



**AGENDA
DRAINAGE DISTRICT
BOARD OF DIRECTORS
September 15, 2014
9:00 A.M.**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held at the Edinburg Council Chambers, 415 W. University Drive, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

1. **Roll Call**
2. **Open Forum**
3. **Approval of Consent Agenda**
4. **AI-46469 2013 BOND SERIES**
 - A.) Requesting approval of Amendment No. One to License NO. LSF/G-1403 with International Boundary & Water Commission as it relates to Drainage Improvements for South Floodwater Channel.
 - B.) Requesting approval of Change Order No. 3 with IPR South Central to extend contract time as it relates to Contract No. TP07-13 Pct. 2 Rado Drain Re-Route Project.
5. **Closed Session:**

Board of Directors may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:

 - A. **Real Estate Acquisition**
 - B. **Pending and/or Potential Litigation**
6. **Open Session:**
 - A. **Real Estate Acquisition**
 - B. **Pending and/or Potential Litigation**
7. **Closed Session:**

Board of Directors may reconvene into Closed Session for the discussion regarding the agenda items listed

8.

Open Session:

Board of Directors may reconvene into Open Session for the discussion regarding the agenda items listed

9.

Adjourn

AI-46469

4.

DRAINAGE DISTRICT

Meeting Date: 09/15/2014

Submitted By: Jaime Salazar, DRAINAGE DISTRICT

Department: DRAINAGE DISTRICT

Information

CAPTION

2013 BOND SERIES

A.) Requesting approval of Amendment No. One to License NO. LSF/G-1403 with International Boundary & Water Commission as it relates to Drainage Improvements for South Floodwater Channel.

B.) Requesting approval of Change Order No. 3 with IPR South Central to extend contract time as it relates to Contract No. TP07-13 Pct. 2 Rado Drain Re-Route Project.

BACKGROUND

Attachments

IBWC Permit

Change Order No. 3 IPR

Form Review

Inbox	Reviewed By	Date
Budget & Management	Debbie Tamez	09/11/2014 03:50 PM
Final Approval	Monica Badillo	09/11/2014 04:30 PM
Form Started By: Jaime Salazar		Started On: 09/11/2014 01:55 PM
Final Approval Date: 09/11/2014		

AMENDMENT NO.: ONE
LICENSE NO.: LSF/G-1403
PROJECT: LOWER RIO GRANDE FLOOD
CONTROL PROJECT

INTERNATIONAL BOUNDARY & WATER COMMISSION
UNITED STATES AND MEXICO
THE COMMONS, BUILDING C, SUITE 100
4171 NORTH MESA STREET
EL PASO, TEXAS 79902

License No. LSF/G-1403 is amended as follows:

2 – 8'x8' concrete box drainage structures, designated as "Structure 23AL", to be placed on the south levee of the Main Floodway south of the City of Donna, Hidalgo County, Texas

LICENSE NO. LSF/G-1403, dated March 14, 1988, and all Amendment(s) if any to said license, shall remain in full force and effect in all respects not herein specifically revised.

Please note your acceptance in the space provided below and execute in duplicate.

Licensee: Hidalgo County Drainage District No. 1

WITNESSES:

By: _____
Ramon Garcia, Chairman

Edward Drusina, P.E.
United States Commissioner
International Boundary & Water Commission
United States and Mexico

