

September 14, 2022

Sherry Brown, Grant Management Community Development and Revitalization Texas General Land Office 1700 North Congress Ave Austin, TX 78701-1495

RE: Performance Statement and Budget Change Request - Contract: 22-085-006-D234

Dear Ms. Brown,

The City of Kenedy appreciates the opportunity to partner with the Texas General Land Office in support of the ongoing recovery efforts related to the 2017, Hurricane Harvey Disaster. We are writing this letter to request a change to the performance statement and budget associated with grant contract # 22-085-006-D234.

After contract execution and once detailed project discussions commenced, it was determined that acquisition would be necessary to perform the activities associated within this grant. As such, the City is requesting that \$4,689,150.00 be moved from the construction budget, into an acquisition budget. The breakdown of estimated supporting costs are listed in the table below.

ACQUISITION ITEM TO BE ADDED	ESTIMATED
MOQUIDITION TELLS TO BE LIBBED	COST FOR
	ITEM
Estimated 120 utility encroachment crossings including ROW easement	\$730,000.00
Acquisition	
Estimated Acquisitions of Real	\$3,605,150.00
Property	
Estimated Acquisitions/Negotiations of ingress/egress	\$114,000.00
easements	
Estimated Acquisitions/Negotiations of encroaching fence	\$90,000.00
lines	
Estimated General Support Services in conjunction with Engineering firm	\$150,000.00
	, a
TOTAL ACQUISITION COST	\$4,689,150.00

The parcels to be Acquired are as follows:

- 1. Wilson County Parcel # (32970) May Property 26.49 acres
- 2. Karnes County Parcel # (102721) Nietschwetz Property 1.24 acres
- 3. Karnes County Parcel # (102878) Cruz Property 1.38 acres



- 4. Karnes County Parcel # (104569) City of Fall City 0.55 acres
- 5. Karnes County Parcel # (100340) Gross Property 21.18 acres
- 6. Karnes County Parcel # (100339) Gross Property 130.17 acres
- 7. Karnes County Parcel # (100336) Gross Property 9.96 acres

Additionally, the City is requesting several changes be made to the Performance Statement. Please see them listed below.

Performance Statement Changes:

- 1. Change language in the current PS from "replace an elevated water storage tank" to "Construct a 1.5-million-gallon water storage tank".
- 2. Extend the Water transmission Line from 95,000 LF to 142,560 LF. This line will go from Well #19 to the Reverse Osmosis unit at the Water Treatment Plant.
- 3. Addition of one (1) 100,000-gallon Ground storage tank.
- 4. Addition of one (1) 100,000-gallon Elevated storage tank.
- 5. Install once additional Pump Station at Well Site #19.

The City is also requesting a budgetary change to move \$245,000.00 from the construction budget into the environmental budget. This request is due to extensive archeological work that THC is requiring the City to complete prior to moving the Environmental Review forward.

In support of these requests, we are including the following documents:

Redlined Attachment A (with tracked changes)

Original table 1

Revised Table 1

Original table 2

Revised Table 2

Updated exhibit showing project changes

GLO Contract Budget Modification form

The requested changes will not cause a reduction in the number of Beneficiaries served. Additionally, these requests will not affect the timeline for completing this project.

Should you require any additional information or have any questions relating to this request, please contact me at (830)583-2230.

William Linn

Sincerely,

City Manager

City of Kenedy

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Provide comprehensive budget information to include construction, engineering, acquisition, environmental services, and administrative costs. Also include all other funds (FEMA, insurance, local, etc.) committed to the completion of the proposed projects.

A project is defined as a discrete combination of: entity (i.e., city or county), activity (i.e., water, sewer, etc.), beneficiary population, and national objective. A site is defined as a discrete location for activities within a project. A project can have one or more sites.

