

NOTICE OF PUBLIC HEARING
THE FREEPORT CITY COUNCIL
MONDAY, JULY 20, 2015, 6:00 P.M.
FREEPORT MUNICIPAL COURT ROOM
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.
FREEPORT, TEXAS
AGENDA
FORMAL SESSION

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of approving the July 6, 2015 Council Minutes. Pg. 487-490
5. Attending citizens and their business.
6. **Announcement:** City of Freeport Kidfest, Saturday July 25, 2015 from 10:00 a.m. to 3:00 p.m., at Freeport Memorial Park, free water slides, petting zoo, games, moon walks. Pg. 491
7. Consideration of approving Ordinance No. 2015-2091 amending portions of Chapter 54 of the Code of Ordinances of said City relating to the regulations for storm water quality. Pg. 492-495
8. Consideration of resetting a bid or proposal date for trading the following lots owned by the City: Lots 9 through 12 and 15, Block 35; Lot 2, Block 71; Lot 6, Block 507; Lots 1 through 24, Block 661; Lots 14 and 15, Block 676; Lots 5, 11 and 12, Block 720; Lots 13, 16, 19, 22, 24 and 24A, Block 752; Lot 11, Block 755; Lots 18 and 19, Block 764; Lot 3, Block 789; Lots 14, 15, 19 and 21, Block 790; Lots 13 and 24, Block 809; Lots 2, 3, 4, 5, 7, 9, 10, 11 and 12, Block 810 of the Velasco Townsite for lots located within Blocks 716, 729, 730, 731, 742, 743, 760, and 773 of said Townsite not presently owned by the City. Pg. 496
9. Consideration of awarding a bid for the "Emergency Power and Monitoring Systems, authorizing the City Manager or his designee to negotiate a contract with the successful bidder and authorizing the Mayor and City Secretary, respectively to execute and attest such contract. Pg. 497-515
10. Consideration of approving Ordinance No. 2015-2092 denying proposed rate increase of CenterPoint Energy Resources Corp., d/b/a CenterPoint Entex and CenterPoint Energy Texas Gas ("CenterPoint") and approving a settlement that includes an increase that is \$2.3 million less than proposed by CenterPoint. Pg. 516-523

11. Consideration of approving and authorizing the City Manager to expend funds for an emergency repair for the Freeport Community House pier and boat ramp.
12. Consideration of the approval of any action to be taken as a result of closed executive session.

Work Session:

- A. Community budget input workshop.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matter in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the state Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Praxair Industrial District Agreement
- Port Freeport east end roads.
- New Sport Complex
- Veolia Contract
- Golf Course – TCEQ
- Follett's Island – Pending Contractual Negotiations

Section 551.074, Government Code

Deliberations concerning the duties of a public officer or employee:

- City Manager

Adjourn

Items not necessary discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

In compliance with the Americans with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours prior to the meeting. Please contact the City Secretary office at 979-233-3526.

I, Delia Munoz City Secretary for the City of Freeport, Texas certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, July 17, 2015 at or before 5:00 p.m.

Delia Munoz - City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council met on Monday, July 6, 2015 at 6:00 p.m., at the Freeport Police Department building, Municipal Court Room, 430 North Brazosport Boulevard, Freeport, Texas for the purpose of considering the following agenda items:

City Council: Mayor Norma Moreno Garcia
Councilman Larry L. McDonald – absent
Councilman Fred Bolton
Councilman Sandra Loeza
Councilman Sandra Barbree - absent

Staff: Jeff Pynes, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Dan Pennington, Police Chief
Bob Welch, Finance Director
Brian Davis, Fire Chief
Jennifer Hawkins, Economic Director

Visitors: Annette Sanford Jerry Meeks
Nicole Mireles Sam Reyna
Lila Lloyd Evelyn Burrridge
Moby Burrridge James Hollis

Call to order.

Mayor Norma M. Garcia called the meeting to order at 6:00 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance.

Consideration of approving the June 1, 2015 Council Minutes.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the Council Minutes of June 1, 2015.

Attending citizens and their business.

There were none.

Consideration of approving Ordinance No. 2015-2089 authorizing the Mayor to sign and acknowledge and the City Secretary to attest a special warranty deed conveying to YODE INVESTMENT, LLC, the owner of Lot 2 of the replat of Lots 7 through 12, Block 663 of the Velasco Townsite according to the replat recorded in the official Records of Brazoria County, Texas, as Document # 2015000652, the West 4.1 feet of the Perry Street, Right of Way adjacent to said Lot 2.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Ordinance No. 2015-2089 authorizing the Mayor to sign and acknowledge and the City Secretary to attest a special warranty deed conveying to YODE INVESTMENT, LLC, the owner of Lot 2 of the replat of Lots 7 through 12, Block 663 of the Velasco Townsite according to the replat recorded in the official Records of Brazoria County, Texas, as Document # 2015000652, the West 4.1 feet of the Perry Street, Right of Way adjacent to said Lot 2.

Consideration of approving and ratifying the bid date to July 13, 2015 for the construction of "Emergency Power and Monitoring Systems", furnishing all labor, material, and equipment and performing all work required for the construction project.

On a motion by Councilwoman Loeza, seconded by Councilman Bolton with all present voting "Aye", Council unanimously approved ratifying the bid date to July 13, 2015 for the construction of "Emergency Power and Monitoring Systems", furnishing all labor, material, and equipment and performing all work required for the construction project.

Consideration of approving Resolution No. 2015-2471 accepting the bid and authorizing the Mayor and the City Secretary to execute and attest, respectively, and the Mayor to acknowledge and deliver to Gardner L. Campbell, Jr., the successful bidder therefor, the surface and surface only of Lots 13 through 21, Block 6, Velasco Townsite, City of Freeport, Brazoria County, Texas.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Resolution No. 2015-2471 accepting the bid and authorizing the Mayor and the City Secretary to execute and attest, respectively, and the Mayor to acknowledge and deliver to Gardner L. Campbell, Jr., the successful bidder therefor, the surface and surface only of Lots 13 through 21, Block 6, Velasco Townsite, City of Freeport, Brazoria County, Texas.

Consideration of approving Ordinance No. 2015-2090 amending the budget for Fiscal Year 2014-2015.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Ordinance No. 2015-2090 amending the budget for Fiscal Year 2014-2015.

Consideration of approving and awarding the Disaster and/or Storm Recovery Monitoring contract to Tetra Tech Incorporated.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved Fire Chief Brian Davis recommendation to award the Disaster and/or Storm Recovery Monitoring contract to Tetra Tech Incorporated.

Consideration of approving an Interlocal Assistance Agreement with the Velasco Drainage District and the City of Freeport.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved an Interlocal Assistance Agreement with the Velasco Drainage District and the City of Freeport.

Consideration of approving the purchase of a 911 recording system from Vista Com; capable of capturing 911 text, video, and pictures.

On a motion by Councilwoman Loeza, seconded by Councilman Bolton with all present voting "Aye", Council unanimously approved Police Chief Dan Pennington recommendation to purchase of a 911 recording system from Vista Com; capable of capturing 911 text, video, and pictures.

Consideration of approving a support letter for Treasure Island MUD's CEPRAs Cycle 9 proposal for their Rock Revetment Project.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved approving a support letter for Treasure Island MUD's CEPRAs Cycle 9 proposal for their Rock Revetment Project.

Mayor Garcia opened the Work Session at 6:20 p.m.

Work Session:

Presentation by James Hollis Transportation Director, regarding the Gulf Coast Center/Connect Transit Services and need for additional funding for the Saturday service after 8/31/15.

Mr. James Hollis reviewed the statistics with Council from September 12, 2014 to April 2015, showing that Freeport has the most ridership. Connect Transit celebrating its 5th year of service. Texas Commission on Environmental Quality (TCEQ) funding has paid for the Saturday service this past year and should receive 3 years of funding to pay for the continued Saturday service. Houston Metro did not spend all their allocation so it should be available to Connect Transit.

