTHER: _____

*******This Section to be Completed by County Judge's Office*******

ASSIGNED AGENDA DATE: _____

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE _____

COURT MEMBER APPROVAL _____ Date _____

TEXAS DEPARTMENT OF AGRICULTURE
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

AMENDMENT NO. 1

CONTRACT NO. 7218250

COUNTY OF JOHNSON

STATE OF TEXAS

COUNTY OF TRAVIS

Section 1.

The Texas Department of Agriculture, an agency of the State of Texas, hereinafter referred to as the ("Department"), and the County of Johnson, ("Contractor"), collectively referred to as the ("Parties"), agree to amend the Texas Community Development Block Grant Program ("TxCDBG") Contract 7218250, for the performance of community development activities.

Section 2.

- A. The parties hereto agree to amend the contract identified in Section 1 above so that Exhibit A, Performance Statement, is revised to read hereafter as given in the Performance Statement attached to this amendment, hereinafter referred to as Exhibit A, and hereby made a part of this amendment. Exhibit A consists of 2 pages.
- B. The parties agree to amend the contract by replacing Section 2, Contract Period, with the following language:

Section 2. **CONTRACT PERIOD**

This contract and agreement shall commence on November 1, 2018, and shall terminate on October 31, 2021, unless otherwise specifically provided by the terms of this contract.

Section 3.

All oral and written agreements between the parties relating to the subject matter of this amendment that were made prior to the execution of this document have been reduced to writing and are contained herein. Except as amended herein, the contract remains in full force and effect.

This amendment is not effective unless and until it is signed by authorized representatives of both parties.

Agreed to and signed by:



Roger Harmon, County Judge
County of Johnson

11-23-20

Date

Approved and accepted on behalf of the Texas Department of Agriculture.

Jason Fearneyhough, Deputy Commissioner
Texas Department of Agriculture
or
Tim Kleinschmidt, General Counsel
Texas Department of Agriculture

Date

Agreed to and signed by:

DocuSigned by:
Roger Harmon 11/24/2020
823109E66FFD426...
Roger Harmon, County Judge Date
County of Johnson

Approved and accepted on behalf of the Texas Department of Agriculture.

DocuSigned by:
Jason Fearneyhough 11/24/2020
FA7FE3CCE97D4D7...
Jason Fearneyhough, Deputy Commissioner Date
Texas Department of Agriculture
or
Tim Kleinschmidt, General Counsel
Texas Department of Agriculture

AMENDMENT NO. 1**EXHIBIT A****PERFORMANCE STATEMENT****CONTRACT NUMBER 7218250****COUNTY OF JOHNSON**

All activities funded with TxCDBG funds must meet one of the CDBG program's National Objectives: benefit low- and moderate-income (LMI) persons, aid in the prevention or elimination of slums or blight, or meet community development needs having a particular urgency.

Contractor shall carry out the following activities in the target area identified in the Application. The Contractor shall ensure that the amount of funds expended for each activity described does not exceed the amount specified for such activity in the Budget.

CURRENT NEED

The Johnson County Special Utilities District (SUD), located in Johnson County, has water lines that are aged and undersized, resulting in frequent water loss and inadequate pressure.

The Contractor certifies that the activity (ies) carried out under this contract will meet the National Objective of benefitting LMI persons with at least 51% of the beneficiaries qualifying as LMI.

ACTIVITIES

Water Improvements Contractor shall replace water lines to reduce water loss and improve pressure. Contractor shall install four thousand one hundred linear feet (4,100 l.f.) of six-inch water lines, valves, service reconnections and all associated appurtenances. Construction shall take place in the following locations:

STREET	FROM	TO
CR 1121	Overhill Drive	4,100 l.f. west

These activities shall benefit one hundred eighty-eight (188) persons, of which one hundred (100) or fifty-three percent (53%) are of low to moderate-income.

Water Improvements Contractor shall replace water lines to reduce water loss and improve pressure. Contractor shall install three thousand nine hundred and seventy-five linear feet (3,975 l.f.) of six-inch water lines, valves, service reconnections and all associated appurtenances. Construction shall take place in the following locations:

STREET	FROM	TO
FM 4	CR 406	A point approximately 3,975 LF southeast

These activities shall benefit seventy-six (76) persons, of which fifty six (56) or seventy three percent (73%) are of low- to moderate-income.

Engineering

Contractor shall ensure that the amount of Department funds expended for all eligible project-related engineering services, including preliminary and final design plans and specifications, all interim and final inspections, and all special services does not exceed the amount specified for engineering in the Budget.

Acquisition

Johnson County Special Utility District (JCSUD) shall acquire the property and right of way needed for the water improvements project site. JCSUD shall carry out all acquisition of needed real property, easements, and/or rights-of-way in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. Sec. 4601 et. seq.) and HUD implementing regulations (24 C.F.R. Part 42).

General Administration

Contractor shall ensure that the amount of Department funds expended for all eligible project-related administration including the required annual program compliance and fiscal audit does not exceed the amount specified for administration in the Budget.

AMENDMENT NO. 1**EXHIBIT C****PROJECT IMPLEMENTATION SCHEDULE****CONTRACT NUMBER 7218250****COUNTY OF JOHNSON**CONTRACT START DATE

November 1, 2018

CONTRACT END DATE

October 31, 2021

If Contractor fails to meet milestones in accordance with this schedule, the Department will withhold payments to Contractor until such milestone has been completed.

Activity To Be Completed by Date Specified:		Milestone Date
Procurement of Professional Services Completed	Month 3	2/11/2019
4-Month Conference Call / Meeting Completed ⁽¹⁾	Month 4	3/6/2019
Plans and Specifications Completed	Month 22	9/30/2020
Plans and Specifications Submitted for Approval (as required ¹)	Month 22	9/30/2020
Environmental Review Completed	Month 13	12/2/2019
Clearance of Pre-Construction Special Conditions	Month 25	12/15/2020
Wage Rate 10-Day Confirmation	Month 27	2/15/2021
Construction Contract Awarded & Executed	Month 28	3/15/2021
Construction - 50% TxCDBG project complete	Month 30	5/15/2021
Construction - 75% TxCDBG project complete	Month 31	6/15/2021
Construction - 90% TxCDBG project complete	Month 32	7/15/2021
Construction & Final Inspections Completed	Month 34	9/30/2021
End Date of Contract	Month 35	10/31/2021
Close-out documents submitted to Department (60 days after End Date)	Month 37	12/31/2021

⁽¹⁾ See TxCDBG Project Implementation Manual