



City Council Agenda Item Request Form

This form is required to be completed by the applicable deadline for placement of an item on the City Council Agenda.

Date:

Department Making Request: 35 - Community Development

Person Making Request: Dinh V. Ho, P.E.

Item Type: Action (other)

Budgeted? NO

Cost:

If budgeted, identify account:

Short Description:

Ames Boulevard Phase II - Water and Sanitary Facilities within City Limits - Conditional Approval into One Year Maintenance Period

Explanation/Justification Details:

Recommendation for Conditional Approval into One Year Maintenance Period for Ames Boulevard Ph II - Water and Sanitary Sewer Facilities within City Limits.

Engineering has received closeout documents and held final inspections and has no objections into the One Year Maintenance Period. It is conditional subject to project approval by Brazoria County Commissioner's Court. Effective date of One Year Maintenance Period shall be the date commissioner's court approves the project, if approved by city council.

Requestor Signature: *Dinh Ho, P.E.*

This section to be completed by City Secretary, City Attorney, and City Manager's Office only:

Legal Review is complete, legal documents are prepared:

City Attorney

Item is approved for placement on Council Agenda:

City Manager

Item is scheduled for placement on the

Council Agenda.

City Secretary

Wednesday, August 7, 2024

Mayor Wil Kennedy
City Council
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77553

Re: Ames Boulevard Phase II – Water and Sanitary Facilities within City Limits
Recommendation for Conditional Approval into One-Year Maintenance Period
City of Iowa Colony Project No. 2106
Adico, LLC Project No. 16007-4-427

Dear Mayor and City Council:

On behalf of the City of Iowa Colony, Adico, LLC has completed its final inspection of Ames Boulevard Phase II – Water and Sanitary Facilities within city limits. The final inspection was completed on November 28, 2023, with all outstanding punch list items addressed on January 31, 2024.


Based on our review of the closeout documents provided, Adico, LLC recommends approval of Ames Boulevard Phase II – Water and Sanitary Sewer Facilities within city limits only into the One-Year Maintenance Period. The approval is subject to project approval by Brazoria County Commissioner's Court. The maintenance period shall be effective the date of Brazoria County Commissioner's Court approval, if approved by City Council. Engineer of Record shall provide approval from commissioner's court.

In compliance with the City of Iowa Colony Public Works and Engineering Subdivision Acceptance Checklist, please find included in the One-Year Maintenance acceptance package the following items:

1. Engineer of Record Certification Letter
2. Maintenance Bond 108042470 and Rider
3. As-Builts (cover only)

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC


Dinh V. Ho, F.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser
Robert Hemminger
File: 16007-4-427

CITY OF IOWA COLONY Certification of Infrastructure

CERTIFICATION OF INFRASTRUCTURE FOR:

AMES BLVD PH II AND BAIRD BLVD PH I

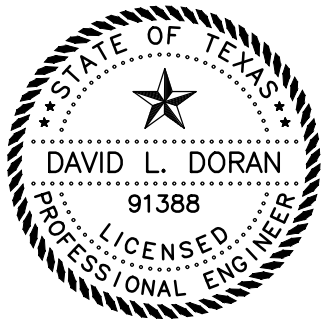
(Project Name)

I, David Leonard Doran

(Name of Licensed Engineer)

a Licensed Professional Engineer in the State of Texas , do hereby certify that all the paving, drainage, sanitary and water infrastructure has been built in compliance with the City of Iowa Colony Engineering Design and Criteria Manual the Engineer of Records Construction Documents. In addition, the infrastructure meets the required specifications based on our field investigation, inspections and evaluation of and approval of testing of infrastructure.

Engineer's Seal



TBPELS Firm Registration No. F-22671

May 15, 2024

David L. Doran

Engineer's Signature

Elevation Land Solutions

Licensed Engineering Firm Name

9709 Lakeside Blvd. Suite 200

Address

The Woodlands, TX 77381

City, State and Zip Code

(832) 823-2200

Phone No.