Discuss 2015-2016 budget preparations, revenues projections, schedule workshop dates.

Mr. Pynes proposed a schedule for 2015-2016 budget preparations:

- 7-20-15 Deliver department budget proposals.
- 7-20-15 Work Session with public on proposed budget
- 8-03-15 Work Session with public on proposed budget.
- 8-3 to 9-7 Meet with individuals members
- 9-7-2015 Final budget presentation

Mayor Norma M. Garcia closed the Formal Session and opened the Executive Session at 6:30 p.m.

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matter in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the state Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Veolia Contract Expiring
- Praxair Industrial District Agreement
(*no action taken*)

Mayor Norma M. Garcia closed the Executive Session and reconvened the Formal meeting at 6:40 p.m.

Adjourn

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting "Aye", Mayor Norma M. Garcia adjourned at 6:40 p.m.

Mayor Norma Moreno Garcia
City of Freeport, Texas

Delia Munoz, City Secretary
City of Freeport, Texas

ORDINANCE NO. 2015-2091

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING PORTIONS OF CHAPTER 54 OF THE CODE OF ORDINANCES OF SAID CITY RELATING TO THE REGULATIONS FOR STORM WATER QUALITY; PROVIDING THAT ANY PERSON VIOLATING SAID CODE, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10.99 OF SAID CODE OF ORDINANCES; PROVIDING THAT EACH DAY ANY SUCH VIOLATION OCCURS AND EACH PART OF ANY DAY ANY SUCH VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

WHEREAS, the City of Freeport, Texas, ("the City") is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Sections 51.072, 54.001, 54.004, 217.042 and Chapter 551 of the Local Government Code of Texas and Sections 2.01, 2.02 and Item(u) of Section 3.07 of the Home Rule Charter of the City authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, heretofore, the City Council of the City adopted as Ordinance No. 2010-2244, read, passed and adopted on March 23, 2010, the objectives, definitions, and regulations for storm water management which have been codified as Chapter 54 of the Code of Ordinances of the City; and

WHEREAS, the City Council of the City has determined and do here now declare that the adoption of this ordinance amending and addition to such regulations are necessary to the health, safety and general welfare of the inhabitants of said City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

First, Section 54.21 is hereby amended to add thereto the following:

■ c) *Specific Prohibitions of Construction Related Illicit Discharges.* It is unlawful for a person to intentionally, knowingly, recklessly or with criminal negligence, create, cause, introduce, or contribute to creating, causing or introducing any discharge that causes and/or contributes to a violation of applicable water quality standards, a discharge or flow composed of one or more of the following from construction site:

- (1) Pollutants from equipment, vehicle and/or other wash waters;
- (2) Pollutants from exposed building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste or other similar materials;
- (3) Pollutants from spills and/or leaks;
- (4) Pollutants from washout wastewater, fuels, oils, soaps, solvents, and dewatering activities.

Second, Section 54.30 is hereby amended to add the following:

■(F) Any and all owners and/or operators of a construction site and any and all other persons undertaking construction activities as a contractor or subcontractor at a construction site shall use best management practices to control, reduce, and prevent, to the maximum extent practicable, the discharge of pollutants to the MS4 and/or waters of the U.S. The discharge of pollutants to the MS4 and/or waters of the U.S. from activities conducted by said operator, contractor, or subcontractor inc(f) Any and all owners and/or operators of a construction site and any and all other persons undertaking construction activities as a contractor or subcontractor at a construction site shall use best management practices to control, reduce, and prevent, to the maximum extent practicable, the discharge of pollutants to the MS4 and/or waters of the U.S. The discharge of pollutants to the MS4 and/or waters of the U.S. from activities conducted by said operator, contractor, or subcontractor include but is not limited to: sediment, silt, earth, soil, dirt, sand and gravel; lime, liquids, solids, and semi-solids used for soil treatment, preparation, or amendment; concrete, slurries, grout, tar, and asphalt; construction vehicle and/or equipment cleaning wash waters; construction vehicle cleaning and wash waters; construction vehicle maintenance fluids such as hydraulic fluids, lubricants, fuels, brake fluids, and coolants; hazardous or extremely hazardous materials; materials resulting from repair, renovation, or demolition such as concrete, reinforcing bar, steel, wire, tar paper, roofing materials, sheet rock, plaster, wood, cellar dirt and carpeting; residual and surplus construction materials; paint thinner, paint equipment cleaner and wastewater from the cleaning of painting equipment and supplies; waste construction material packaging and containers; and construction trash, debris, and waste building materials, building products, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, washout waters, spills leaks, solvents, and dewatering activities.

Third, Division (C) of Section 54.36 is hereby amended to read:

■(C) Post-Construction Phase control measures must be incorporated into the Storm Water Quality Plan where necessary to preserve pre-development hydrologic regimes. These control measures do not apply to residential home construction. Post-construction phase control measures should include, but are not limited to, the following

- 1) Velocity Dissipation Measures
 - a) On-Site
 - I) vegetated swales
 - ii) check dams
 - iii) vegetated filter strips

- iv) level spreaders
- v) velocity dissipation structures
- b) Off-Site
 - I) surrounding local topography
 - ii) concrete-lined drainage channels
 - iii) low velocity drainage channels
- 2) Pre-development Peak Flow Preservation
 - a) On-Site
 - I) detention basins/ponds
 - ii) constructed wetlands
 - iii) bio-retention
 - iv) wet basins
 - b) Off-Site
 - I) in-line detention
 - ii) outfall pump systems
 - iii) off-site (regional) detention
 - iv) low velocity drainage channels
- 3) Non Structural Controls
 - I) adequate litter trash services/receptacles
 - ii) street/parking lot sweeping/cleaning as necessary.*

Fourth, any person violating the Code of Ordinances of the City of Freeport, Texas, as amended by this ordinance, shall be guilty of a misdemeanor and upon conviction therefor assessed a fine as prescribed in Section 10.99 of said Code; and each day such violation continues and each part of any day any such violation occurs shall constitute a separate offense.

Fifth, this ordinance is cumulative of and in addition to all other ordinances of the City on the same subject and all such ordinances are hereby expressly saved from repeal. Provided however, where this ordinance and another ordinance conflict or overlap, whichever imposes the more stringent regulations or penalties, as the case may be, shall prevail.

Sixth, no offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance is to be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.

Seventh, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Eighth, nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

Ninth, this ordinance shall take effect and be in force from and after the descriptive caption of this ordinance has been published twice in the Brazosport Facts, the official newspaper of the City.

READ, PASSED AND ADOPTED this _____ day of _____, 2015.

Norma Moreno Garcia, Mayor,
City of Freeport, Texas

ATTEST:

Delia Muñoz, City Secretary,
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

Wallace Shaw, City Attorney,
City of Freeport, Texas

C:\Freeport.Ord\Storm Water Quality Ord-Amn

INVITATION TO BID

NOTICE IS HEREBY GIVEN that the City of Freeport, Texas, is interested in trading, according to the Specifications mentioned below, the following described lots now owned by the City:

Lots 9 through 12 and 15, Block 35; Lot 2, Block 71; Lot 6, Block 507; Lots 1 through 24, Block 661; Lots 14 and 15, Block 676; Lots 5, 11 and 12, Block 720; Lots 13, 16, 19, 22, 24 and 24A, Block 752; Lot 11, Block 755; Lots 18 and 19, Block 764; Lot 3, Block 789; Lots 14, 15, 19 and 21, Block 790; Lots 13 and 24, Block 809; Lots 2, 3, 4, 5, 7, 9, 10, 11 and 12, Block 810 of the Velasco Townsite according to the map or plat recorded in Volume 32, page 14 of the Deed Records of Brazoria County, Texas,

for lots located within Blocks 716, 729, 730, 731, 742, 743, 760 or 773 of said townsite not presently owned by the City.