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Original Table 1

BUDGET TABLE:			venture		0119111011							
Project Title:		Total Benes	LMI Benes	LMI %	CDBG-DR Construction	CDBG-DR Engineering	CDBG-DR Acquisition	CDBG-DR Environmental	CDBG-DR Admin	Total CDBG-DR Request	Other Funds	Activity Total
# 1 Kenedy WWTP Proje	ct	3,340	1,745	52.25%	35,230,244	\$5,349,750.0	\$0.00	\$30,000.00	\$2,430,885.(43,040,879	\$434,756.00	43,475,635
	SUMMARY TOTALS:	3,340	1,745	52.25%	35,230,244	\$5,349,750.0	\$0.00	\$30,000.00	\$2,430,885.0	43,040,879	\$434,756.00	43,475,635
Beneficiary Identification Method(s) Per Project:												
Project Title: Kenedy WWTP Project												
HUD National Objective	Benefiting low- and	l modera	ate- (L/I	M) inco	me persons							
Select One Benefit Type:	City-wio	de Bene	fit		County-	-wide Benefit			Area Benefit[D	rect Benefit
Select Beneficiary Identificat	ion Method:											
SURVEY: An approved T	xCDBG survey was used to	to identif	y the be	neficiarie	es for this activ	ity.						
HUD LMISD information	n was used to identify the b	eneficia	ries for t	his activi	ty.							
The required Census or Te	exas State Data Center map	has bee	n provid	ed.								
Provide the number of beneficia	ries identified through each	of the f	ollowing	g method	s for this activi	ty:						
TxCDBG Survey: 0	HUD LMISD:		3,340		Area Benefit:			using Activity:	0	* * *.	ed Clientele:	•

Race	# Non-Hispanic Beneficiaries	# Hispanic Beneficiaries	Total Activity Beneficiaries
White	377	2,012	2,389
Black African American	104	0	104
Asian	4	0	4
American Indian/Alaskan native	15	0	15
American Indian/Alaskan Native/White	0	25	25
Other Multi-Racial	0	803	803
	500	2,840	3,340

			ii	Page 15 of 19
DR-4332	_	2017		rage 15 or 15

TARLE 1 - CO	ONTRACT BUDGET	AND BENEFICIARY	IDENTIFICATION
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Provide comprehensive budget information to include construction, engineering, acquisition, environmental services, and administrative costs. Also include all other funds (FEMA, insurance, local, etc.) committed to the completion of the proposed projects.

A project is defined as a discrete combination of: entity (i.e., city or county), activity (i.e., water, sewer, etc.), beneficiary population, and national objective. A site is defined as a discrete location for activities within a project. A project can have one or more sites.

BUDGET TABLE:						Revised 7	Table 1					
Project Title:		Total Benes	LMI Benes	LMI %	CDBG-DR Construction	CDBG-DR Engineering	CDBG-DR Acquisition	CDBG-DR Environmental	CDBG-DR Admin	Total CDBG-DR Request	Other Funds	Activity Total
# 1 Kenedy WWTP Project	et	3,340	1,745	52.25%	\$30,730,850.	\$5,349,750,0	\$4,689,150,00	\$275,000.00	\$2,430,885.(43,040,879	\$434,756.00	43,475,635
	SUMMARY TOTALS:	3,340	1,745	52.25%	\$30,730,850.	\$5,349,750.0	\$4,689,150.00	\$275,000.00	\$2,430,885.0	43,040,879	\$434,756.00	43,475,635
				Bene	ficiary Identific	cation Method(s) Per Project:					
# Project Title:	Kenedy WWTP Project	ct										
HUD National Objective	Benefiting low- and	l modera	ate- (L/I	M) inco	ne persons							
Select One Benefit Type:	City-wi	de Bene	fit		County-	wide Benefit			Area Benefit		D	irect Benefit
Select Beneficiary Identificati	on Method:			'								
SURVEY: An approved T	xCDBG survey was used	to identif	y the be	neficiarie	es for this activ	ity.						
HUD LMISD information	was used to identify the b	eneficia	ries for t	his activi	ty.							
The required Census or Te	xas State Data Center map	has bee	n provid	led.								
Provide the number of beneficiar	ies identified through eacl	n of the f	ollowing	g method:	s for this activi	ty:						
TxCDBG Survey: 0	HUD LMISD:		3,340	1	Area Benefit:	(Hou	using Activity:	0	Lin	nited Clientele:	0