**CITY OF IOWA COLONY
MAINTENANCE BOND**

1. The following terms shall have the following meanings in this document:

a. Bond Number: 108042470

b. Principal: Northtex Construction, LLC

c. Surety:

Name: Travelers Casualty and Surety Company of America

State Where Surety is Incorporated: Connecticut

d. Obligee(s): N/A; and the City of Iowa Colony, Texas (If the Principal contracted directly with a general contractor rather than with the City of Iowa Colony, then list that general contractor here. If the Principal contracted directly with the City of Iowa Colony, then the City of Iowa Colony is the only Obligee, so leave this line blank.)

If there is more than one Obligee, then the terms "Obligee" and "Obligees" shall mean any and all Obligees hereunder, jointly and severally.

e. Contract: The Contract described as follows:

Date: March 2, 2023

Parties: Principal and Brazoria County Municipal Utility District No. 53

Subdivision involved: Baird Boulevard Phase I

General subject matter (e.g. drainage, excavation, grading, paving, utilities, etc.): Drainage

This description of the subject matter is intended only to identify the Contract and shall not be construed to restrict the scope of the Contract.

f. Bond Amount: \$ 207,615.89 (Two Hundred Seven Thousand Six Hundred Fifteen and 89/100 Dollars)

g. Maintenance Period:

Starting Date of Maintenance Period: _____

(Fill in **date of completion and acceptance** of the work performed or required to be performed under the Contract.)

Ending Date of Maintenance Period: one year after the Starting Date

h. Covered Defect: Any defect in the work or materials provided or required to be provided by Contractor under the Contract, provided that such defect develops during or before the Maintenance Period, and provided that such defect is caused by defective or inferior materials or workmanship.

2. Principal has entered into the Contract.

3. Principal, as Principal, and Surety, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto Obligees, in the penal sum of the Bond Amount, and we hereby bind ourselves and our heirs, executors, administrators, and assigns, jointly and severally, to the payment of such Bond Amount.

4. The condition of this obligation is that if the Principal shall remedy without cost to the Obligees any Covered Defect, then this obligation shall be null and void; otherwise, this obligation shall be and remain in full force and effect.

5. However, any suit under this bond must be commenced no later than one year after the expiration date of the Maintenance Period.

6. If there is more than Obligees under this bond, then the Bond Amount applies to the Surety's aggregate liability to all Obligees.

DATED: June 25, 2024

SURETY:
Travelers Casualty and Surety Company of America

By: 
Signature

Richard Covington
Print or Type Signer's Name

Attorney-in-Fact
Signer's Title

PRINCIPAL:
Northtex Construction, LLC

By: 
Signature

Ruben Garcia
Print or Type Signer's Name

President
Signer's Title

ATTACH POWER OF ATTORNEY



**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Marc W. Boots, Vickie Lacy, Susan Golla, Maria D. Zuniga, Richard Covington, Joseph R. Aulbert, Ashley Koletar, Heather Noles, Stephanie Moore Harold, Dylan Young, Ryan Varela, and Melanie Salinas of Houston, Texas,** their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on, behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 21st day of April, 2021.



State of Connecticut

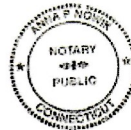
By: 
Robert L. Raney, Senior Vice President

City of Hartford ss.

On this the 21st day of April, 2021, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2026




Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 25th day of June, 2024




Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.**

RIDER

To be attached to bond known as Bond No. 108042470
issued by Travelers Casualty and Surety Company of America (as Surety),
in the amount of \$207,615.89
effective June 25, 2024
on behalf of Northtex Construction, LLC
in favor of City of Iowa Colony, Texas

In consideration of the premium charged for the above bond, it is mutually understood and agreed by the Principal and the Surety that:

The subdivision involved is hereby changed:

From: Baird Boulevard Phase I

To: Ames II

All other terms, limitations, and conditions of said bond except as herein expressly modified shall remain unchanged.

This rider shall be effective as of the 25th day of June, 2024.

Signed, sealed and dated the 2nd day of July, 2024.

Northtex Construction, LLC

By: 

Travelers Casualty and Surety Company of America

By: 
Vickie Lacy, Attorney-in-Fact



**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**


POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Marc W. Boots, Vickie Lacy, Susan Golla, Maria D. Zuniga, Richard Covington, Joseph R. Aulbert, Ashley Koletar, Heather Noles, Stephanie Moore Harold, Dylan Young, Ryan Varela, and Melanie Salinas of Houston, Texas**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April, 2021**.