SEALED BIDS OR PROPOSALS addressed to the City Manager labeled "Real Property Bid" by any person, firm or corporation desiring to trade all of the lots owned by that person, firm or corporation in the above mentioned blocks for all of the City's lots listed above will be received at the office of the City Manager located at 200 W. 2nd St., Freeport, Brazoria County, Texas 77541, during normal business hours until 2:00 o'clock, p.m., on the 17th day of August, 2015, on which day, beginning at 2:00 o'clock, p.m., all such bids or proposals will be opened and publicly read aloud. Any bid received after 2:00 p.m. on such date will be returned unopened. Bids proposing a trade for less than all of the above described lots for located outside of Project will not be accepted.

COPIES OF THE SPECIFICATIONS for such trade are available for public inspection at the above office of the City Manager during normal business hours. A set of such documents may be obtained from such office upon payment of the customary copy charge.

The City RESERVES the right to REJECT ANY AND ALL BIDS, to WAIVE any INFORMALITIES in bidding and, in the case of any AMBIGUITY OR LACK OF CLEARNESS, the City reserves the right to construe the same in a manner most advantageous to the City, or to reject the bid.

BY ORDER OF THE CITY COUNCIL of the City of Freeport, Texas, this
20th day of July, 2015.

Delia Munoz, City Secretary
City of Freeport, Texas

NOTE: Publish once per week for two consecutive weeks, first publication to be more than 15 days before date of meeting at which bids are to be opened and read aloud.



11021 East Freeway
Suite 300
Houston, Texas 77025
(281) 347-1220
Phone: 281.490.1500
Fax: 281.490.1569
www.ljaengineering.com

July 16, 2015

Honorable Mayor and City Council
City of Freeport
City Hall
200 W. 2nd Street
Freeport, Texas 77541

RE: Bid Tabulation and Recommendation for Award for Construction of
Emergency Power and Monitoring Systems (2nd Bidding)
LJA Project No. E217-0010

Honorable Mayor and Council,

Bids for construction of the reference project were received at 9:00 A.M., Tuesday, July 13, 2015 at the City of Freeport City Hall 2nd Floor Conference Room and subsequently read in public. Two (2) contracting firms submitted bids for the project. Arithmetic errors were found in both bids but it did not change the status of the bids..

The bidders from low to high and the correct total amounts bid are as follows:

<u>Contractor</u>	<u>Location</u>	<u>Contract Amount</u>
McDonald Municipal & Industrial A Div. of C.F. McDonald Electric, Inc.	Houston, TX	\$1,160,669.01
Total Energy Solutions Co., LLC	Houston, TX	\$1,231,587.00

A copy of the Bid Tabulation is attached.

The bidding documents of the bidders were examined and found to be in order. A Qualification Statement of the low bidder is submitted for your review.

Mayor and City Council
City of Freeport
July 16, 2015
Page 2
LJA Project No. E217-0010

Our investigation of McDonald Municipal and Industrial A Div. of C.F. McDonald Electric, Inc. of Houston, Texas included a review of their Surety, references of previous projects and present and past work experience with LJA Engineering, Inc.. Based on our investigation, we recommend awarding a contract to the low bidder, McDonald Municipal and Industrial A Div. of C.F. McDonald Electric, Inc. The total amount bid by the low bidder was \$1,160,669.01 and is within available grant funds. Total Energy Solutions submitted an alternate for radio communication controlled SCADA systems that was above grant funds. Total Energy Solutions also submitted an alternate for cellular communication controlled SCADA systems that was more expensive than the originally specified system.

If you have any questions or need additional information, please contact me direct at 713-657-6014.

Sincerely,



Mark Havran, P.E.
Project Manager

Attachment

cc: Mr. Bob Welch, City of Freeport
Mr. Jeff Pynes, City Manager
Ms. Delia Munoz, City Secretary
Mr. Gilbert Arispe, City of Freeport
Ms. Cristal Funderburk, Community Development Project Mgr.
Mr. Jim Valenzuela, P.E., Area Manager
Mr. Wallace Trochesset, P.E., LJA
Ms. Laura Hedden, LJA
Construction File 16.6

Bid Tabulation - Bid Opening, Monday, July 13, 2015 @ 2:00 P.M. Page 1
 CITY OF FREEPORT
 EMERGENCY POWER AND MONITORING SYSTEMS (2nd BIDDING)
 LJA PROJECT NO. E217-0010
 FRN F-1386

McDonal Municipal & Industrial, Inc.
 5044 Timber Creek
 Houston, TX 77017
 PH: 713-921-1368
 Wayneb@mcdonaldinc.com
 Wayne Berkenmeier, VP Special Projects

Total Energy Solutions Co., LLC
 15811 Tuckerton Rd.
 Houston, TX 77095
 PH: 281-861-1284
 totm@totalenergysolutions.net
 Tom McCroskey, General Manager

ITEM NO	DESCRIPTION	EST QTY	UNITS	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM
1	Riverside Lift Station Emergency Generator (80kw, Natural Gas Fuel) Including Automatic Transfer Switch, Concrete Pads, and Natural Gas Connection, Complete in Place.	1	LS	\$67,000.00	\$67,000.00	\$53,982.00	\$53,982.00
2	Avenue F Water Plant Emergency Generator (150kw, Natural Gas Fuel) Including Automatic Transfer Switch, Concrete Pads, and Natural Gas Connection, Complete in Place.	1	LS	\$92,000.00	\$92,000.00	\$71,073.00	\$71,073.00
3	8th Street Water Plant Emergency Generator (150kw, Natural Gas Fuel) Including Automatic Transfer Switch, Concrete Pads, and Natural Gas Connection, Complete in Place.	1	LS	\$92,000.00	\$92,000.00	\$75,844.00	\$75,844.00
4	South Avenue A (Kouches) Storm Water Pump Station Emergency Generator (150kw, Natural Gas Fuel) Including Automatic Transfer Switch, Concrete Pads, and Natural Gas Connection, Complete in Place.	1	LS	\$102,000.00	\$102,000.00	\$92,915.00	\$92,915.00
5	West Brazos (Underpass) Storm Water Pump Station Emergency Generator (100kw, Natural Gas Fuel) Including Automatic Transfer Switch, Concrete Pads, and Natural Gas Connection, Complete in Place.	1	LS	\$71,000.00	\$71,000.00	\$83,116.00	\$83,116.00
6	SCADA Installations, Complete in Place.	29	EA	\$16,781.69	\$486,669.01	\$19,177.00	\$556,133.00
7	Central SCADA Monitoring System (Main WWTP), Complete in Place.	1	LS	\$35,000.00	\$35,000.00	\$37,560.00	\$37,560.00
8	Generator Quick Connects, Complete in Place.	27	EA	\$4,600.00	\$124,200.00	\$7,732.00	\$208,764.00

TOTAL AMOUNT BASE ITEMS (Items 1 thru 8) \$1,069,869.01 \$1,179,387.00

ALTERNATE BID ITEM	EST QTY	UNITS	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM
9 SCADA Installations, Complete in Place.	4	EA	\$16,000.00	\$64,000.00	\$6,350.00	\$25,400.00
SUPPLEMENTARY ITEMS						
10 Obstruction Removal by Excavation, As Directed by Owner's Representative, Complete in Place.	5	EA	\$300.00	\$1,500.00	\$300.00	\$1,500.00

McDonal Municipal & Industrial, Inc.
 5044 Timber Creek
 Houston, TX 77017
 PH: 713-921-1368
 Wayneb@mcdonaldinc.com
 Wayne Berkenmeier, VP Special Projects