Race	# Non-Hispanic Beneficiaries	# Hispanic Beneficiaries	Total Activity Beneficiaries
White	377	2,012	2,389
Black African American	104	0	104
Asian	4	0	4
American Indian/Alaskan native	15	0	15
American Indian/Alaskan Native/White	0	25	25
Other Multi-Racial	0	803	803
	500	2,840	3,340

Page	15 of	19
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2017

TxCDBG Survey:



CDBG-MIT: Budget Justification of Retail Costs

(Former Table 2) Original

Cost Verification Controls must be in place to assure that construction costs are reasonable and consistent with market costs at the time and place of construction.

Applicant/Subrecipient:	City of Kenedy, T	evas				
	Infrastructure - \					
Site/Activity Title:			Project			
Eligible Activity:		Transmission Line		Construction	Acquisition	Total
Materials/Facilities/Services	\$/Unit	Unit	Quantity			
Easement Acquisition	\$ -		0	\$ -	\$ -	\$ -
Contractor Mobilization	\$ 1,800,000	LS	1	\$ 1,800,000	\$ -	\$ 1,800,000
Traffic Control	\$ 750,000	LS	1	\$ 750,000	\$ -	\$ 750,000
Site Preparation	\$ 640,000	LS	1	\$ 640,000	\$ -	\$ 640,000
Site Dewatering	\$ 450,000	LS	1	\$ 450,000	\$ -	\$ 450,000
Culvert Removal	\$ 6,000	EA	80	\$ 480,000	\$ -	\$ 480,000
Street Excavation	\$ 50	CY	15000	\$ 750,000	\$ -	\$ 750,000
Utility Relocations	\$ 35,000	EA	45	\$ 1,575,000	\$ -	\$ 1,575,000
24" PVC or HDPE Pipe	\$ 80	LF	160000	\$ 12,800,000	\$ -	\$ 12,800,000
Valves, Fittings & Appurtenances	\$ 6,000	EA	1200	\$ 7,200,000	\$ -	\$ 7,200,000
Cooling Towers & Ground Storage Tanks	\$ 2,000,000	LS	1	\$ 2,000,000	\$ -	\$ 2,000,000
Decommission Existing WTP	\$ 1,800,000	LS	1	\$ 1,800,000	\$ -	\$ 1,800,000
Elevated Raw Water Tank	\$ 2,800,000	LS	1	\$ 2,800,000	\$ -	\$ 2,800,000
Street/Driveway Reconstruction	\$ 75	SY	24000	\$ 1,800,000	\$ -	\$ 1,800,000
Temporary Erosion Controls	\$ 640,000	LS	1	\$ 640,000	\$ -	\$ 640,000
Permanent Erosion Controls	\$ 180,000	LS	1	\$ 180,000	\$ -	\$ 180,000
	\$ -		0	\$ -	\$ -	\$ -
	\$ -		0	\$ -	\$ -	\$ -
	\$ -		0	,,	\$ -	\$ -
TOTAL	\$ 11,107,205			\$ 35,665,000	\$ -	\$ 35,665,000

1. Identify and explain the annual projected operation and maintenance costs associated with the proposed activities.

n/a

2. Identify and explain any special engineering activities.

n/a



Seal

Date: 10/22/2020

Phone Number: 512-632-4517

Signature of Registered Engineer/Architect Responsible For Budget Justification:

