



CITY OF KYLE
Contract 09-2016-KYLE

WORK ORDER NO. 1

This will constitute authorization by CITY OF KYLE (OWNER) to TRAYLOR & ASSOCIATES, INC. (CONSULTANT) to proceed with the following project and services:

PROJECT: Public Infrastructure (Sanitary Sewer Improvements) in support of capital investment and job creation by ALSCO, INC. (See Attachment B- Project Background)

SERVICES AUTHORIZED UNDER THIS WORK ORDER: **PREPARATION OF TEXAS CAPITAL FUND GRANT APPLICATION** as provided under Title 4, Part 1, Chapter 30, Texas Administrative Code

Consultant shall provide the services described in Attachment A “Application Preparation Scope of Service” that are necessary to prepare and deliver to the Texas Department of Agriculture in Austin, Texas a Texas Capital Fund Infrastructure Program grant application for funding consideration in support of the expansion and job creation activities of ALSCO, INC.

COMPENSATION: Four percent (4%) of awarded grant funds to a maximum of ONE HUNDRED THOUSAND DOLLARS (\$100,000), payable as follows:

BILLING: Amount shall be due and payable within 10 days following receipt of written notification of a grant award to the City of Kyle, Texas from the Texas Department of Agriculture. In the event the requested grant is not approved, OWNER will owe no compensation to CONSULTANT.

ADDITIONAL EXPENS(ES) AUTHORIZED None.

SIGNATURE PAGE FOR WORK ORDER NO. 1
Under TRAYLOR CONTRACT No.09-2016-KYLE
SERVICES TO CITY OF KYLE, TEXAS

CONSULTANT:
TRAYLOR & ASSOCIATES, INC.

OWNER:
CITY OF KYLE, TEXAS

GARY TRAYLOR – PRESIDENT

BY: _____

Name: _____

Title: _____

Date of Execution: _____

Date of Execution: _____

ATTACHMENTS TO THIS WORK ORDER

PROJECT BACKGROUND, GRANT VIABILITY ASSESSMENT & RECOMMENDATIONS
ATTACHMENT A – APPLICATION PREPARATION SCOPE OF SERVICES

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**WORK ORDER NO.1
UNDER TRAYLOR CONTRACT NO. 02-2016-AEDC**

**ATTACHMENT A
APPLICATION PREPARATION SCOPE OF SERVICES**

Consultant shall provide the following services necessary to prepare and submit to the Texas Department of Agriculture a Texas Capital Fund Real Estate/Infrastructure Program grant application:

1. Public Hearing Services
 - a. Coordinate Date, time, place of Public Hearing
 - b. Draft Public Hearing Notice
 - c. Prepare/Furnish newspaper advertisement to newspaper
 - d. Confirm publication
 - e. Obtain tear sheet/ Publishers Affidavit
 - f. Attend Public Hearing as CDBG Resource
2. Application Services
 - a. Perform viability assessment and provide recommendations
 - b. Develop/confirm project scope
 - c. Obtain Business Information
 - i. Date Established
 - ii. Business Type
 - iii. Entity Type
 - iv. NAICS Code Documentation
 - v. Federal Taxpayer ID Number
 - vi. DUNS Number
 - vii. Current Number of Employees
 - viii. Percentage of Employees covered by employer sponsored healthcare
 - ix. Identify primary contact with benefiting business
 - d. Assemble Jobs Information
 - i. Number of Job Creation FTE's by Job Category by Average Weekly Wage
 - e. Prepare Scoresheet
 - i. Examine multiple scoring options
 - ii. Select desired scoring scenario in consultation with applicant and business
 - iii. Assemble documentation to support projected score
 1. Unemployment data from TWC LMCI TRACER
 2. Job creation details sufficient to calculate median wage on FTE basis
 3. Census data and maps from US Census Bureau
 4. Average weekly wage data from TWC LMCI TRACER
 5. NAICS code documentation
 - f. Prepare Project Approval Information
 - i. Prepare Flood Map with Project shown
 - ii. Confirm NFIP participation
 - iii. Alternate training location request, if applicable
 - iv. Review other existing and proposed incentives
 - g. Underwriting Review Information
 - i. Furnish reviewer an example of desirable responses
 - h. Prepare Standard Form 424