Total Energy Solutions Co., LLC
 15811 Tuckerton Rd.
 Houston, TX 77095
 PH: 281-861-1284
 tomm@totalenergysolutions.net
 Tom McCroskey, General Manager

ITEM NO	DESCRIPTION	EST QTY	UNITS	UNIT PRICE	TOTAL PRICE PER ITEM	UNIT PRICE	TOTAL PRICE PER ITEM
11	Trench Safety System, As Directed by Owner's Representative, Complete in Place.	100	LF	\$2.00	\$200.00	\$2.00	\$200.00
12	"Extra" Class A Concrete, As Directed by Owner's Representative, Complete in Place.	100	CY	\$100.00	\$10,000.00	\$100.00	\$10,000.00
13	Wall Point Dewatering System Installed, Operated and Removed, As Directed by Owner's Representative, Complete in Place.	100	LF	\$75.00	\$7,500.00	\$75.00	\$7,500.00
14	"Extra" Bank Sand, As Directed by Owner's Representative, Complete in Place.	100	CY	\$10.00	\$1,000.00	\$10.00	\$1,000.00
15	"Extra" Crushed Limestone, As Directed by Owner's Representative, Complete in Place.	100	CY	\$30.00	\$3,000.00	\$30.00	\$3,000.00
16	"Extra" Reinforcing Steel, As Directed by Owner's Representative, Complete in Place.	100	LB	\$1.00	\$100.00	\$1.00	\$100.00
17	"Extra" Cement Stabilized Sand, As Directed by Owner's Representative, Complete in Place.	100	TON	\$35.00	\$3,500.00	\$35.00	\$3,500.00

TOTAL AMOUNT ALTERNATE AND SUPPLEMENTARY ITEMS (Items 9 thru 17) **\$90,800.00** **\$52,200.00**

TOTAL AMOUNT BID (Items 1 thru 17) **\$1,160,669.01** **\$1,231,587.00**

QUALIFICATION STATEMENT

To: City of Freeport LJA Job No. E217-0010

For Construction of Emergency Power and Monitoring Systems

List of projects bidder has successfully completed within the past two (2) years:

Amount of Contract	Type of Work	Date Accepted	Name and Address Of Owner
1. Please see attached.			
2.			
3.			
4.			
5.			
6.			
7.			

List of projects bidder is now engaged in completing:

Amount of Contract	Work Symbol)*	Order Date	Completion Date	Percent Complete	Name & Address of Owner
1. Please see attached.					
2.					
3.					
4.					
5.					
6.					
7.					

- * UG = Underground Utilities (Water, Sewer, Telephone, etc)
- PW = Major Plant Work
- PD = Paving, Drainage
- SA = Structural, Architectural (Bridges, Buildings, etc)
- SD = Subdivision Construction
- E = Major Electrical
- A = Airports

List of Surety Bonds in force on the above incomplete work:

Amount of Contract	Amount of Bond	Name and Address of Surety Company
Please see attached.		

List of equipment owned by bidder that is in serviceable condition and available for use on this project:

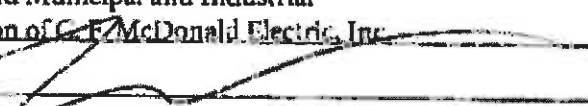
Equipment	Condition	Year New
Please see attached.		

Portion of work bidder proposes to sublet in case of award of Contract; including amount and type.
(Subcontractors must be approved.)

Type of work	Amount of Subcontract	Name and address of Proposed Subcontractor
SCADA	\$ 400,000.00	Hahn Equipment 5635 Kansas Houston, TX 77007

If awarded this Contract our on-site project superintendent will be Sam Helweg
who has had 39 years experience in supervising this type of work.

If awarded this Contract our Administrative Manager will be Wayne Berkenmeier who
has had 25 years experience in management of construction of this type work.

Dated this 13 day of July, 2015.
McDonald Municipal and Industrial
Company: A Division of C. F. McDonald Electric, Inc.
By: 
Title: Wayne Berkenmeier, Vice President Special Projects
Mailing Address: 5044 Timber Creek Houston, TX 77017
Physical Address: Same
Phone No.: 713-921-1368
Fax No.: 713-921-5109
E-MAIL IF AVAILABLE: wayneb@mcdonaldinc.com

ATTEST:



Diana Dollar, Secretary/Treasurer



July 13, 2015

To Whom It May Concern:

RE: References for Lift Station Projects & Generator Installations

Thank you for considering McDonald Municipal and Industrial for award of your upcoming project. Please let this letter serve as an introduction to McDonald Municipal and Industrial – A Division of C. F. McDonald Electric, Inc. We are an electrical and general contractor located in Houston, Texas and have been in business for over 50 years. We currently have approximately 150 electricians, 12 estimator/project managers, and a professional engineer on staff.

We have built more than 20 Lift Stations from ground up and several rehabilitations and lift station improvements in Harris County, Fort Bend County, Montgomery County and throughout the Houston area.

We have furnished and installed approximately 200 generators ranging in size from 20KW to 2000KW on many different projects.

MacDonald has acted as the general contractor on all of the projects listed below and we completed 100% of the work in most of them. The most recent projects (within the last 3 years) include but are not limited to the following. Please feel free to call anyone listed below for a reference.

Recently completed Lift Station Projects:

Project - Description – Owner's rep. - telephone number – contact person

- West Harris County MUD 9 - Rehabilitation of Dude Road Lift Station - Paul Anderson, PE. Tel. (713)-784-4500 ext. 2226
- Kings Manor Lift Station No. 1 & 2 Rehabilitation- Jones & Carter Engineers- Kenneth Eickelberg, PE -(281)-363-4039
- City of Jamaica Beach Construction of Lift Station and Sewage Treatment Plant- (8) Lift Station Improvements- John Mercer, PE- (409)-741-8500
- Shadow Lakes Lift Station – Kirk Williamson- 713-784-4500
- Texas GLO – City Of Hitchcock Lift Stations 9, 12, 14 and 15 – (4) Sanitary Lift Stations, Water Line, Force Main and Sanitary Sewer Influent Line Installations - Llarance Turner, PE – (281) 341-0808
- Intercontinental Crossing - Construction of Lift Station 1- Jones & Carter Engineers -Greg Baird, PE- Tel: 713-777-5337

- City of League City- Veranda Townhomes Lift Station- Dannenbaum Engineering- Jason W. Schultz, P.E- 713-520-9570
(More references will be provided upon request)

Recently completed Emergency Generators Projects:

Project - Description – Owner's rep. - telephone number – contact person

HC Annex 18 – (1) 2000KW – Jacobs Engineering -- 281-776-2546 – Gary Andrews
 WCID#114 – (1) 450KW bifuel – AEI Engineering -281-350-7027- Ross Crawford
 FWSD#6 – (2) generators – LJA Engineering – 713-450-1300 –Ronnie McKinney
 UT Medical – (1) 725KW – Shah Smith – 713-780-7563 – Doug Belisle, P.E.
 San Jacinto College -- 300KW - ACR Engineering -- 512-440-8333 - R. Truncoso
 Magnolia ISD – (2) generators – JSE Engineers – 281-945-4545 – George Stanton
 HC MUD 189 – (1) 500KW - VanDeWeilie Eng. - 7-782-0042 - Eric Windsor
 Palmer MUD – (1) 500KW - LJA Engineering - 7-953-5061- Greg Hann
 Northwest Park MUD – (1) 185KW - EHR & Assoc. – 713-784-4500 – Kirk Williamson
 Shasla PUD – (1) 50KW – Brown & Gay – 281-558-8700 – Melissa Fitzgerald
 CCISD Technology – (1) 400KW – PBK Engineers – 713-965-0608 – Brian Hood
 Butler Lift Station – (1) 150KW – City of League City – 281-554-1320 – Jody Hooks
 Fort Bend County– (3) generators – Fort Bend County – 281-682-8361 – George Beran
 University of Houston – (1) 800KW – U of H- 281-283-2250 – Pam Groves
 Fort Bend MUD 124 – (1) 800KW – Brown & Gay – 281-558-8700 – Lindsey Pierce
 WCID #3: (1) 150KW – PBK Architects – 713-9650608 – Jason Hull
 MUD 151: (4) generators – Turner Collie & Braden – 713-780-4100 - Bruce Baumel
 WH MUD 10: 500KW – EHR & Assoc. – 713-784-4500 – Jim Russ
 TDCJ Byrd Unit: (1) 300KW – State of Texas -- 936-437-7352 – TJ Wallace

(More references will be provided upon request)

Thank you for the opportunity to provide this information about our company. If you have any questions or need any additional information do not hesitate to call. We look forward to hearing from you soon.