CDBG-MIT: Budget Justification of Retail Costs (Former Table 2) Revised Cost Verification Controls must be in place to assure that construction costs are reasonable and consistent with market costs at the time and place of construction. Applicant/Subrecipient: City of Kenedy, Texas Infrastructure - Water Facilities Site/Activity Title: Water Supply & Transmission Line Project Eligible Activity: Total Acquisition Materials/Facilities/Services Quantity Construction \$ 4,689,150.00 \$4,689,150.00 Easement Acquisition \$ 1,281,777.00 \$ \$ 1,281,777.00 \$ 1,281,777.00 Contractor Mobilization & General Conditions LS \$ 250,000.00 \$ \$ 250,000.00 \$ 250,000.00 LS 1 General Civil Site Work \$ 90,000.00 \$ \$ 90,000.00 1 Site Work of Well #17 inc. generator \$ 90,000.00 LS \$ 90,000.00 1 \$ 90,000.00 \$ \$ 90,000.00 LS Site Work of Well #18 inc. generator \$ 950,000.00 \$ 950,000.00 LS 1 \$ 950,000.00 \$ Pump Station w. Generator \$ 750,000.00 \$ \$ 750,000.00 1 Cooling Towers and Water Treatment \$ 750,000.00 LS 2 \$ 1,750,000.00 \$ \$ 1,750,000.00 \$ 875,000.00 EA **Ground Storage Tanks** \$ 4,772,000.00 \$ \$ 4,772,000.00 1 Elevated Storage Tank w. Generator \$ 4,772,000.00 LS \$ 350,873.00 \$ \$ 350,873.00 1 \$ 350,873.00 LS Equipment CY 5,000 \$ 250,000.00 \$ \$ 250,000.00 \$ 50.00 Street Excavation \$ 180,000.00 \$ 75.00 2,400 \$ 180,000.00 \$ SY Street/Driveway Reconstruction \$ 1,575,000.00 \$ \$ 1,575,000.00 \$ 35,000.00 EΑ 45 Utility Relocations / Avoidance \$ 16,589,040.00 \$ 16,589,040.00 \$ 127,608 \$ 130.00 LF Water Line A - 24" ID Pipe \$ 911,040.00 7,008 \$ 911,040.00 \$ Water Line B - 24" ID Pipe \$ 130.00 LF 2,389 \$ 191,120.00 \$ \$ 191,120.00 LF \$ 80.00 Water Line C - 12" ID Pipe \$ 350,000.00 \$ 350,000.00 LS \$ 350,000.00 \$ Temporary Erosion Controls \$ 400,000.00 \$ 400,000.00 \$ Permanent Erosion Controls \$ 400,000.00 LS 1 \$ 35,420,000.00 \$ 30,730,850.00 \$ 4,689,150.00 TOTAL 1. Identify and explain the annual projected operation and maintenance costs associated with the proposed activities. 2. Identify and explain any special engineering activities. n/a 09/09/2022 Date: Phone Number: 512-583-2650

Seal

Signature of Registered Engineer/Architect Responsible For Budget Justification:

CITY OF KENEDY 22-085-006-D234

PERFORMANCE STATEMENT

The U.S. Department of Housing and Urban Development's Community Development Block Grant Mitigation ("CDBG-MIT") program to provide financial assistance with funds appropriated under Public Law 115-123, was enacted on August 30, 2019, to facilitate disaster recovery, restoration, mitigation, and economic revitalization and to affirmatively further fair housing, in accordance with Executive Order 12892, in areas affected by 2015, 2016, and 2017 disasters, which are Presidentially-declared major disaster areas under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5121, et seq.).

In strict conformance with the terms and conditions of the Hurricane Harvey State Most Impacted and Distressed Competition (SMID) and this Contract, the City of Kenedy (Subrecipient) shall perform, or cause to be performed, the Infrastructure Activities defined below.

The Subrecipient has identified water activities that will increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.

Subrecipient shall perform the activities identified herein for the target area specified in its approved Texas Community Development Block Grant Mitigation Grant Application to provide a long-lasting investment that increases resiliency in the community. The persons to benefit from the activities described herein must receive the prescribed service or benefit, and all eligibility requirements must be met to fulfill contractual obligations.

The grant total is \$43,040,879.00. Subrecipient will be required to maintain a detailed budget breakdown in the official system of record of the GLO's Community Development and Revitalization (GLO-CDR) division.

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Water Facilities

Subrecipient shall construct a water transmission line, construct a 1.5 million gallon water storage tank, replace an elevated water storage tank, install generators, and complete all associated appurtenances. Construction shall take place at the following locations, including mid-point coordinates for each segment.