State of Connecticut

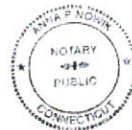
By: 
Robert L. Raney, Senior Vice President

City of Hartford ss.

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IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June, 2026**




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I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **2nd** day of **July**, 20**24**




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Travelers Casualty and Surety Company of America

By: 
Vickie Lacy, Attorney-in-Fact



**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**


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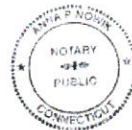
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Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.**

DEVELOPER: MR. JOSH WADLEY
LAND TEJAS SIERRA VISTA WEST, L.L.C.
2450 FONDREN ROAD, SUITE 210
HOUSTON TEXAS, 77063
(713)783-6702

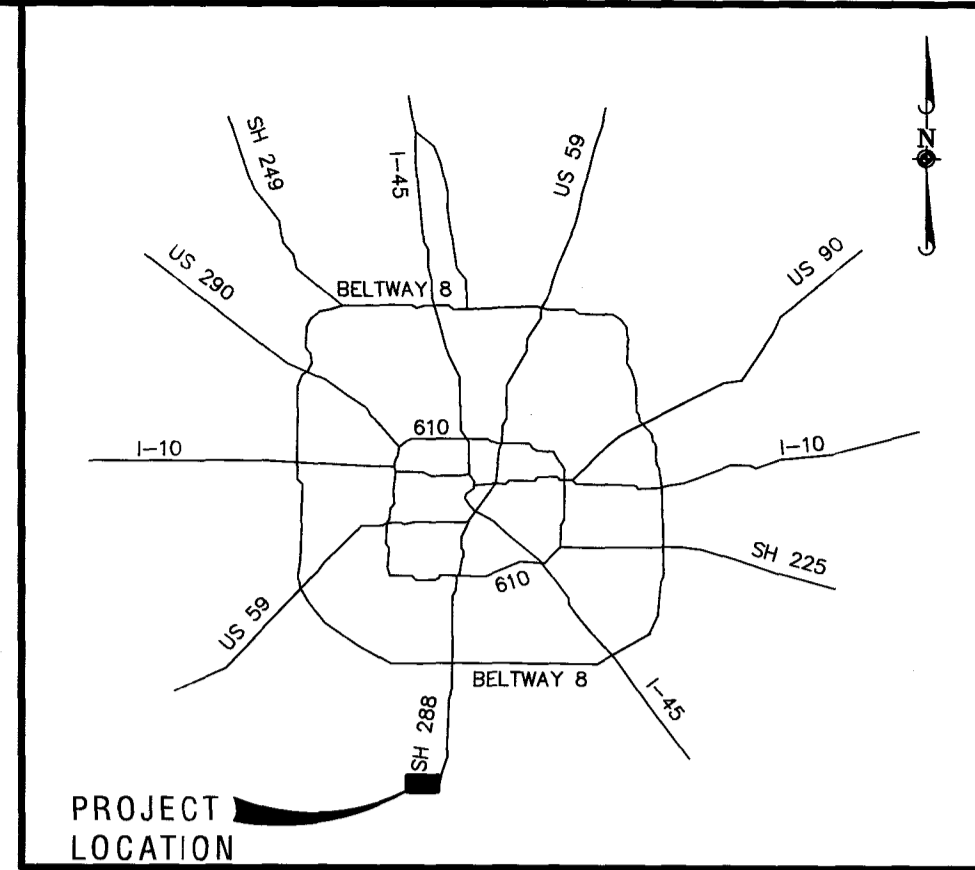
CONSTRUCTION OF WATER, SANITARY, DRAINAGE FACILITIES, AND PAVEMENT FOR AMES BOULEVARD PHASE II

