

DRAFT

COVER SHEET

MATAGORDA BAY MITIGATION TRUST
REQUEST FOR PROPOSALS (RFP)
For
2024-25 Funding Cycle Projects

RFP # 2024-2025-1

Due October 14, 2024 5:00 P.M. C.S.T.

Respondent

City of Port Lavaca



202 N. Virginia Street
Port Lavaca, Texas 77979

Program/Project:
**PURCHASE OF "KITCHEN PROPERTY"
FOR CONSERVATION AND NEW PUBLIC ACCESS
TO LAVACA BAY**

Prepared by

JoAnna P. Weaver, P.E.
Interim City Manager
City of Port Lavaca
Contact phone: 361-827-3601
Contact fax: 361-552-6062
Contact email: jweaver@portlavaca.org

PART IV



MATAGORDA BAY MITIGATION TRUST

Deadline:
October 14, 2024
At 5:00 PM

Please contact Steven J. Raabe,
with any questions.
Trustee@mbmTrust.com

APPLICATION FORM - 2024-2025 Funding Cycle

(Please address all questions. Include additional pages if necessary)

1. Program/project contact information:

Name of Lead Investigator/Program Manager:

JoAnna P. Weaver, P.E.

Name of organization:

City of Port Lavaca

Physical address:

202 N. Virginia St. Port Lavaca, TX 77979

Mailing address (*include mail code if applicable*):

same

Email address:

jweaver@portlavaca.org

Telephone number: **361-552-9793**

Fax number: **361-552-6062**

Name of Project Manager or Authorized

Representative, if appropriate:

JoAnna P. Weaver, P.E.

Email address for Project Manager or

Authorized Representative:

jweaver@portlavaca.org

Check the funding priority that applies to your proposed project:

General Call:

Public Education

Youth Camps

Land for Pollution Prevention

Public Access Improvement

Environmental Research

Environmental Advocacy

Habitat Restoration

Specific Call No. 1:

GLO CRP, GOMESA Projects

Specific Call No. 2:

Dedicated Mitigation Projects

*Note: Notifications will be sent electronically

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2. Applicants must be classified as a government or non-profit organization. Provide Federal Tax ID number or IRS Letter of Determination: **Federal Tax ID# 74-6001927**

3. Program/project name: **Purchase of Kitchen Tract on Lavaca Bay for conservation and improve public access to the waterfront**

4. Implementation and conclusion dates of program/project:
 - Oct 7, 2024 - Letter of Intent to purchase Kitchen property signed, contingent upon award of MBMT grant
 - Feb 3, 2025 – sign sales contract with Kitchen heirs, with a 90-day max. due diligence period and pay \$5,000 Earnest money
 - April 2025 – close on purchase of property
 - May 12, 2025 – award Task Order to Coast & Harbor Engineering to perform data collection and preliminary design necessary for USACE permit application for shoreline protection (bathy, habitat, cultural resources).
 - January 2026 – submit USACE permit application
 - 2026 – seek grant opportunities to construct shoreline protection project such as CEPRA.

5. Amount requested: **\$480,000.00**

6. Proposed project summary (100 words or less):

The City of Port Lavaca wishes to use grant dollars from the MBMT to purchase this waterfront property on the bluff of Lavaca Bay for conservation purposes and to be able to provide a new public access point to Lavaca Bay. The City will contract with a coastal engineer to perform data collection and make application to the USACE for a permit to construct a shoreline protection project. With approval of a USACE permit, the City will at that point seek grant funding to construct the permitted shoreline improvements and establish the tract as a designated public park.

7. Brief history and mission statement of the proposing organization (150 words or less):

The City of Port Lavaca is the county seat of Calhoun County and part of the Victoria, Texas Metropolitan Statistical Area. It is located along the mid-Texas Gulf Coast and was incorporated in 1919 with a Home-Rule charter and a “council-manager” form of government. With a 2020 census population of 11,557, Port Lavaca is a rural,

waterfront community rich in history and natural resources. The mission of the City of Port Lavaca is to make Port Lavaca a desirable place to live through quality services, responsible use of public resources, and a progressive attitude toward community development. With enthusiasm, integrity and vision, we will maintain a safe environment and continually improve the quality of life for all citizens.

