



**CITY OF KYLE, TEXAS
TRAYLOR CONTRACT 09-2016-KYLE**

WORK ORDER NO. 2

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.
SERVICES AUTHORIZED UNDER THIS WORK ORDER:	ENVIRONMENTAL CLEARANCE SERVICES HUD ENVIRONMENTAL ASSESSMENT PER 24 CFR Part 58 Consultant shall coordinate and produce an Environmental Assessment ("EA") of Owner's project activities in accordance with 24 CFR Part 58, Subpart E of the HUD Environmental Regulations, as described in ATTACHMENT "A" of this Work Order "ENVIRONMENTAL CLEARANCE PROFESSIONAL SCOPE OF SERVICES".
COMPENSATION:	TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00)
BILLING:	Two(2) Billings: <ol style="list-style-type: none">1. FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) DUE UPON EXECUTION OF THIS WORK ORDER.2. FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) DUE UPON PUBLICATION OF A COMBINED NOTICE FINDING OF NO SIGNIFICANT EFFECT/REQUEST FOR RELEASE OF FUNDS
ADDITIONAL EXPENS(ES) AUTHORIZED	Actual Cost Of Newspaper Advertisements <ol style="list-style-type: none">1. FONSI - FINDING OF NO SIGNIFICANT EFFECT2. RROF – Request For Release of Funds
EXCLUDED SERVICES/COSTS	ASTM Phase 1 Or Phase 2 Environmental Site Assessment Archeological Survey, if required by Texas Historical Commission Wildlife Survey, if required by USFWS or TPWD TXDOT ROW Permit US Army Corps Of Engineers Floodplain or Wetland Permits Environmental Impact Statement (if required the Project would likely be canceled)

SIGNATURE PAGE FOR WORK ORDER NO. 2
Under TRAYLOR CONTRACT No. 09-2016-KYLE
SERVICES TO CITY OF KYLE

CONSULTANT:
TRAYLOR & ASSOCIATES, INC.

OWNER:
CITY OF KYLE.

GARY TRAYLOR – PRESIDENT

BY: _____

Name: _____

Title: _____

Date of Execution: _____

Date of Execution: _____

ATTACHED TO THIS WORK ORDER

ATTACHMENT A - ENVIRONMENTAL CLEARANCE PROFESSIONAL SCOPE OF SERVICES

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**WORK ORDER NO. 2
UNDER TRAYLOR CONTRACT NO. 09-2016-KYLE**

**ATTACHMENT A
ENVIRONMENTAL CLEARANCE PROFESSIONAL SCOPE OF SERVICES**

Consultant shall prepare and submit to the TDA an Environmental Assessment ("EA") of Responsible Entity's project activities in accordance with 24 CFR Part 58, Subpart E of the HUD Environmental Regulations.

I. Environmental Assessment

The EA must contain the following documents:

- Environmental Assessment Checklist;
- Statutory Checklist (per 24 CFR Part 58.5);
- Compliance Documentation Checklist (per 24 CFR Part 58.6);
- All appropriate support documentation for each environmental element contained within the checklists;
- Map(s) of the project locations showing project, city, or county boundaries; and
- Complete Project Descriptions that detail the scope of all work associated with all sources of funding

After the Environmental Review Record ("ERR") has been accepted by TDA, Consultant may then proceed to publish the Notice of Finding of No Significant Impact ("FONSI") / Notice of Intent to Request Release of Funds ("NOIRROF"), in the manner prescribed in 24 CFR Parts 58.43 and 58.45, combined as a single legal notice entitled, "Finding of No Significant Impact (FONSI)/Notice of Intent to Request Release of Funds (NOIRROF)" wherein Consultant, or any of its duly authorized representatives, certifies that, as a result of the EA, the project is not an action which may/will significantly affect the quality of the human environment. After the publication date, a fifteen (15) day period must be allowed for the general public to comment on the proposed usage of federal funds for the project. Comment periods may not begin or end on a weekend or holiday. The publication template, Publisher's Affidavit, and newspaper tear sheet must be forwarded to the TDA.

Once the 15-day local comment period has elapsed, and any comments received have been addressed, a Request for Release of Funds ("RROF" - Form HUD-7015.15) may be submitted to the TDA, no

earlier than the first business day after the end of the 15-day local comment period. The RROF must be signed by the Responsible Entity's Certifying Officer.