BRAZORIA COUNTY M.U.D. NO. 53
BRAZORIA COUNTY, TX
PROJECT NO. 610.020018.00

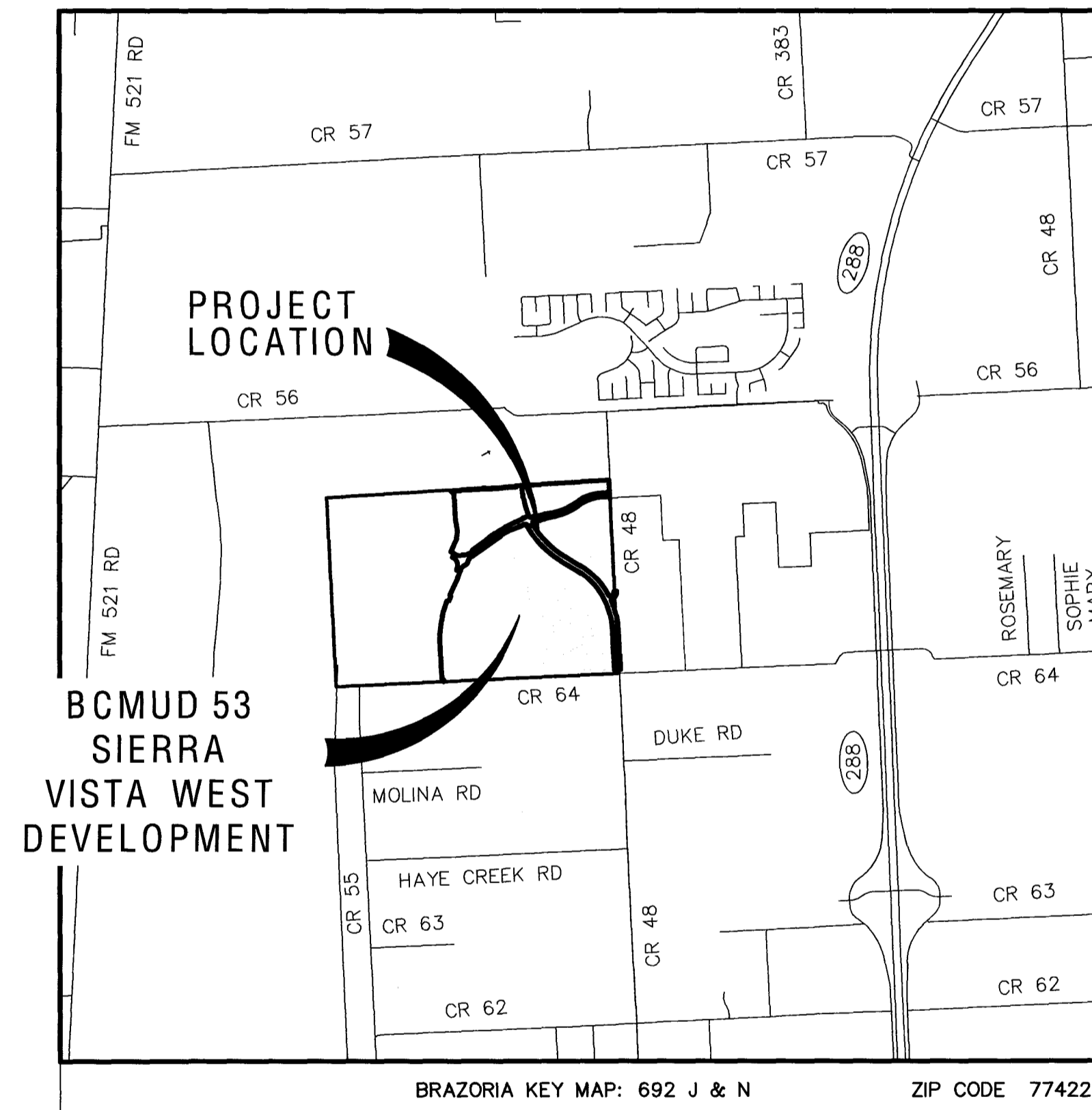
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4	DRAINAGE OVERALL
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7	STORM WATER POLLUTION PREVENTION PLAN
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9	PHASING PLAN
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ONE-CALL NOTIFICATION SYSTEM
CALL BEFORE YOU DIG!!!
(713) 223-4567 (In Houston)
(New Statewide Number Outside Houston)
1-800-344-8317



HOUSTON AREA VICINITY MAP
N.T.S.