Water Facilities	Location Approximate Lat/Long	Proposed HUD Performance Measures	Census Tract	Block Group
Kenedy Water Transmission Line	From 200'southeast of the intersection of CR 212 and Highway 181 traveling southeast along the former railroad tracks that run along Highway 181 to 400' north and 100' west of the intersection of Park Place and Business Highway181 29.03947528.900889, - 98.06247597.920904	95,000 142,560 LF		
Kenedy Water Treatment Plant Site 1	At the water treatment plant 350' to the west of the southernmost point of Cottonwood Street 28.797284, -97.842311	One (1) Public Facility	9703.00	1,2,3,4,5
Kenedy Water Treatment Plant Site 2	At the water treatment plant 350' to the west of the southernmost point of Cottonwood Street 28.797284, -97.842311	One (1) Public Facility		
Kenedy Water Treatment Plant Site 3	At the water treatment plant 350' to the west of the southernmost point of Cottonwood Street 28.797284, -97.842311	One (1) Public Facility		
Ground Storage Tank (Control/pump buildings; Cooling Tower; Disinfection point	<u>29.038614, -98.063611</u>	One (1) Public Facility	9703.00	1,2,3,4,5
Elevated Storage Tank	28.829383, -97.849436	One (1) Public Facility	9703.00	1,2,3,4,5

These Activities shall benefit three thousand three hundred forty (3,340) persons. Of these persons, one thousand seven hundred forty-five (1,745), or fifty-two and twenty-five hundredths' percent (52.25%), are of low to moderate income.

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BUDGET

HUD Activity Type	Grant Award	Other Funds	Total
Construction/Reconstruction of Water Lines or Systems	\$43,040,879.00	\$434,756.00 ¹	\$43,475,635.00
TOTAL	\$43,040,879.00	\$434,756.00 ¹	\$43,475,635.00

¹CITY OF KENEDY GENERAL FUND, TO BE USED FOR CONSTRUCTION

MILESTONES

Budget Gates, Milestones, Actions, and Deliverables	Not-To-Exceed Budget Gate Percentages by Budget Category (Subrecipient may draw up to, but not-to-exceed, the identified percentage of the budget category until stated deliverable(s) are submitted to and approved by the GLO.)			Single Deliverable Milestones by Budget Category (Subrecipient may draw up to 100% of budget category after submittal to and approval by the GLO of the stated deliverable.)			Multiple Delivera Milestones (Subrecipient madraw up to, but not to-exceed, the percentage states after submittal to a approval by the Glof the stated deliverable.)		
Project Phase Actions and Deliverables:	Project Delivery Grant Administration Funds Environmental Funds		Engineering Funds	Special Environ- mental Funds	Acquisition Funds		Construction Funds	Planning/ Studies (not related to engineering design)	
Action: Start-up Phase Deliverable: Contract kick- off meeting sign-in sheet; all required start-up documentation reviewed and accepted by GLO; executed grant administration service provider contract in pdf.	0-15%								
Action: Commencement of Engineering Phase Deliverable: Executed engineering service provider contract in pdf provided during start-up phase as applicable.			0-30%						
Action: Commencement of Environmental Phase Deliverable: Executed environmental service provider contract in pdf provided during start-up phase as applicable.	15.01-30%	0-30%							