Sincerely,

Wayne Berkenmeier

Wayne Berkenmeier
 Vice President Special Projects
 McDonald Municipal & Industrial (MM&I)
 Tel 713-921-1368
 Fax 713-928-2569 Cell 713-202-4887
wayneb@mcdonaldinc.com

JOBS IN PROGRESS 05/01/15

Job #	Project	Description	Contract \$	Percent Complete	End Date	Owner/Rep	Phone #
14885	AUD	Rosenberg Distribution Facility	\$6,534,525	0%	7/15	Eric Perkins	480-999-5539
12196	Coast Guard	Galveston Base Rebuild Project	\$9,263,593	97%	3/15	Brian Midyett	907-301-5988
15175	Small Weatherov	New Generator and Transfer Switches	\$420,800	85%	3/15	Aze Moleka	713-458-0592
13662	NASA Building 24	Upgrade Central Heating and Cooling Plant	\$2,444,483	80%	3/15	Grant Grayek	713-587-7400
14780	NASA Johnson Space Center	High Voltage Electrical Feeders	\$2,481,682	70%	3/15	Kyle Crowley	512-937-4088
13348	AT&T Westspan	1st Floor Renovations	\$360,604	35%	7/15	Melicia Nalla	713-587-7916
14278	AT&T Jefferson	6th Floor WTC Center	\$15,094,588	15%	3/16	Wei Jue	713-587-4495
14279	AT&T Westspan	Electrical Infrastructure Replacement	\$5,873,375	80%	4/15	Monica Nola	713-587-7916
13913	NASA Building 48	Repair Child Water System Emergency Power Plant	\$2,741,486	60%	2/15	Josh Loan	210-488-3609
13262	City Of Houston	Generator Relocation From SW WWTP to NW	\$872,959	85%	3/15	Faizi Sadeqian	832-395-2304
13529	City Of Houston	65th St WWTP Redundant Outdoor Switchgear Replacement	\$2,413,489	80%	5/15	Net Yver	832-385-2500
14291	City Of Houston	59th Street WWTP Pump Station, Digester & Thickener	\$11,424,469	20%	8/15	Net Yver	832-385-2337
14401	Rayford MUD	Ground Water Reduction Plant	\$1,380,469	80%	2/15	IDS Engineering	713-462-3178
14442	Lynchburg Pump Station	Replacement Of Two VFDs	\$2,049,689	50%	3/15	Rahim Tazeh	713-022-0120
14515	Wegak Terminal	Install Generator and Vertical Electrical Conducts	\$338,282	98%	1/15	Milva Lal	713-467-9981
14755	Waterconsentral Crossing	Construction Of Lift Station 1	\$339,776	90%	1/15	Greg Baird	713-777-5337
14875	City Of League City	Emergency Generators & 4 Water Plants	\$1,253,709	80%	1/15	Sean Rooney	713-955-0908
14895	Spring West MUD	Spring Plaza Lift Station	\$419,479	80%	3/15	Jan Vandervort	713-793-7788
14058	Veranda Townhomes	Sanitary Sewer Lift Station & Force Main	\$334,087	97%	1/15	Jason Schultz	713-816-0113
13080	West Harris County MUD 21	Lift Station For Falconrock Parks	\$467,208	80%	2/15	Paul Anderson	713-784-4500
15080	Hochloch MUD	Construction Of Lift Station 1 Electrical Improvements	\$131,469	55%	3/15	Kenny Eickelberg	281-353-4034
15100	Sierra South Plannation MUDS	Construction Of Lift Station 1	\$506,424	35%	3/15	Chad Mackinski	713-783-7788
15153	Harris County/Peaches 2	Inst 2 Generators Sanibel Harley Lift Station & Crowl St	\$243,489	55%	2/15	Marvin Ciede	713-274-1557
15182	Seaboard Pike City WWTP	Back Up Generator and Assoc Construction	\$308,489	25%	6/15	Marvin Ciede	713-274-1557
15182	Port Of Freeport	Electrical Power Distribution Pole Replacement	\$755,489	50%	4/15	Jason Hall	832-544-6965
15192	Giamson MUD	Lift Stations 1 and 2 Improvements	\$263,500	5%	6/15	Sam HI	713-782-0042
15187	Spring Meadows MUD	Glinger Park Lift Station Modifications	\$412,147	5%	5/15	Stephen Ray	713-462-3242
15200	Harris County	Shelton Road Back Up Generators At Water Plant & WWTP	\$401,819	25%	3/15	Marvin Ciede	713-274-1557
15308	Faulker Gulley MUD	WWTP & Louisa Lift Station Rehabilitation	\$698,469	5%	3/15	Jack Flores	713-942-2726
15314	San Jacinto River Authority	Electrical Upgrades For Water Plant 3 and Wells 23 and 24	\$1,288,000	5%	7/15	Donald Morcan	935-828-3851
15318	Memorial Health Mental Restoration	Back Up Generator and Assoc Construction	\$486,649	5%	3/15	Marvin Ciede	713-274-1557
15406	Port Of Houston	6Kv/11 Generator At Port Coordination Center	\$188,489	10%	3/15	Eric Burner	281-841-9405
15498	Montgomery County MUD 139	Temporary Lift Station	\$493,027	5%	6/15	Paul Anderson	713-784-4500
14893	Beechfield	Lighting Retrofit	\$5,289,209	60%	5/15	Sean Sateleben	73-256-4035
14896	Trelapsen Scout Camp	Scout Camp Additions	\$252,251	80%	2/15	Don Fernbach	713-208-0392
15097	UTMB Galveston	Renovation of 2200 Market Street Bldg	\$290,488	95%	2/15	Angela Cole	281-890-4966
14866	Bender High School	Building Renovations	\$785,900	85%	1/15	Praed Nanna	832-725-7819

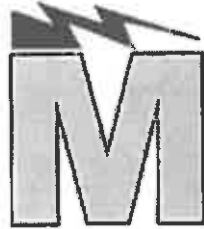
Bond	Date	Obligee	Bond Amount	ECD	Description
<u>TXC607013</u>	6/29/2015	City of LaPorte	165,469		replace water wells 1 & 2 controls
<u>TXC607012</u>	5/28/2015	Reid Road MUD NO. 1	56,300	75 days	Addition of transfer switches to accommodate at mobile generator for the existing lift station to serve Reid Road MUD No. 1
<u>TXC607011</u>	5/26/2015	Harris County MUD No. 188	2,060,170	210 c.d.	Sanitary Sewer Force Main Rehabilitation along State Highway 6
<u>TXC607010</u>	5/12/2015	City of Friendswood	272,858	120 w.d.	SCADA monitoring system
<u>TXC607009</u>	5/8/2015	Part of Houston Authority	1,244,369		Wharf 2 Electrical Pre-Outage Work at Barbours Cut Terminal
<u>TXC607008</u>	4/29/2015	Harris County MUD No. 368	468,430		sanitary sewer lift station to serve Ashford Grove East; Job No. 0456-118-18, Contract No. 1
<u>TXC607007</u>	4/24/2015	City of Sugar Land	1,014,100	unknown	lift stations rehabilitation for Meadowlark (No. 12) Highlands (No. 104) Frontier (No. 119) Austin Parkway (No. 122) & Scotsmoor (No. 128)
<u>TXC607005</u>	4/21/2015	Galveston County WCID No. 12	745,400		Kipp Street Lift Station