8. Describe the need for or value of the project and how it addresses the selected funding priority.

Funding of this project will allow one of the last undeveloped tracts of land along Lavaca Bay in the City of Port Lavaca to be publicly owned and to remain generally in it's native state, conserving the natural beauty of the site and provide a new public access point to the shores of Lavaca Bay. With public ownership and the data collection and USACE permitting completed, the City will in the future apply for various State and Federal grant dollars for design engineering and construction dollars to provide a project to protect the shoreline from further erosion. This project is conceptually thought to include a breakwater and marsh development (living shoreline), with the breakwater designed such that the public can access it and fish from it. A small amount of development will be made to the property to provide a safe public park. This includes a small parking lot (estimated 10 spots) and a walking trail using green infrastructure techniques so as to not increase stormwater runoff. Minimal clearing of brush, replaced with natural grasses and a trail will be done to provide safe access to the shoreline so that debris which washes up on the shoreline can be collected and disposed of on a regular basis.

9. List the goals and objectives of the proposed project:

- To conserve the natural beauty of one of the last remaining undeveloped tracts of land along the Lavaca Bay in Port Lavaca;
- To maintain stormwater runoff from this site to undeveloped land levels;
- To provide a new free, safe and accessible public access to Lavaca Bay;
- To educate the public with educational signage about Lavaca Bay, marine pollution, and green infrastructure and shoreline protection techniques to protect our shorelines from pollution and erosion.

10. Describe the methods to be used in the proposed project. Please provide a list of tasks, deliverables and milestones. Please indicate what permits or authorizations are needed to implement project, if any, and if those have been secured:

- October 7, 2024 - Sign a Letter of Intent to purchase contingent upon grant award
- Feb 3, 2025 – sign sales contract with Kitchen heirs, with a 90-day max. due diligence period and pay \$5,000 Earnest money
- April 2025 – close on purchase of property

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- May 12, 2025 – award Task Order to Coast & Harbor Engineering to perform data collection and preliminary design necessary for USACE permit application for shoreline protection (bathy, habitat, cultural resources).
- January 2026 – submit USACE permit application

11. Describe the impact the project will have on the areas it benefits and the longevity of those benefits.

This project will have a great benefit to the south area of the City of Port Lavaca, by providing the funds to purchase the land and perform the data collection and USACE permitting needed to protect the shoreline and ultimately provide a free, safe and accessible public access to Lavaca Bay within walking distance to many low-to-moderate income residents. With public ownership, city staff will be able to keep the area clean of marine debris that washes up on the shore. Once subsequent grant dollars are secured from other sources and the shoreline and other improvements are made, the tract will be dedicated as a public park. Once so designated, it's use as a public park cannot be changed without the vote of the citizens of Port Lavaca. It is expected that the improvements that will be made as a result of the permitted project will last 30-50 years or more. It's worth noting that the concrete seawall that remains and protects the upper portion of this tract was erected in 1922 and still functions today.

12. Attach vitae or resume of Lead Investigator/ Program Manager of the proposed project. *See attached resume of JoAnna P. Weaver, P.E., Interim City Manager*

13. Financial information:

- a) Total budget for this project: \$ 530,000
- b) Matching funds (in-kind services or cash)
(Not required but desirable for proposals in response to the general call for proposals. Insert the 60% match from GLO or other funding for proposals in response to the Specific Call for Proposals No. 1):
\$ 50,000
- c) Amount being requested from the Trust \$ 480,000

14. Please provide a task and expense budget. Note: Indirect/overhead costs are limited to 15% of salaries charged to the project.

- Purchase of property including estimated closing costs \$255,000
- Data collection and engineering for USACE permitting of a shoreline protection project \$225,000

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- Minimal brush clearing for pervious surface parking and trails and signage \$ 50,000
- FUTURE: Following USACE permitting, grant funds will be sought after to construct a shoreline protection project, which typically require some local dollar matching funds, but that amount is unknown at this time.

Should the Matagorda Bay Mitigation Trust fund this project, the undersigned agrees:

- To enter into a contract specifying the terms and conditions of the engagement.
- To designate where any dissertation or thesis can be accessed by the Matagorda Bay Mitigation Trust if applicable (e.g., website, publication source, etc.);
- To provide digital images of project activities; and
- To provide evidence of full and proper credit to the Matagorda Bay Mitigation Trust for support of this research/project in all publications and other appropriate forums.