By: _____
Jose A. Nuñez, P.E., Principal Engineer
Engineering Department

Date: _____

GENERAL CONDITIONS OF LICENSE

- GC 1 Licensee shall construct, operate, and maintain the works licensed herein so as not to interfere in any manner whatsoever with the construction, operation, and maintenance of the Project or any part thereof, and Licensee hereby waives any and all claims against the USIBWC, its officers, agents, and employees on account of any damage which may be caused to said works of Licensee, directly or indirectly, by, through, or on account of any work done or authorized to be done under authority of the USIBWC.
- GC 2 Licensee shall take all prudent safety precautions to protect the general public and other, including, where necessary, the erection of barricades and precautions against endangerment from pipelines, electric lines, and other facilities, whether buried or above ground. Littering and pollution are specifically forbidden.
- GC 3 All work in connection with the construction, operation, and maintenance of the licensed works shall be subject to the inspection and approval of the authorized representatives of the USIBWC, and subject to such repairs, and to such rules and regulations as may be determined to be necessary by USIBWC.
- GC 4 Licensee shall construct the licensed works as indicated on plans submitted and at locations shown on the attached maps and plats, and this license shall be limited to the works licensed herein; and any additions to, or changes in such works shall be permitted only by suitable written amendment to this license, whether such additions or changes are for the benefit of Licensee or other parties, whether individual, corporate, or otherwise.
- GC 5 The works authorized to be constructed by this license shall be commenced within six (6) months of the date of the license and completed within one (1) year from the date of the license. If same are not commenced within six (6) months and completed one (1) year, then this license shall automatically become null and void and shall thereafter have no force and effect.
- GC 6 Licensee shall be liable for any and all damage to the property of the USIBWC or of any third person or persons by reason of the exercise of privileges conferred by this license; and shall save the USIBWC harmless from any and all claims which any person may have or claim to have, directly or indirectly, arising out of or in any way connected with the construction, operation, and maintenance of said works.
- GC 7 This license shall continue so long as in the opinion of the USIBWC it is considered to be expedient and not detrimental to the public interest, and shall be revocable by the USIBWC upon ninety (90) days' written notice to Licensee. Licensee represents no willful trespass shall be committed upon the properties of others and that no willful violation of Federal, State, and local laws and ordinances shall be committed by Licensee or by Licensee's representative or invitees in the construction, operation and maintenance and use of the licensed works.
- GC 8 In the event this license is revoked by the USIBWC, or licensed work is not completed within one (1) year, or Licensee no longer desires, or fails for a period of twelve (12) consecutive months to use the licensed works for the purpose herein granted, Licensee shall promptly remove all equipment and/or work materials and restore premises to the original condition to the satisfaction of the USIBWC. Should Licensee fail to comply herewith, the USIBWC may perform such removal and restoration at Licensee's expense and Licensee waives any claim to the material salvaged or destroyed.

- GC 9 Rights to the use of waters of the State of Texas and reservoirs thereon within the State of Texas are governed by and are entirely under the control of said State, and the exercise of the privileges conferred by this license affecting use of such waters is contingent upon Licensee having a valid water right from the State of Texas. Licensee understands and agrees that the granting of this license or the approval of the plans and specifications by the USIBWC shall not be construed as passing upon the validity of, or as altering, enlarging or affecting in any manner or to any extent whatsoever, any right or rights which Licensee may have or claim to have to divert, use, or withdraw water from the Rio Grande, other streams, channels, or bodies of water, or from any water wells wherever located.
- GC 10 If at any time, in the opinion of the USIBWC, the licensed works should interfere within construction, operation and maintenance of the Project, Licensee agrees at Licensee's own expense, upon written notice from the USIBWC, to make such alterations with reference to the location and construction of said works as may be deemed advisable by USIBWC; and the decision of the USIBWC as to the necessity and nature of such alterations shall be binding upon Licensee.
- GC 11 In the event it becomes necessary for the USIBWC to make any modifications in its project, necessitating changes in the licensed works, as determined by the USIBWC, Licensee, shall make such changes at Licensee's sole expense, within ninety (90) days after receipt of written notice thereof. Upon Licensee's failure to make such changes or to perform other work as herein provided, the USIBWC may perform same at Licensee's expense.
- GC 12 Licensee accepts this license with the understanding that where the USIBWC has an easement only over the land for which application for license is made, the USIBWC makes no warranty, express or implied, that the terms of such easement are sufficiently broad to authorize the licensed works or ingress or egress to such works without authorization also of the owners in fee of the land involved.
- GC 13 No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this contract or to any benefit to arise there from, but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