<u>TXC607005</u>	4/13/2015	Harris County Improvement District No. 15	389,150		construction of lift station No. 1
<u>TXC607004</u>	3/24/2015	Mayde Creek MUD	278,600		Water Plant No. 1 recoating ground storage tanks, hydro-pneumatic tank, generator housing and exterior piping; Job No. 0512-067-01, Contract No. 1, Harris County, TX
<u>TXC607003</u>	3/24/2015	City of Houston Lake Forest Plant	4,949,469	365 days	IAH Terminal "A" Electrical Vault; Project Number 634 at George Bush Intercontinental Airport
<u>TXC507002</u>	3/16/2015	Plant Advisory Council	316,469		Wastewater Treatment Plant Lift Station Rehabilitation
<u>TXC607001</u>	3/10/2015	MRE, LLC	384,900		Inway Oaks Estates Onsite Lift Station
<u>TXC606202</u>	3/3/2015	City of League City	487,469	180 days	construction of Hobbs Road Lift Station & Force Main; TIN No. 74-748969
<u>TXC506201</u>	2/26/2015	Medistar Corporation	962,023	210 c.d.	West Harris County MUD No. 5 Wastewater Lift Station & 10-inch force main
<u>TXC606199</u>	2/6/2015	Harris County MUD No. 109	419,400	180 days	Kings Lake Estates Lift Station No. 3
<u>TXC606198</u>	1/22/2015	Spring Creek Utility District	639,239	180 days	Grand Parkway Commercial Lift Station; Key Map No. 293-8

<u>TXC606196</u>	1/19/2015	Kellogg Brown & Root, LLC	648,751	5/15/2015	TCPN Statewide JOC III-TXMA5- MHMRA 9401 SW Freeway 600 KW Generator - electrical, Master Agreement #D935-04- 003
<u>TXC606197</u>	1/19/2015	Kellogg Brown & Root, LLC	855,007	4/30/2015	TCPN Statewide JOC III-TXMA5- MHMRA 9401 SW Freeway Interior Renovations - electrical
<u>TXC606194</u>	12/22/2014	Fallbrook Utility District	509,219		Water Plant No. 2 Generator Addition
<u>TXC606193</u>	12/18/2014	Rolling Creek Utility District	153,469	180 days	permanent emergency natural gas generators for lift stations to serve Rolling Creek Utility District, City of Houston ETJ
<u>TXC606192</u>	12/10/2014	City of Texas City, Texas Surface	2,693,892		Lift Station Improvements
<u>TXC606183</u>	12/3/2014	Properties Investment Fund IV, LP	309,800	180 days	construction of Reserve at Weston Lakes Lift Station, Fort Bend County, TX
<u>TXC606182</u>	12/2/2014	Pecan Grove MUD	219,950	180 days	construction of lift station No. 2 improvements
<u>TXC606190</u>	11/24/2014	Hardin County	408,469	180 days	Hardin County - 2012 Hurricane Ike/Dolly Disaster Recovery Round 2.2
<u>TXC606187</u>	11/19/2014	Montgomery County MUD #139	493,027	180 days	temporary lift station

<u>TXC606184</u>	10/27/2014	Fort Bend County WCID No. 2	908,500		construction of lift station emergency operations improvements
<u>TXC506182</u>	10/10/2014	San Jacinto River Authority	1,288,000	1 year	San Jacinto River Authority Electrical upgrades for Water Plant No. 3 and Water Wells No 23 & 24
<u>TXC606179</u>	10/2/2014	Faulkney Gully MUD	698,469	180 days	wastewater treatment plant & Louetta Road Lift Station Rehabilitation
<u>TXC606178</u>	9/24/2014	Harris County MUD No. 499	949,000		Regional Lift Station and Force Main for Harris County MUD No. 499
<u>TXC606176</u>	9/15/2014	Spring Meadows MUD	412,147	180 days	Ginger Park Lift Station Modifications
<u>TXC606174</u>	8/27/2014	Spring West MUD	419,479	9 months	construction of Spring Plaza Drive Lift Station
<u>TXC606169</u>	8/7/2014	Sienna Plantation MUD No. 5	506,424		Construction of Lift Station No. 1 at Sienna South
<u>TXC606157</u>	5/7/2014	Klewet Building Group, Inc.	2,543,151	mm/dd/yyyy	NASA/Johnson Space Center - high voltage electrical feeders
<u>TXC605184</u>	2/5/2014	Rayford Road MUD	1,398,469	mm/dd/yyyy	San Jacinto River Authority Groundwater Reduction Plan Program Rayford Road MUD Water Plants No. 1 and No. 2 Water Receiving Facilities; Job No. 0711-088-00, Contract No. 1, Montgomery County, TX

<u>TXC605181</u>	1/3/2014	City of Houston	11,424,469	600 days	SS0-C24671 - 69th Street Wastewater Treatment Plant Pump Station, Digester & Thickener Blower Switchgears, Sub-Station & Starter Replacement for the Public Works & Engineering Dept.
<u>TXC604855</u>	1/17/2013	City of Houston	834,469		generator relocation from Southwest WWTP to Northwest WWTP - BS No. R-000265-0085-4 rebuild of Base Galveston at US Coast Guard Sector Field Office, Galveston, TX; Prime Contract HSCG47-10-D-3EFK16; Task Order 47-11-J-A16001
<u>TXC97423</u>	2/13/2012	CH2M Hill Constructors, Inc.	7,988,924	7/31/2012	



**McDONALD
ELECTRIC**
CONTRACTORS • ENGINEERS
5044 TIMBER CREEK
HOUSTON, TX 77017
(713) 821-1365 PH
(713) 828-2568 FAX

July 13, 2015

To Whom It May Concern

RE: Equipment

Please let this letter serve as our list of tools/equipment that we own for possible use on the proposed project. We have the following:

- (50) stocked service trucks
- (1) dump truck
- (1) bucket truck
- (1) backhoe
- (1) mini excavator
- (2) trenching machines
- (50) shovels
- (5) water pumps
- (5) trailers in various lengths and sizes

Please note that this list above is only a portion of the equipment that we own. In addition to everything that we own we have accounts at all of the major equipment rental companies. Whatever we do not own we can easily rent.

Sincerely,

Wayne Berkenmeier
Estimator/Project Manager



**McDONALD
ELECTRIC**
CONTRACTORS • ENGINEERS
5044 TIMBER CREEK
HOUSTON, TX 77017
(713) 821-1388 PH.
(713) 828-2600 FAX

July 13, 2015

To Whom It May Concern

Ref: Resume of key employees on the proposed project

Please let this letter serve as a resume for the proposed project manager & project superintendent. The specific persons that will be involved in this project are Wayne Berkenmeier & Sam Helweg. The following is a brief summary of our experience:

Wayne Berkenmeier

Estimator/Project Manager

1998 – Present: McDonald Electric Company – Estimated and project managed hundreds of projects up to \$2.5M.

Outside Salesman – General Electric Supply Company

1997-1998: Distribute electrical material. (GE switchgear specialists)

Estimator/Project Manager – Stuard Electric

1995-1998: Estimated and project managed hundreds of projects up to \$1M.

1990-1995: Estimator/Project Manager – Various electrical contractors

Recent projects include the installation of approximately 100 generators with fuel tanks, work at Universities, Schools, Sports Facilities, Hospitals, Manufacturing Facilities, Car Dealerships, Shopping Malls, TDCJ facilities, Water Plants, and Waste Water Treatment Plants as well as Federal, State, County, and City facilities.