Signature of Lead Investigator/
Program Manager

Signature of Authorized
Organization Officer or Board
Officer

Submittal Date: _____

Submit completed applications to (PDF file size limit: 15MB):

<https://www.mbmtrust.com/rfps/>

PART V - ATTACHMENTS

All Attachments are to be returned with Submittal

ATTACHMENT A - SUBMISSION EXCEPTIONS/CLARIFICATIONS

Any exceptions taken or clarifications made to this RFP must be itemized on the lines below. Additional pages may be added as needed. If there are no exceptions or clarifications, please indicate “NONE” and sign where indicated at the bottom of the page.

Item # Description

1 General Terms and Conditions Section III.B: Add to start of para. “To the extent allowed by Texas law”

2 General Terms and Conditions Section X.A: Add “TEXAS” before “LAW” in first sentence.

3. General Terms and Conditions Section X.B.: Add “TEXAS” before “LAW” in the first sentence.

4 General Terms and Conditions Section XIX: Add to the start of the para.: “To the extent allowed by Texas law,”

The above exceptions and clarifications (and any additional pages identified) are the ONLY exceptions/clarifications to the specifications. I understand that the Trust may not accept additional exceptions produced after final submission of this response.

Signature

Respondent

Date

No Exceptions are taken to this RFP.

Signature

Respondent

Date

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ATTACHMENT B -ACKNOWLEDGMENT

The undersigned agrees this submission becomes the property of the Matagorda Bay Mitigation Trust (Trust) after the published submission deadline.

The undersigned affirms they have familiarized themselves with the specification, drawings, exhibits and other documents; the local conditions under which the work is to be performed; satisfied themselves of the conditions of delivery, handling and storage of materials and equipment; and all other matters that will be required for the work before submitting a response.

The undersigned agrees, if this submission is accepted, to furnish any and all items/services upon which prices are offered, at the price(s) and upon the terms and conditions contained in the specification. The period for acceptance of this submission will be 120 calendar days from the filing deadline noted herein unless a different period is noted.

The undersigned affirms that they are duly authorized to execute this contract, that this submission has not been prepared in collusion with any other Respondent, nor any employee or representative of the Trust, and that the contents of this submission have not been communicated to any other Respondent or to any employee or representative of the Trust prior to this submission.

Respondent hereby assigns to the Trust any and all claims for overcharges associated with this contract which arise under the antitrust laws of the United States, 15 USCA Section 1 et seq., and which arise under the antitrust laws of the State of Texas, Tex. Bus. & Com. Code, Section 15.01, et seq.

The undersigned affirms that they have read and understand the specifications, all exhibits, and attachments contained in this RFP package.

The undersigned agrees that the RFP package posted on the website are the official specifications and shall not alter the electronic copy of the RFP package, without clearly identifying changes.

The undersigned understands they will be responsible for monitoring the Trust Website at: <https://www.mbmtrust.com/rfps/> to ensure they have downloaded and signed all addendum(s) required for submission with their response.

In submitting a response to the Trust, the Responder offers and agrees that if the response is accepted, the Responder will convey, sell, assign or transfer to the Trust all rights, titles and interest in and to all causes to action it may now or hereafter acquire under the Anti-trust laws of the United States and the State of Texas for price fixing relating to the particular commodities or services purchased or acquired by the Trust. At the Trust's discretion, such assignment shall be made and become effective at the time the Trust tenders final payment to the Responder.

Acknowledge receipt of following addenda to the RFP:

Addendum No 1 Dated _____	Received _____
Addendum No 2 Dated _____	Received _____
Addendum No 3 Dated _____	Received _____

I certify that I have made no willful misrepresentations in this submission, nor have I withheld information in my statements and answers to questions. I am aware that the information given by me in this submission will be investigated, with my full permission, and that any misrepresentations or omissions may cause my submission to be rejected.