CONSTRUCTION REQUIREMENTS AND SPECIFICATIONS

- CR 1 Licensee shall construct, operate, and maintain 2 – 8'x8' concrete box drainage structures, designated as "Structure 23AL", to be placed on the south levee of the Main Floodway south of the City of Donna, Hidalgo County, Texas.
- CR 2 Licensee shall schedule the work authorized under this license for the period of November 1st to June 1st.
- CR 3 The Licensee shall maintain 24-hour emergency service equipment and personnel during construction work on USIBWC Right-of-Way. The Licensee will be required to take immediate action upon notification by USIBWC to backfilling and compacting all excavated trenches and to reconstruct the levee to its original condition to prevent any flooding. The Licensee will also be required to remove all excess material from the floodplain and levees. The Licensee shall furnish to the USIBWC, the names and telephone numbers of two persons responsible for this emergency service. Any damages and cost associated with such, to person(s) or property resulting from the Licensee's failure to conduct the necessary emergency measures will be the Licensee's responsibility.
- CR 4 The Licensee must contact applicable underground utilities and/or utility location services for site clearance prior to any scheduled construction. In Texas, the Texas Excavation Safety System 1-800-DIG-TESS (1-800-344-8377) www.digtess.org Lone Star Notification Center (800) 669-8344 or (713) 223-4567, and Texas One Call System (800) 245-4545 or (412) 415-5000 offers these services. This requirement is a standard for any project that includes excavation and/or trenching. Damage to underground gas or hydrocarbon lines could cause a dangerous release or harmful compounds. For most excavations, this clearance is a legal requirement in accordance with the Texas Utilities Code Title 5, Chapter 251.
- CR 5 The Licensee shall install 2 – 8'x 8' concrete boxes on the south levee of the floodway by open cut method.
- CR 6 The excavation through the levee and berm area (35 feet from the levee toe) for the length of the structure shall have a side slope of one vertical foot to one horizontal foot (1:1) minimum or flatter and shall be excavated to maintain the 1:1 slope from the top of the levee or berm area to the bottom of the cut. During the excavation for the structure, if unsuitable material is encountered, the Licensee shall keep it separate from suitable material and shall not use it for backfill. Unsuitable materials shall be any soil classified in accordance with ASTM D2487-93 as organic (OL, OH, or PT), elastic silts (MH), fat clays (CH), clean sands (SW, SP, SW-SM, SW-SC, SP-SM, or SP-SC), or clean gravels (GW, GP, GW-GM, GW-GC, GP-GM, or GP-GC). Where imported material is required for backfill, it shall consist of natural soil which is not judged unsuitable according to the above criteria. All fill material shall be free from roots, trash, organic matter, and other objectionable material. The Licensee shall supply soil classification test results for any borrow source proposed for use.

- CR 7 Backfill of the north side high ground, including any bedding material for the pipe, shall consist of suitable material placed in horizontal lifts not exceeding six (6") inches in compacted thickness. Suitable material shall be imported material as defined in CR 6, or material excavated from the levee or foundation, which is not judged unsuitable according to CR 6. Backfill shall be brought up evenly on both sides of each pipe to avoid unequal side loads that could fail or move the pipe. Backfill material used shall have a uniform moisture content within +/- 3% of optimum.

Each layer of material shall be bonded to the next and shall be compacted to not less than 95% of maximum density, as determined by ASTM Designation: D 698, Method A. Material immediately adjacent to the pipe and/or structure(s) that cannot be compacted by mechanical equipment shall be hand tamped to meet the aforementioned specifications. Backfill outside the Levee and berm area 35 feet from the levee toe, shall approximate that of the surrounding natural ground.

The Licensee shall repair any settlement in the trench which may occur within one (1) year of completion of the licensed work. Test to verify moisture content, compaction, or soil classification as may be determined to be necessary by the USIBWC, shall be performed by an independent testing laboratory at the expense of the Licensee. The USIBWC's representative will designate the times and locations of the test.

The structure shall be installed in the dry, and a dewatering system shall be used where necessary.

- CR 8 HG-560 WATER CONTROL GATE or equal shall be used. All anchor bolts in the gatewell and gate stem shall be stainless steel.