LOCATION MAP
1" = 1/2 MILE

ISSUED FOR CONSTRUCTION
Issue Date - 04/03/2023

RECORD DRAWING
04/15/2024
THIS PROJECT WAS CONSTRUCTED IN GENERAL CONFORMANCE WITH THESE PLANS, AND ELEVATIONS ON THESE DRAWINGS REPRESENT WHAT WAS CONSTRUCTED WITHIN ENGINEERING TOLERANCES.

CONTRACTOR SHALL NOTIFY THE CITY OF IOWA COLONY C/O ADICO, LLC (DINH HO, P.E. @ 832-895-1093 OR INSPECTIONS@ADICO-LLC.COM) 48 HOURS BEFORE STARTING WORK ON THIS PROJECT.

CONTRACTOR SHALL NOTIFY THE BRAZORIA COUNTY PRIOR TO COMMENCING CONSTRUCTION AND/OR BACKFILLING ANY UTILITIES. CONTRACTOR(S) TO CONTACT ENGINEER-CONSTRUCTION@BRAZORIA-COUNTY.COM 48 HOURS BEFORE COMMENCING WORK.

APPROVED BY BRAZORIA COUNTY DRAINAGE DISTRICT #5
Lee Walden, P.E. Date 6-15-22 President
Kerry Osburn Date 6/15/22 Vice President
Brandon Middleton Date 6-15-22 Secretary/Treasurer
Jarrod D. Aden, P.E., C.F.M. Date 6-15-22 District Engineer

Note: Project field startup will start within 365 calendar days from date here shown. Continuous and reasonable field site work is expected.
BCDD 5 I.D. # B210072

BENCHMARKS:
SOURCE BENCHMARK:
ELEVATIONS SHOWN HEREON ARE BASED ON TxDOT MONUMENT HV-79C LOCATED IN THE MEDIAN OF S.H. 288 APPROXIMATELY 125 FEET +/- SOUTH OF C.R. 56 WITH A PUBLISHED ELEVATION OF 49.31 FEET, NAVD 88, 1991 ADJUSTMENT.
TEMPORARY BENCHMARK:
T.B.M. "A" BEING A SET "PK" NAIL IN ASPHALT LOCATED AT THE CENTERLINE INTERSECTION OF COUNTY ROAD 48 AND COUNTY ROAD 64.
ELEVATION = 54.34 FEET, NAVD 88 (1991 ADJUSTMENT)

FLOODPLAIN INFORMATION:
ACCORDING TO MAP Nos. 48039C0115K OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR BRAZORIA COUNTY, DATED DECEMBER 30, 2020, THE SUBJECT TRACT IS SITUATED WITHIN UNSHADED ZONE "X", DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN.
THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

TITLE SHEET & SHEET INDEX

BRAZORIA COUNTY ENGINEERING DEPARTMENT
REVIEWED FOR CONSTRUCTION:
M. J. WALKER, P.E., COUNTY ENGINEER DATE 6/15/22
Jorge Reyna, DEVELOPMENT COORDINATOR DATE 6-15-22

ENGINEER'S SEAL
DE. H. NGUYEN
2445 TECHNOLOGY FOREST
BLVD, SUITE 200
THE WOODLANDS, TX 77381
(832) 823-2200
DATE 05/10/2022
TBPE NO. F-22671

CITY OF IOWA COLONY
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
THIS IS TO CERTIFY THAT THESE PLANS HAVE BEEN FOUND TO BE IN GENERAL COMPLIANCE WITH THE CURRENT REQUIREMENT ESTABLISHED BY THE CITY OF IOWA COLONY.
M. Brown DATE 06082022
DINH HO, P.E., CITY ENGINEER DATE 06082022
CITY OF IOWA COLONY
NOTE: CITY APPROVAL VALID FOR ONE YEAR AFTER DATE OF SIGNATURES

ELEVATION
land solutions
TBPE REGISTRATION NUMBER F-22671

P:\020 Sierra Vista West Development\018 Ames Boulevard Phase II\Drawings\Cover\COVER.dwg - 5/10/2022 7:22 AM

ISSUED FOR CONSTRUCTION - 04/03/2023
ELEVATION LAND SOLUTIONS - AMES BOULEVARD PHASE II - PROJECT NO. 610.020018