	Project Del	livery					Planning/
Project Phase	Grant Administration Funds	Environ- mental Funds	Engineering Funds	Special Environ- mental Funds	Acquisition Funds	Construction Funds	Studies (not related to engineering design)
Actions and Deliverables: Action: Completion of Design Phase Deliverable: Complete signed and sealed 100% construction plans in pdf*.			30.01- 60%				-
Action: Completion of Special Environmental Services Deliverable: GLO approval of required documentation, dependent upon additional environmental requirements.				100%			
Action: Completion of Environmental Record Review Deliverable: GLO signed AUGF**	30.01-50%	30.01- 100%					
Action: Acquisition Phase Deliverable: Acquisition Detailed Report and supporting documentation per parcel accepted by GLO*					100%		
Action: Commencement of Bid Phase Deliverable: First published bid notice and publisher's affidavit*	50.01-60%		60.01- 70%				
Action: Commencement of Construction Phase Deliverable: Signed Notice to Proceed (NTP)*	60.01-85%		70.01- 85%			0-95%	
Action: Completion of Construction Phase Deliverable: Signed and sealed complete as-built plans in pdf; executed COCC accepted by GLO; signed FWCR accepted by GLO*	85.01-95%		85.01- 100%			95.01- 100%	
Action: Commencement of Planning/Study Phase Deliverable: Signed notice to proceed or similar document from Subrecipient initiating planning/study activity with description of work to be performed.							0-85%

	Project Delivery			n ligares Atlan				
	Grant Administration Funds	Environ- mental Funds	Engineering Funds	Special Environ- mental Funds	Acquisition Funds		Construction Funds	Planning/ Studies (not related to engineering design)
Project Phase Actions and Deliverables:						88		
Action: Completion of Planning/Study Phase Deliverable: Final report and proof of acceptance by the Subrecipient.								85.01- 100%
Action: Grant Completion Report Approval Deliverable: GCR approved by GLO.	95.01-100%							

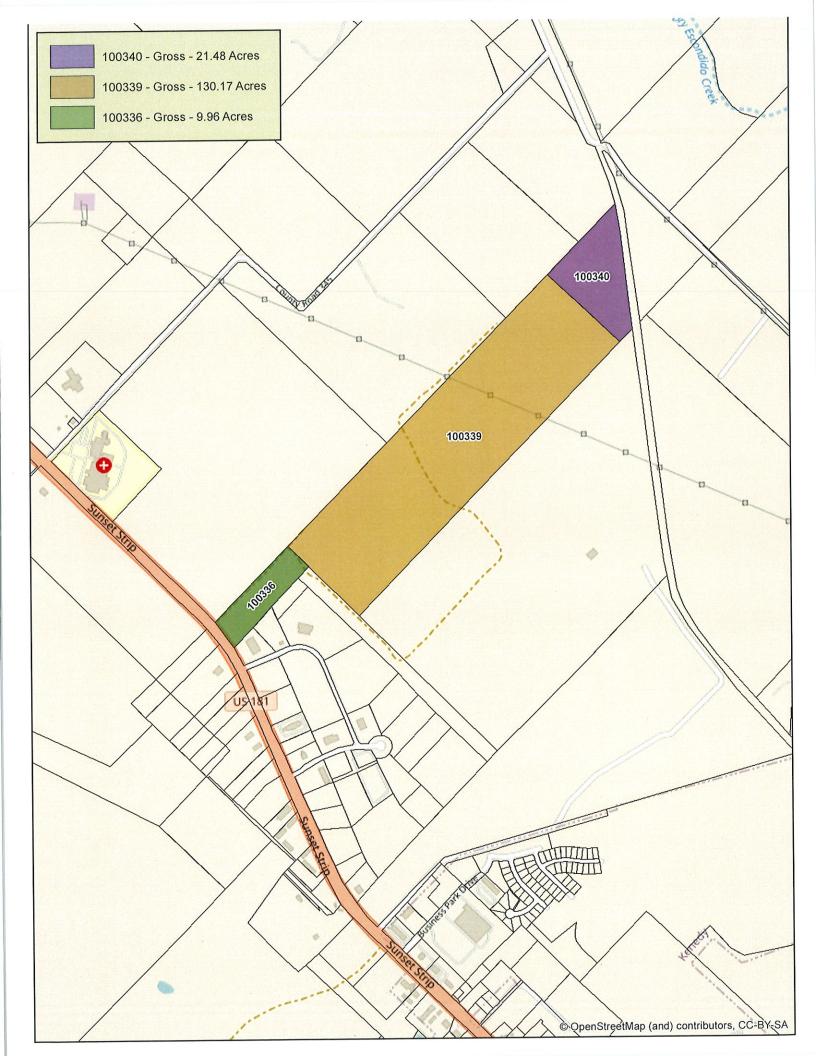
Failure to provide any deliverable identified could result in repayment of funds expended in part or in full. Deliverables identified in the table allow the subrecipient to draw the identified percentage per category contingent upon compliance of associated program guidance.