NAME AND ADDRESS OF RESPONDENT:

Tel. No. _____

AUTHORIZED REPRESENTATIVE:

Signature _____
Date _____
Name _____
Title _____
Email _____

ATTACHMENT C



JoAnna P. "Jody" Weaver, P.E.

Interim City Manager of the City of Port Lavaca, Texas
202 N. Virginia Street
Port Lavaca, Texas 77979
361-827-3601 cell
jweaver@portlavaca.org

Education

Bachelor of Science in Civil Engineering with Management, 1980
Ohio Northern University, Ada Ohio

Registration

Registered Professional Engineer, 1987
State of Texas No. 61535

Professional Awards and Honors

- Paul Harris Fellow Award, 2001, Port Lavaca Rotary Club
- Young Engineer of the Year Award, 1984, TSPE Victoria, TX
- Member Texas Municipal City Management Association

Professional Training

- various TCEQ and TWDB training seminars over the past 40 years
- Continuing Education at TCEQ Annual Water Conference
- Continuing Education at Texas Municipal League Annual conferences

Community Involvement

- Port Lavaca Rotary Club since 1997
- Co-Chairman/ Children's Director Port Lavaca Main Street since 1998
- Member of GLO Technical Advisory Council
- Past Member YMCA Board of Directors
- Past Calhoun County Library Board member
- Chairman of the Building Committee for the Calhoun County Library

Community Awards and Honors

- Port Lavaca Chamber of Commerce Woman of the Year, 2009 + 2019
- Victoria Advocate "Advocate of the Month," February 2009
- United Methodist Church Victoria District Spirit of Discipleship Award, 2008
- Port Lavaca Chamber of Commerce Community Service Award, 2007
- United Methodist Church Victoria District Christian Witness and Service Award, 2007

Employment History

April 2020 to present

Interim City Manager

I was appointed Interim City Manager after the previous City Manager retired at the onset of COVID. I was selected based upon my 42 years of experience in and around the City and my love and long-term involvement in the community. Although I have lived and worked in and with the City for over 40 years, I must use the "Interim" title until I physically reside within the City limits per the City Charter. As City Manager, I still am involved in managing the large Capital Improvement and Federally/State funded projects including a \$13.5M Living Shoreline project being funded by a CDBG-Mitigation grant; projects using \$2.9M of ARPA funding and a recently completed \$5.2M CDBG-Disaster Recovery grant project.

August 2017 – March 2020

City Engineer/Economic and Community Development Coordinator 202 N. Virginia Street, Port Lavaca, Texas 77979

Exactly 10 days after my start date with the City of Port Lavaca, Hurricane Harvey came ashore and cause millions of dollars of damage to the City's infrastructure and amenities. As City Engineer, I worked extensively with FEMA, insurance, engineers, contractors and City Council and staff to recover and rebuild. Projects I managed include the repair/reconstruction of two fishing piers, a boat ramp dock and Nautical Landings Marina docks, the restoration of the Formosa Wetlands Walkway, the City Harbor concrete docks, the Bauer Community Center and many other smaller projects throughout the City. I was also the Project Manager for several Capital Improvement projects including 1 projects funded with State and Federal grant dollars such as the Texas Parks and Wildlife, Texas Department of Agriculture and the U.S. Department of Commerce.

May 2007 – July 2017

Sr. Project Engineer
G&W Engineers, Inc.
205 W. Live Oak, Port Lavaca, Texas 77979

As a Sr. Project Civil Engineer, I have designed and managed the construction phase of various water, wastewater and development projects, as well as consulted with several regional cities and utility districts as District Engineer, including Port O'Connor Improvement District, Victoria County WCID No. 1 (Bloomington), City of Ganado and the City of La Ward. Development projects I have designed or oversaw the design of include a 20 acre fourplex development in Bay City, a commercial strip center and a Dollar General in Bay City, and the Texas Lakeside RV Resort in Port Lavaca. I have extensive experience working with grant writers to prepare applications for and design and administer the construction phase of various state and federally funded water, sewer and drainage improvement projects.