- i. Prepare Community Needs Assessment Summary
 - j. Prepare Fair Housing Activities Summary
 - k. Prepare Description of Needs Addresses in Application
 - l. Prepare Project Summary
 - m. Prepare Table 1/ Sources and Uses of Funds/ Census Geographic Areas
 - n. Coordinate preparation of Table 2 /Budget Justification Form with City's Engineer
 - o. Prepare Area Map
 - p. Obtain Project Site Plan from benefiting business
 - q. Obtain Infrastructure Site Plan Map from City's Engineer
 - r. Obtain copy of most recent Annual Audit from applicant
 - s. Obtain Certificate of Good Standing from Comptroller's Office
 - t. Obtain Assumed Name certificates from SOS
3. Local Governing Body and Applicant Entity Administration Services
 - a. Draft and provide City Council resolution authorizing submission of grant application
 - b. Attend City Council Meeting as resource person
 4. Public Notice/ Notice of Intent Services
 - a. Prepare/Publish Newspaper Advertisement
 - b. Confirm publication
 - c. Obtain tear sheet/ Publishers Affidavit
 5. Prepare Exemption Determination for activities listed under 24 CFR 58.34
 6. Draft Pre-Agreement Cost request letter
 7. Services to Benefiting Business(es)
 - a. Provide TCF orientation
 - b. Respond to questions from benefiting business
 - c. Draft Job Creation Commitment Letter for signature by benefiting business
 - d. Draft Financial Commitment Letter for signature by benefiting business identifying the total amount and use of the business' matching funds. Obtain VOD and/ or loan commitment confirming availability of business matching funds
 - e. Draft Financial Commitment Letter for signature by benefiting business identifying the total amount and use of the business' matching funds
 8. Services to Other Parties (EDC, etc...)
 - a. Draft Financial Commitment Letter for signature by Other Parties identifying the total amount and use of the Other Parties' matching funds. Obtain Verification of Deposit from all contributors of non-TCF funds committed to Project
 9. Delivery & Logistics Services
 - a. Assemble completed application
 - b. Deliver application to Austin TDA Office
 - c. Provide hard copies of application to applicant and benefiting business
 - d. Scan application
 - e. Provide link to scanned application to applicant and benefiting business
 10. Post-Submission Services
 - a. Address agency questions
 - b. Obtain/Provide responses to identified deficiencies in application
 - c. Obtain/Provide clarifications when requested by agency
 - d. Attend agency site visit

TEXAS CAPITAL FUND
ECONOMIC DEVELOPMENT GRANT SCENARIO



Parties

Applicant Entity: City of Kyle, Texas
Kyle City Hall
100 W. Center Street
Kyle, Texas 78640
Tel: 512-262-3923
City Manager: Scott Sellers– ssellers@cityofkyle.com

Assisted Business Entity: **ALSCO, INC.**

Application Preparer Traylor & Associates, Inc.
Governmental Consultants and Planners
201 Cambridge Road
Tyler, TX 75703
TEL: 903-581-0500
President, Gary Traylor – gary@grtraylor.com

Grant Opportunity

Grant Program Texas Capital Fund Infrastructure Grant Program
Funding Agency Texas Department of Agriculture
Funding Source U.S. Department of HUD/ Community Development Block Grant Program