Sam Helweg

Field Superintendent

1991-Present: McDonald Electric Company – Electrical foreman and quality control person on numerous projects. Responsible for up to 40 man crews on projects up to \$1.5M.

1989-1991: Purchasing Manager/Quality Control – Texas Steel Conversions
Purchased products and implemented the quality control program for the manufacturing of oilfield pipe.

1980-1989: Electrical Journeyman – Fisk Electric

1976-1980: Apprentice Electrician – McDonald Electric

Completed the IBEW apprentice program while working on various projects.

Recent projects include the installation of approximately 100 generators with fuel tanks, work in Universities, Schools, Sports Facilities, Hospitals, Manufacturing Facilities, Car Dealerships, Shopping Malls, TDCJ facilities, Water Plants, and Waste Water Treatment Plants as well as Federal, State, County, and City facilities.

Please give me a call if you have any questions or need any additional information regarding our quality control program.

Sincerely,

Wayne Berkenmeier
CF McDonald Electric Inc.
Estimator/Project Manager

NONCOLLUSION AFFIDAVIT OF PRIME BIDDER

State of Texas)

County of Harris)

Wayne Berkenmeier

Vice President, being first duly sworn, deposes and says that:
McDonald Municipal and Industrial

(1) He is Special Projects of A Div of C. F McDonald Electric, the Bidder that has submitted the attached Bid; Inc.

(2) He is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;

(3) Such Bid is genuine and is not a collusive or sham Bid;

(4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with another Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix an overhead, profit or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City Of Freeport (Local Public Agency) or any person interested in the proposed Contract; and

(5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

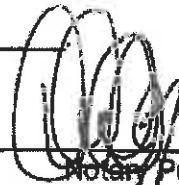
(Signed)

Wayne Berkenmeier
Vice President Special Projects

Title

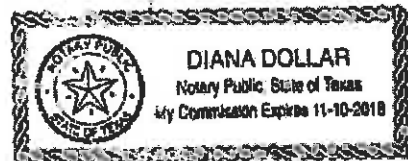
Subscribed and sworn to me this 13 day of July, 2015

By:



Notary Public

My commission expires 11/10/18



AGENDA INFORMATION SHEET
ITEM NO. 10

DENIAL OF CENTERPOINT ENERGY'S PROPOSED INCREASE IN RATES FILED ON ABOUT MARCH 27, 2015 AND APPROVING A SETTLEMENT, WHICH INCLUDES AN INCREASE OF \$4.9 MILLION COMPARED TO CENTERPOINT'S REQUESTED INCREASE IN RATES OF \$7.2 MILLION AND RESOLVES LITIGATION OF PENDING APPEALS

BACKGROUND

This agenda item presents a Settlement Agreement of the rate case CenterPoint Energy Resources Corp., d/b/a CenterPoint Entex and CenterPoint Energy Texas Gas ("CenterPoint" or "Company") submitted to the City on about March 27, 2015, as well as four (4) other rate cases submitted by CenterPoint from 2008 – 2011. Thus, the Settlement Agreement resolves 5 rate cases:

1. CenterPoint's rate case filed with the Railroad Commission of Texas ("Commission") and the City on about March 27, 2015, which the City suspended in April, 2015; the Commission assigned Gas Utilities Docket (GUD) No. 10432 to CenterPoint's application
2. GUD No. 9791 (2008); GUD 9791 is the seminal case in which the Commission approved a "cost of service adjustment" ("COSA");
3. GUD 9910 (2009);
4. GUD 10007 (2010); and
5. GUD 10097 (2011).

The City participated in these proceedings as part of Texas Coast Utilities Coalition (TCUC) of cities. The Cities of Angleton, Baytown, Clute, Freeport, League City, Pearland, Shoreacres, West Columbia, and Wharton are members in TCUC.

MARCH 27, 2015 RATE CASE (GUD No. 10432):

CenterPoint sought an increase of \$7.2 million, which represents an increase of about 11.3%. TCUC's Special Counsel (Herrera & Boyle, PLLC – Alfred R. Herrera) and TCUC's consultant (NewGen Strategies & Solutions, LLC - Ms. Constance Cannady) recommend that the City approve the Settlement Agreement that increases rates by \$4.9 million in annual revenue, an increase of about 9.8%, and resolves appeals of the Railroad Commission's final orders in 4 prior rate cases.

Table I compares the **change in a customer's average monthly bill** at current rates to: (1) CenterPoint's proposed increase at \$7.2 million; and (2) the increase at the settlement amount of \$4.9 million:

TABLE I			
	Increase in Average Bill at \$7.2 million	Increase in Average Bill at \$4.9 million	Difference
Residential	\$2.54	\$1.60	\$0.94
Sm. General	\$6.07	\$5.38	\$0.69
Large General	-\$49.45	-\$48.10	\$1.35

The Settlement Agreement limits the increase in the customer charge for the Residential class to 13¢, going from \$14.77 to \$15.00. CenterPoint also agreed to reimburse the cities' rate case expenses, which would add about 6¢ per month to a customer's bill.

GUD NO. 9791 – THE COMMISSION’S “COSA” TARIFF, AND GUD NOS. 9910, 10007, AND 10097:

Remand of GUD No. 9791: The Settlement Agreement provides consideration for resolution of GUD No. 9791, the seminal case in which the Railroad Commission first approved a COSA tariff for CenterPoint. Ultimately the Texas Supreme Court concluded that the Commission had the authority to adopt a COSA tariff but remanded the case back to the Commission because of the Commission's failure to properly address affiliate expenses recovered through rates. The Commission held a hearing in the remand of GUD 9791 on June 11, 2015 to address affiliate expenses, and pending approval of the Settlement Agreement, the parties have agreed to abate the schedule in that proceeding.

GUD Nos. 9910, 10007, and 10097: From 2009 – 2001 the Railroad Commission, in GUD Nos. 9910, 10007, and 10097, approved changes in CenterPoint's rates under the COSA tariff. These cases stem from GUD 9791, the seminal case in which the Commission first approved a COSA tariff. The TCUC cities appealed to Travis County District Court, not only the validity of the COSA tariff, but also the change in rates the Commission approved under the COSA tariff, and in particular, the lack of evidence to support the rates the Commission approved. Given the Texas Supreme Court's ruling regarding the validity of the COSA tariff, the remaining issues on appeal challenge the Commission's lack of evidence to support the rates it approved, including the lack of support for recovery of affiliate expenses.

Settlement of CenterPoint's March 27th rate application also provides consideration for resolution of these appeals through a lesser increase in the pending rate case filed on March 27, 2015, and avoids years of continued and protracted litigation and the accompanying expense to prosecute those cases.

ACTION: DENY CENTERPOINT'S PROPOSED RATE INCREASE OF \$7.2 MILLION, AND APPROVE A SETTLEMENT INCREASING CENTERPOINT'S ANNUAL REVENUE BY \$4.9 MILLION

The City has three options with regard to the action it may take regarding CenterPoint's application to increase rates:

1. Take no action, and on August 21, 2015, CenterPoint's proposed rates go into effect;
2. Deny CenterPoint's proposed increase in rates, in which case CenterPoint would file an appeal to the Railroad Commission;
3. Approve the proposed Settlement Agreement, which provides CenterPoint an increase in rates of \$4.9 million for rates, services, and operations within the City and ends the litigation related to GUD No. 9791, GUD 9910, and GUD No. 10007, and GUD 10097..

RECOMMENDATION

TCUC's Special Counsel and consultant recommend that the City deny CenterPoint's proposed increase of \$7.2 million but approve the proposed Settlement, which increases CenterPoint's annual revenue by \$4.9 million and resolves the cases pending on appeal in GUD Nos. 9791, 9910, 10007, and 10097.