2002 to May 2007

City Engineer
City of Port Lavaca, Texas
202 N. Virginia, Port Lavaca, Texas 77979

As the City Engineer, I was responsible for the project management of all municipal capital improvements projects. I designed and prepared the construction plans and specifications for most projects of \$100,000 or less. For projects greater than \$100,000 I would oversee the design performed by consultant engineering firms. I consulted with the City Building Official and Planning Board with regard to planning and development issues of the City. I consulted with the Utility Director with regard to water and wastewater issues and compliance with TCEQ. I answered directly to the City Manager and consulted with him on various topics concerning the City. Typical projects I designed during my tenure as City Engineer include: the Animal Shelter on Stringham Road, Camper's Recreation Room and outdoor showers at Lighthouse Beach, Brookhollow Estates Butterfly Park (TPWL grant), New Restrooms at Tilley, George Adams, and Lighthouse Beach Parks; Lana Park street rehabilitation, Waterline replacement on El Camino Real; Village Road Lift Station Rehabilitation; New Tilley Street sidewalk; Pavilion and Master site plan at George Adams and Tilly Parks; Right Turn Lane on Tilley St.; Re-roof of City Hall; and the Courtesy Dock at Lighthouse Beach (TPWL grant). I gained extensive experience applying for and working with various grant-funded projects including TxCDBG, TCF, GLO-CMP, TPWL, and CLAP.

1993 to 2001

Project Engineer/Public Works Division Manager
Testengeer, Inc.
3777 Hwy 35 South, Port Lavaca, Texas

During my eight years with Testengeer, I was responsible for the commercial and public works projects brought into this predominantly industrial engineering firm. Between 1994 and 1998, I was the Manager of the Public Works Division, until the department was dissolved. I continued to work on such projects, but also in conjunction with civil projects in the area industrial plants. Projects I designed included the Calhoun County Little Chocolate Bayou Park (TPWL grant), Alamo Beach and Crestview Subdivision wastewater systems (TCDP grants), the renovation of the Memorial Medical Plaza, the Matagorda County Bird Sanctuary, and the restoration of the Matagorda Island Lighthouse.

1989 to 1992

Technical Director
Port Enterprises, Inc.
Port Lavaca, Texas

In addition to providing technical expertise on various construction projects for this large commercial roofing company, I was the Company Safety Director. I established and implemented a comprehensive safety policy, including employee training and random job-site safety inspections. I also prepared cost estimates for bid and shop drawings and product data for submittal. I was acting office manager during 1991.

1986 to 1989

**Public Works Director
City of Port Lavaca
Port Lavaca, Texas 77979**

As Public Works Director I was responsible for utilities, streets, building inspections, and planning. Under my immediate direction were the Utility Director, the Building Inspector, the Department Secretary, and the Street Superintendent. I performed administrative duties, reviewed construction plans, and advised the Planning Board and City Council. I completely revised the permit application and filing processes and rewrote the Subdivision Ordinance, much of which is still in use today. During my tenure, the Fire Station and Bauer Community Center were constructed, as well as the preliminary stages of the master drainage plan. I prepared drawings and assisted the City Manager in the preparation of the COE permit application for Lighthouse Beach. During my three years as Public Works Director, I prepared a periodic newsletter for the public works employees entitled "The Public Worker."

1985 to 1986

**Estimator
Port Enterprises, Inc.
Port Lavaca, Texas 77979**

As an estimator for this large commercial roofing company, I attended pre-bid conferences, took field measurements, calculated quantities, estimated labor, and prepared and submitted competitive bids.

1980 to 1985

**Civil Engineer
ITG Construction and Engineering, Inc.
Port Lavaca, Texas 77979**

I was involved in the design and/or construction of various residential and light commercial construction projects. I designed an 80-acre subdivision, including street lay-out and water, wastewater, lift station and storm sewer design in Port Lavaca. The development, however, was never constructed.

Personal

Married to Larry Weaver, a retired employee of Calhoun County Precinct 4; mother of 3 young women ages 38, 35, and 32; grandmother of 5; born in Columbus, Ohio and has called Port Lavaca/Calhoun County home since 1980.

References

Russell Cain	Russell Cain Real Estate	361-552-6313
Richard Meyer	County Judge	Richard.meyer@calhouncotx.org
Tania French	Something More Media	361-552-9788
Anne Marie Odefey	ROWW, Attorneys	361-552-2971
Ken Lester	Lester Contracting, Inc.	361-552-3024

Other references available upon request.