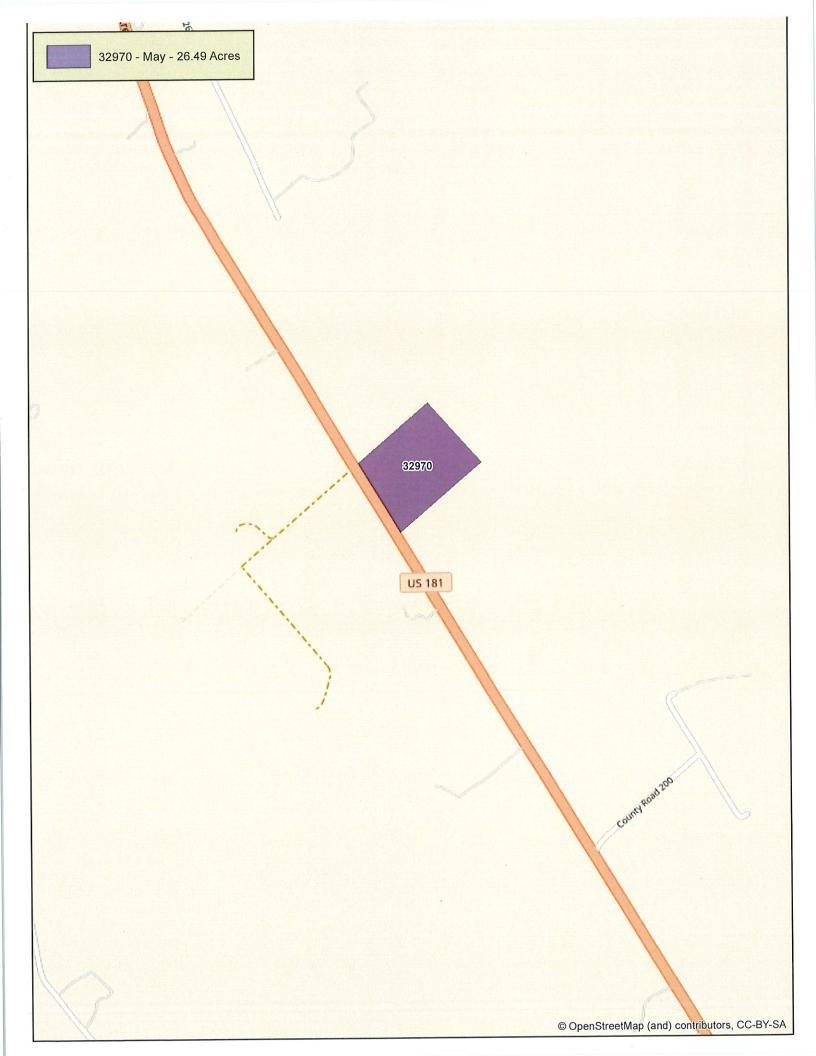
*if multiple construction contracts, multiple deliverables are required and associated costs are pro-rated in accordance with budget details in final GLO approved application