If the City denies CenterPoint any increase, CenterPoint would appeal that denial to the Railroad Commission of Texas and consolidate it with the rate case CenterPoint filed at the Commission (GUD No. 10432). Denial of the rate increase would end the City's original jurisdiction over CenterPoint's application.

In conformance with the Settlement Agreement, the City must take action no later than July 30, 2015.

ORDINANCE NO. 2015-2092

AN ORDINANCE OF THE CITY OF _____ APPROVING A SETTLEMENT AGREEMENT BETWEEN THE TEXAS COAST UTILITIES COALITION OF CITIES AND CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENTEX AND CENTERPOINT ENERGY TEXAS GAS REGARDING THE COMPANY'S STATEMENT OF INTENT TO CHANGE GAS UTILITY RATES IN ITS TEXAS COAST DIVISION; DECLARING EXISTING RATES TO BE UNREASONABLE; DENYING CENTERPOINT'S PROPOSED INCREASE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE SETTLEMENT AGREEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; FINDING THE CITY'S RATE CASE EXPENSES REASONABLE; DIRECTING CENTERPOINT TO REIMBURSE THE CITY ITS REASONABLE RATE CASE EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; REPEALING ANY PRIOR RESOLUTIONS OR ORDINANCES INCONSISTENT WITH THIS ORDINANCE AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL

WHEREAS, the City of _____, Texas ("City") has exclusive original jurisdiction as a regulatory authority over CenterPoint Energy Resources Corp., d/b/a CenterPoint Entex and CenterPoint Energy Texas Gas' ("CenterPoint" or "Company") rates, operations, and services within the City; and

WHEREAS, the City is also a gas utility customer of CenterPoint, and has an interest in CenterPoint's rates and charges; and

WHEREAS, CenterPoint filed a Statement of Intent with the City on or about March 27, 2015 ("*March 27th Application*") to increase its annual revenue requirement by approximately \$6.8 million in the Company's Texas Coast Division, with a proposed effective date of May 1, 2015, which represents an increase in base revenue of approximately 11%; and

WHEREAS, CenterPoint on March 27, 2015, filed its Statement of Intent with the Railroad Commission of Texas to increase its annual revenue requirement by approximately \$6.8 million in the Company's Texas Coast Division, with a proposed

effective date of May 1, 2015, which represents an increase in base revenue of approximately 11%, and subsequently modified its request to seek an increase of about \$7.2 million, which represents an increase of about 12% in non-gas revenue; and

WHEREAS, the City took action to suspend the effective date and to coordinate a response to CenterPoint's filing with other similarly situated municipalities (such participating cities are referred to herein as the Texas Coast Utilities Coalition of cities ("TCUC")); and

WHEREAS, the City took action on or before May 1, 2015 to suspend CenterPoint's proposed effective date; and

WHEREAS, one of TCUC's goals is to minimize rate-case expenses to the extent reasonable, that otherwise would result from lengthy, contested rate-case proceedings before the Railroad Commission of Texas and through the appellate process in the courts for the pending rate case; and

WHEREAS, TCUC authorized its attorneys and experts to formulate and review reasonable settlement positions to resolve CenterPoint's pending request to increase rates; and other rate proceedings related to Gas Utilities Docket Nos. 9791, 9910, 10007, and 10097; and

WHEREAS, TCUC's attorneys met numerous times with the Company to negotiate a Settlement Agreement resolving the issues raised by the Company's Statement of Intent filing; and

WHEREAS, after extensive review and analysis, TCUC's attorneys and experts found that CenterPoint's initially proposed increase in revenue and its initially proposed rates are unreasonable; and

WHEREAS, TCUC's attorneys and experts have evaluated what a likely outcome from a fully-litigated proceeding would be and are of the opinion that the increase of approximately \$4.9 million noted in the negotiated Settlement Agreement compares favorably with a likely outcome from a fully-litigated proceeding; and

WHEREAS, after extensive review and analysis, TCUC's attorneys and experts found that the lower increase of approximately \$4.9 million instead of the \$7.2 million increase initially proposed by CenterPoint is reasonable; and

WHEREAS, TCUC's attorneys and experts and TCUC, based on the advice of its attorneys and experts, recommend that TCUC members approve the negotiated Settlement Agreement and attached tariffs; and

WHEREAS, under the Gas Utility Regulatory Act, the City has a right to reimbursement of its reasonable rate-case expenses and CenterPoint has an obligation to reimburse the City's reasonable rate-case expenses; and

WHEREAS, the attached tariffs implementing new rates are consistent with the Settlement Agreement and are just, reasonable, and in the public interest; and

WHEREAS, the Settlement Agreements regarding CenterPoint's *March 27th Application* and Gas Utilities Docket Nos. 9791, 9910, 10007, and 10097, as a whole are in the public interest;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF _____, TEXAS HEREBY ORDAINS:

Section 1. That the findings set out in the preamble are in all things approved and incorporated herein as if fully set forth.

Section 2. That the City Council finds that the Settlement Agreement regarding CenterPoint's *March 27th Application*, attached hereto as Attachment A, and including Exhibits A through Exhibits E of that Settlement Agreement, and the Agreement regarding Gas Utilities Docket Nos. 9791, 9910, 10007, and 10097, appended hereto as Attachment B, all incorporated herein, are in the public interest and are hereby endorsed in all respects.

Section 3. That CenterPoint's existing rates are found unreasonable and the rates set forth in the Settlement Agreement are just and reasonable.

Section 4. That the revenue and resulting rates set forth in the Settlement Agreement and schedule of rates and tariffs for gas-utility service provided by CenterPoint, and the reimbursement of rate case expenses, which are attached as Exhibit A to the Settlement Agreement appended to this Ordinance in Attachment A, are just and reasonable, and are hereby adopted for service rendered on and after August 21, 2015.

Section 5. That the rates under the Settlement Agreement shall be effective for service rendered on and after August 21, 2015.

Section 6. That CenterPoint shall submit to the City annually, reports by no later than September 30 of each year detailing the amount of rate case expenses CenterPoint has collected through rates as of August 30 of each year and showing the balance remaining to be collected.

Section 7. That CenterPoint's and TCUC's rate-case expenses incurred in CenterPoint's *March 27th Application*, and TCUC's rate-case expenses incurred in Railroad Commission of Texas Gas Utilities Docket Nos. 9791, 9910, 10007, and 10097, are reasonable; and the amounts shown in the Settlement Agreement for plant-in-service balances; the base-year level amounts for tracking changes in pension-related and other post-employment benefits; and the factors shown for capital structure; return on equity; and the factors related to Interim Rate Adjustments, are appropriate for future ratemaking proceedings submitted by CenterPoint.

Section 8. That CenterPoint is ordered to reimburse TCUC's total rate case expenses incurred in CenterPoint's *March 27th Application* and in incurred by TCUC related to Railroad Commission of Texas Gas Utilities Docket Nos. 9791, 9910, 10007, and 10097, within thirty (30) days from the effective date of this Ordinance.

Section 9. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

Section 10. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 11. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provision of this Ordinance and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 12. That this Ordinance shall become effective from and after its passage.

Section 13. The City Secretary or other appropriate city official shall notify CenterPoint of this Ordinance by **sending a copy of the Ordinance to Mr. Thomas Stevens, Director of Regulatory Affairs, CenterPoint Energy, P.O. Box 2628, Houston, Texas 77252-2628,** and TCUC shall be notified by **sending a copy of this Ordinance to Mr. Alfred R. Herrera, Herrera & Boyle, PLLC, 816 Congress Ave., Suite 1250, Austin, Texas 8701, by fax to 512-474-2507.**

PASSED AND APPROVED this _____ day of _____, 2015.

Mayor

ATTEST:

City Secretary