- CR 9 Licensee shall install a gatewell operation platform at least three (3') feet from the ground. Licensee shall install and maintain a galvanized, or equivalent, grill/grating over the gatewell opening.

- CR 10 Licensee shall restore the surface of the levee crown, slopes, and ramps, along with all caliche surfacing disturbed by the excavations with a minimum thickness of six (6") inches of compacted caliche surfacing material. The surfacing shall be compacted to not less than 90% of maximum density, as determined by ASTM Designation: D 698, Method A.

Should settlement of the repaired roadway occur within one year following completion of work, Licensee shall rework and relay the road surface, bringing it up to its original grade.

Caliche surfacing material shall be uniformly graded and shall meet the requirements of "Texas Department of Transportation, 1993 Standard Specifications for Construction of Highways, Streets, and Bridges" for Item 247 Flexible Base, Type D, Grade 5.

- CR 11 Two cut-off collars shall be installed on the structure, one of the collars shall be incorporated into the gatewell structure, and the other located within the high ground area.

- CR 12 Licensee must obtain approval from the USIBWC, before placing any excess material excavated from the structure, and the material excavated from the drain ditch on USIBWC Right-of-Way. No berms may be left or placed inside the floodplain.
- CR 13 Licensee shall be responsible for keeping the work site and drain ditches clean and free of all trash, brush, debris, and other materials that may impede the normal flow of drainage waters. When dredging the drain ditch, spoil may be placed along the edge of the drain ditch on USIBWC Right-of-Way. However, when the spoil has dried, all of the material must be picked up and the area left in a clean smooth manner acceptable to the USIBWC. No berms may be left or placed inside the floodplain.
- CR 14 In the event erosion develops within the drain or at its junction with the pilot channel, the Licensee will be required to control the erosion by placing riprap or using other methods acceptable to the USIBWC.
- CR 15 Upon completion of the construction, the worksite within the USIBWC Right-of-Way shall be left in a clean and neat appearing condition with all debris and excess material removed from the site. That portion and area disturbed in the process of constructing the structure shall be re-seeded with "Bermuda-type NK-37" or other native grasses. Seeds may be broadcast along with a good commercial grade fertilizer 16-20-0 or 16-8-8. Licensee shall water as frequently as necessary for a period of twenty-one (21) days to ensure a germination rate of not less than eighty percent (80%).
- CR 16 The Licensee shall comply with all requirements of the United States Fish and Wildlife Service according to their letter, Consultation No. 02ETCC00-2012-I-0341.
- CR 17 Notice is to be provided to the USIBWC if this facility is abandoned or is changed or modified in any manner, which may affect the scope of this license. At such time as the facility is abandoned and upon request of the USIBWC the area shall be restored to its previous condition by the Licensee.
- CR 18 Protections of Existing Improvements
During construction of works covered by this license care shall be exercised to prevent damage to existing United States facilities or their licensed installations. Any facilities damaged as a result of the construction shall be repaired or replaced at the Licensee's expense to the satisfaction of the USIBWC. Levee roads and slopes, and ramp roads are included in each facility.
- CR 19 Safety to the Public
The Licensee shall provide, erect, and maintain all necessary barricades, suitable and sufficient flasher lights, flagmen, danger signals, and signs; and shall take all necessary precautions for the protection of the work and the safety of the public. Roads closed to traffic shall be protected by effective barricades on which shall be placed acceptable warning and detour signs. All barricades and obstructions shall be illuminated at night by lights kept burning from sunset until sunrise.

CR 20 Landscape Preservation

The Licensee shall exercise care to preserve the natural landscape and shall conduct his construction operations so as to prevent any unnecessary destruction, scarring, or defacing of the natural surroundings in the vicinity of the work. Except where clearing is required for permanent work, for approved construction roads and for excavation operations, all trees, native shrubbery, and vegetation shall be reserved and shall be protected from damage, which may be caused by the Licensee's construction operations and equipment. Movement of crews and equipment within the right-of-way and over routes used for access to the work shall be performed in a manner to prevent damage to United States' facilities.