TDA must receive the RROF in order to begin the 15-day federal comment period. One (1) business day after the expiration of the federal comment period, and after any comments have been addressed, an Authority to Use Grant Funds may be issued.

In the event that a Phase 1 or Phase 2 Environmental Site Assessment ("ESA") is required, all such work must be performed in accordance with the American Society for Testing and Materials Standards. These services may include, but are not limited to:

- E1528-06 Standard Practice for Environmental Site Assessments: Transaction Screen Process;
- E1527-05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process; and
- E1903-97 (2002) Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process.

II. CATEGORICAL EXCLUSION:

Time Line: Completed approximately sixty (60) days from the effective date of any Work Order issued.

Consultant shall complete a Finding of Categorical Exclusion, as applicable under 24 CFR Section 58.35(a), under which the activities or projects funded under this Contract are categorically excluded from the National Environmental Policy Act ("NEPA") requirements of 24 CFR part 58, and verify if the ERR may convert to Exempt. Consultant shall submit to TDA the following documents:

- Certification of Categorical Exclusion;
- Certification of Exemption (if project may convert to Exempt);
- Statutory Checklist (per 24 CFR Part 58.5);
- Compliance Documentation Checklist (per 24 CFR Part 58.6);
- All appropriate support documentation for each environmental element contained within the checklists;
- Map(s) of the project locations showing city and / or county boundaries, as applicable; and Complete Project Descriptions that detail the scope of all work associated with all sources of funding

Consultant shall utilize TDA's electronic submittal system for all deliverable submissions. Consultant must comply with all other applicable environmental requirements and document its compliance in its environmental review file.

After the ERR has been accepted by the TDA, Consultant may then proceed to publish the NOI-RROF if the project cannot convert to Exempt. Please see Item IV below, Publication.

III. ENVIRONMENTAL IMPACT STATEMENT

Time Line: To be negotiated, dependent upon the circumstances existing. There is a great likelihood that if an EIS is required, the Project will be canceled.

IV. PUBLICATIONS

NOI-RROF notice is to be published after ERR has been accepted and permission to publish has been granted by TDA. Any requirement to republish will be at the sole expense of Consultant. All Floodplain and Wetland Notices (Early Notice and Final Notice) may be published prior to acceptance of first-- draft ERR submissions.

NOI-RROF Process

Consultant should first verify if the Categorically Excluded ERR project is able to convert to Exempt per 24 CFR Part 58.34(a)(12). If the project is able to convert to Exempt, then the NOI-RROF publication and RROF documents are not required in order to obtain TDA environmental clearance.

If the project is unable to convert to Exempt (due to mitigation requirements/changes greater than 20% in size or capacity/etc.), then a NOI-RROF publication will be required. Consultant must publish a notice in the manner prescribed in 24 CFR Part 58.45.

After the publication date, a local comment period of seven (7) days must elapse to allow the general public the opportunity to comment on the proposed usage of federal funds for the project. Comment periods may not begin or end on a weekend or holiday. The NOI- RROF publication template, Publisher's Affidavit, and newspaper tear sheet must also be forwarded to the TDA.

Once the local comment period has elapsed, and any comments received have been addressed, a RROF may be submitted to TDA, via the electronic submittal system, no earlier than the first TDA business day after the end of the comment period. The RROF must be signed by the Responsible Entity's Certifying Officer.

TDA must receive the RROF in order to begin the 15-day federal comment period. One business day after the expiration of the comment period, and after any comments have been completely addressed, an Authority to Use Grant Funds may be issued.

Floodplain/Wetland Publication Process

If Consultant determines that the proposed project site is within an Isolated or Jurisdictional Wetland and/or 100-year Floodplain (or a Critical Action located within a 500-year flood zone), then public notices must be published to alert the public of the proposed usage of federal funds. Consultant must publish an "Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain/Wetland." A local comment period of fifteen (15) days will follow the publication date to

allow the general public the opportunity to respond with comments or concerns regarding the proposed activity. After any comments are addressed, and after the expiration of the initial 15-day local comment period, a second notice, "Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain/Wetland," must be published. Comment periods may not begin or end on a weekend or holiday. This final notice will allow the general public seven (7) days in which to comment on the proposed project.