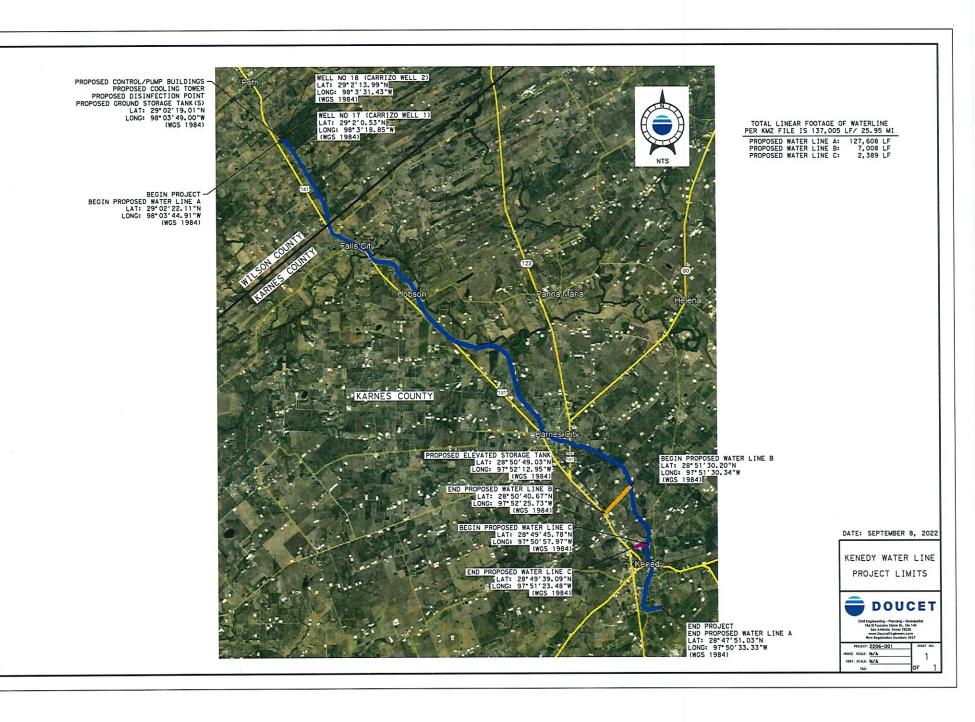
**if project includes more than one ERR, associated costs are pro-rated in accordance with budget details in final GLO approved application

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Texas General Land Office - Disaster Recovery

Contract Budget Change Form by Project

Change Request N	lumber:	1	GLO Contract N	umber: 22-085	-006-D234					
Grantee:	ity of Ken	edy	Note: Only list the projects that are changing. Totals Should reflect only projects that are changing.							
Project Title (from TRecS) HUD Activity Number		HUD Activity Number	Current Total Funds	Proposed Change in Grant Funds to Grantee +/(-)	Proposed Change in Grant Funds to Service Provider +/(-)	Proposed Change in Other Funds (+/-)	Proposed Total Funds	Current Funds Expended		
Construction/Reconstru Water Lines or Systems	ction of	1a - Water Facilities	35,665,000	(\$4,934,150.00)	\$0.00	\$0.00	30,730,850	\$0.00		
Acquisition		24 - Acquisition	\$0.00	\$4,689,150.00	\$0.00	\$0.00	\$4,689,150.00	\$0.00		
Engineering		30 - Engineering/Architectural Serv. (\$5,349,750.00	\$0.00	\$0.00	\$0.00	\$5,349,750.00	\$1,604,925.00		
Grant Administration 32 - General Administration		\$2,430,885.00	\$0.00	\$0.00	\$0.00	\$2,430,885.00	\$729,265.50			
Environmental 35 - Environmental		35 - Environmental	\$30,000.00	\$245,000.00	\$0.00	\$0.00	\$275,000.00	\$9,000.00		
Totals			43,475,635	\$0.00	\$0.00	\$0.00	43,475,635	\$2,343,190.50		
This transfer of fun for the following re		The City of Kenedy is req environmental activities for were allocated for this line to be acquired to complet dig be completed on the f running along a previousl for this increase in unanti	or this project. At the item. Upon project active the project active full length of the tray disturbed railroads.	the time of applicati ect development, it ities. Environmenta ansmission line. Th d, therefore, the Cit	on, it was not believ has been determine lly, the project was s is was not anticipate	ed that acquisition d that there are se submitted to THC. ed at the time of ap	would be needed, to ven parcel easemer THC has requested oplication as the tran	herefore, no funds nts which will need I an archaeological nsmission line is		
Title:			Date:	Sept. 13	72022	Company	City of Kenedy			
Printed Name:	ed Name: William Linn		MONEY CONTRACTOR OF THE CONTRA	Signe	d:	M. J	7			