Where unnecessary destruction, scarring, damage, or defacing may occur as a result of the Licensee's operations as determined by the USIBWC, the same shall be repaired, or otherwise corrected at the Licensee's expense.

CR 21 Prevention of Water Pollution

The Licensee shall comply with applicable Federal and State laws, orders, and regulations concerning the control and abatement of water pollution.

The Licensee's construction activities shall be performed by methods that will prevent entrance, or accidental spillage of solid matter, contaminants, debris, and other objectionable pollutants and wastes into the Rio Grande, flowing or dry watercourses, and groundwater sources.

Such pollutants and wastes include, but are not restricted to: refuse, garbage, cement, concrete, sewage effluent, industrial waste, radioactive substances, oil and other petroleum products, aggregate processing tailings, mineral salts, and thermal pollution. Sanitary wastes shall be disposed of in accordance with State and local laws and ordinances.

Dewatering work for structure foundations or earthwork operations near streams or watercourses shall be conducted in a manner to prevent excessive muddy water and eroded materials from entering the Rio Grande or watercourses by construction of intercepting ditches, bypass channels, barriers, settling ponds, or by other approved means. All dewatering activities must be in accordance with local, state, and federal regulations. Mechanized equipment shall not be unnecessarily operated in flowing water.

CR 22 Abatement of Air Pollution

The Licensee shall comply with applicable Federal, State, interstate and local laws and regulations concerning the prevention and control of air pollution.

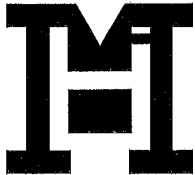
In conduct of construction activities and operation of equipment, the Licensee shall utilize such practicable methods and devices as are reasonably available to control, prevent and otherwise minimize atmospheric emissions or discharges of air contaminants. Equipment and vehicles that show excessive emissions shall not be operated until corrective repairs or adjustments are made.

The Licensee's methods of storing and handling cement shall include means of controlling atmospheric discharges of dust.

During the performance of the work required by these specifications or any operations appurtenant thereto, whether on right-of-way provided by the United States or elsewhere, the Licensee shall furnish all of the labor, equipment, materials, and means required, and shall carry out proper and efficient measures wherever and as often as necessary to reduce the dust

nuisance, and to prevent dust which has originated from his operations from damaging crops, lands, and dwellings, or causing a nuisance to persons. The Licensee will be held liable for any damage resulting from dust originating from his operations under these specifications on United States Right-of-Way or elsewhere.

- CR 23 The Licensee shall provide a full-time construction inspector for the duration of the work. The construction inspector shall be responsible for overall construction requirements.
- CR 24 The Licensee shall submit a flood control plan to the USIBWC for review and approval prior to the commencement of construction.
- CR 25 The USIBWC reserves the right to inspect the construction work for conformance with the provisions of the License at any time.
- CR 26 Licensee shall contact the USIBWC Mercedes Field Office at (956) 565-3159 at least one week prior to the start of work authorized by this license.



TBPE Firm # F-1435
TBPLS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS
FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERT TAMEZ

September 11, 2014

Godfrey Garza, Manager
Hidalgo County Drainage District No. 1
902 N. Doolittle Rd
Edinburg, Texas 78541

RE: Rado Drain

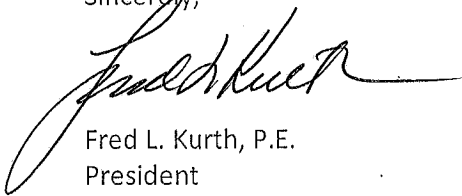
Dear Godfrey:

IPR SC, LLC. (contractor) is requesting an additional 30 calendar days to prepare pipe (EcoCast Application) for this project. Please be advised of the following information:

Original contract time ends:	May 26, 2014
Change Order #1 ends:	July 26, 2014
Change Order #2 ends:	Sept. 12, 2014
Rain/weather days: 7	Sept. 19, 2014
30 days additional request with Change Order #3:	Oct. 19, 2014

If you have additional questions, please contact me at my office at 381-0981

Sincerely,



Fred L. Kurth, P.E.
President

cc: Attachments