Funding Cycle	Monthly – closes 20 th day of each month
Request Amount	\$975,631.00
Primary Activity	Construction of Wastewater Collection System Improvements – Interceptor Sewer from Southlake Sewer Lift Station to Bunton Creek Sewer Lift Station.
Background	<p>City of Kyle, Texas is working with a company that wishes to locate a plant facility in Kyle and will be a relatively large user of water and sewer service. The anticipated sewer flows are estimated at 115,000 GPD to 140,000 GPD. There are some wastewater collection capacity issues caused by a bottleneck in the existing collection system that must be addressed through additional public infrastructure (sanitary sewer construction).</p> <p>To avoid overloading the existing Southlake Sewer Lift Station the construction of new interceptor sewer main is proposed. The proposed interceptor sewer will be installed so as to bypass the Southlake Lift Station and transport wastewater via gravity sewer to the Bunton Creek Sewer Lift Station. An 8”-dia. gravity sewer is considered the “minimum necessary” improvements to meet the needs of the business.</p> <p>The City will likely upsize the interceptor sewer to a larger dia. so that it is capable of accepting additional residential flows from development planned within the service area of the proposed interceptor.</p> <p>Under the Texas Capital Fund Program, the City will be required to receive bids for the 8-in dia. pipeline (base bid). Elective upsizing to handle future growth is acceptable if the larger size is bid as an additive alternate. The City would be responsible for the cost difference between the minimum necessary 8” pipeline and the larger sized line it elects to construct.</p>

Commitments Necessary from CONFIDENTIAL

Job Creation	<p>CONFIDENTIAL must commit to create at least 66 additional full-time equivalent (FTE) jobs, fulfillment of which must be accomplished within 36 months of TCF grant award. A job is defined as a permanent full-time position held by one employee or two part-time employees</p> <ol style="list-style-type: none"> a. A full-time job is defined as permanent employment for 35 hours or more per week per person. b. A part-time job is defined as permanent employment for 20 hours or more per week per person. Employees working less than 20 hours per week may not be counted individually or in combination/aggregate towards meeting the job goal of the business.
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- c. Seasonal jobs are not eligible for consideration in the program. The position must be required year-round.
- d. Contract jobs are not eligible for consideration. Only permanent employees may be counted toward job creation requirements.
- e. Leased employees must meet the same requirements as described above, as long as the business has control over the leased employee(s).
- f. LMI classification of created jobs is determined based on the employees' household income at the date of hire, not on the pay rate of the job being created.
- g. Unfilled or vacant jobs/positions are not eligible for consideration.
- h. Any request to train new employees at an alternate location prior to beginning work at the project site location, as identified in the application and contract, must have prior written approval from TDA. Generally, requests for off-site training exceeding 60 days are not approved.
- i. Jobs created prior to the date of occupancy for the project will not be counted toward job creation requirements. In no case will jobs created prior to the award (or pre-agreement date, if applicable) be counted toward job creation requirements.
- j. Credit will only be given for jobs created/retained at the project site described in the application.
- k. No credit will be given for jobs transferred from other locations of the same business.
- l. No credit will be given for jobs held by principals of the business(es), or a spouse or dependent of the principal. Principals are defined as an individual or other legal entity that owns 20 percent or more of the business.

Low-Moderate Income

CONFIDENTIAL must commit to ensure that, during the maximum 36-month Texas Capital Fund Grant Contract Performance Period, at least 51% of the 66 additional jobs are filled by persons who, prior to their hiring, are persons of low and moderate income (LMI), as defined by the following income limits:

Hays County

Family Size	1	2	3	4	5	6	7	8
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Income Limit (\$)	43,600	49,800	56,050	62,250	67,250	72,250	77,200	82,200
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In the event the Company creates more than 66 additional jobs during the 36-month performance period covered by the grant award, 51% of all additional jobs must be filled by LMI individuals.

Private Investment

CONFIDENTIAL must commit to make and document a capital investment of at least \$9,775,000 in its planned facilities. Capital Investment made after grant award will be countable, and there is a mechanism for counting certain expenditures prior to grant award with State Agency Pre-Award Cost Approval. The most typical evidence of sufficiency is a Verification of Deposit Form.

Environmental Clearance

CONFIDENTIAL must commit not to proceed with any of its privately funded capital investment or project site activities, including real property acquisition (if applicable) until the Funding Agency has issued environmental clearance required under 24 CFR Part 58. Note: It is possible to pursue environmental clearance, as well as submission and processing of the grant application simultaneously.