

**AGREEMENT**

STATE OF TEXAS           §  
  §  
COUNTY OF TARRANT   §

This agreement is made and entered into this 9th day of March, 2020, by and between the COUNTY OF TARRANT (hereinafter referred to as "OWNER"), acting by and through its duly authorized officer, and A & B Construction, LLC of the City of Dallas, County of Dallas and State of Texas (hereinafter referred to as "CONTRACTOR").

WITNESSETH: In consideration of the payments and agreements mentioned below, the CONTRACTOR agrees with the OWNER to commence and complete the construction of certain improvements described as follows:

1,530 square yards of six (6) inch lime treated sub-grade stabilization, 440 square yards of variable height concrete sidewalk curb/driveway curb and 1,450 square yards of eight (8) inch reinforced concrete paving with six (6) inch integral curb located in the City of Grapevine, Texas (hereinafter referred to as the "Project")

and all extra work in connection with the improvements as noted in the terms of both the General Conditions and the Special Conditions of the Agreement. The materials, supplies, machinery, equipment, tools, superintendence, labor, insurance and all other accessories and services necessary to complete the construction shall be at the CONTRACTOR'S own expense. The construction shall be in accordance with the NOTICE TO BIDDERS, CONTRACTOR/SUBCONTRACTOR INFORMATION, PROPOSAL, PERFORMANCE BOND, PAYMENT BOND, MAINTENANCE BOND, CERTIFICATION OF INSURANCE, GENERAL CONDITIONS OF AGREEMENT, SPECIAL CONDITIONS, FEDERAL LABOR STANDARDS, WAGE DECISIONS, LABOR STANDARD AND WAGE DECISION CERTIFICATION, EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION, HUD

HANDBOOK NO. 1300.17, TRAINING, EMPLOYMENT AND CONTRACTING OPPORTUNITIES FOR BUSINESSES AND LOWER INCOME PERSONS IN CONNECTION WITH ASSISTED PROJECTS, COPELAND ANTI-KICKBACK ACT, SPECIAL SPECIFICATIONS, SPECIAL MATERIAL AND/OR EQUIPMENT SPECIFICATIONS, and the drawings and blueprints as prepared by the OWNER'S engineer; all of which are made a part hereof and collectively evidence and constitute the entire contract (hereinafter "the Contract").

The CONTRACTOR agrees to commence work within ten (10) days from the date agreed to and specified in the "Notice-to-Proceed," and to substantially complete the work within one hundred twenty (120) calendar days after the date specified in the "Notice-to-Proceed" with construction, subject to such extensions of time as are provided in the General and Special Conditions.

The OWNER agrees to pay the CONTRACTOR the amount shown in the PROPOSAL, which forms a part of this Contract, with such payments subject to the General and Special Conditions of the contract. Attachment A. Commissioners Court Communication attached hereto states the funding amount available from all sources.

The CONTRACTOR acknowledges and agrees that it has fully, accurately, and completely disclosed all interested parties in the attached Form 1295, and has acknowledged the completeness of this disclosure by filing the Form 1295, attached as Exhibit A, with the Texas Ethics Commission as required by law.

The CONTRACTOR verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. The term "boycott Israel" is as defined by Texas Government Code Section 808.001, effective September 1, 2017.

This contract shall not be interpreted to inure to the benefit of a third party not a party to this contract. This contract may not be interpreted to waive any statutory or common law defense, immunity, including governmental immunity, or any limitation of liability, responsibility, or damage of any party to this contract, party's agent, or party's employee, otherwise provided by law.

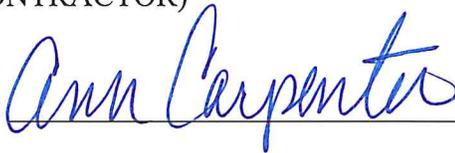
Both COUNTY and CONTRACTOR agree to abide by all state and federal laws, statutes, and regulations applicable to the completion of the project described.

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

TARRANT COUNTY, TEXAS

A & B CONSTRUCTION, LLC  
(CONTRACTOR)

BY: \_\_\_\_\_  
COUNTY JUDGE OR  
PRESIDING OFFICER

BY:  \_\_\_\_\_

ATTEST: \_\_\_\_\_

ATTEST:  \_\_\_\_\_

FUNDS CERTIFIED AVAILABLE BY:

\_\_\_\_\_  
TARRANT COUNTY AUDITOR

APPROVED AS TO FORM:

\_\_\_\_\_  
Criminal District Attorney's Office\*

\*By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead those parties should seek contract review from independent counsel.

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:  
2020-596871

Date Filed:  
03/09/2020

Date Acknowledged:  
*3/9/2020*

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

A & B Construction LLC  
Dallas, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Tarrant County

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

B-19-UC-48-0001-30-05  
City of Grapevine S. Dooley Street Improvements. This supersedes cert # 2020-596546

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Carpenter, Ann	Dallas, TX United States	X	

5 Check only if there is NO Interested Party.

### 6 UNSWORN DECLARATION

My name is Ann Carpenter, and my date of birth is 07/01/1968

My address is 3001 Sale St. #117 Dallas TX 75219 US  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the 9 day of March, 2020.  
(month) (year)

*Ann Carpenter*

Signature of authorized agent of contracting business entity (Declarant)



RESOLUTION NO. 2020-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, APPROVING THE 45TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECT CONTRACTOR AND CONTRACT PRICE AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on March 5, 2019, the City Council of the City of Grapevine, Texas conducted a public hearing related to the proposed 45th year Community Development Block Grant Program (CDBG); and

WHEREAS, On March 5, 2019, the City Council of the City of Grapevine, Texas approved the 45th year CDBG program for the reconstruction of the 600 block of South Dooley Street (from College Street to Hudgins Street); and

WHEREAS, Tarrant County, Texas solicited bids for the 45th year CDBG program; and

WHEREAS, the City of Grapevine City Council is approving the hiring of A & B Construction LLC as the low bidder for the 45th Year CDBG Project; and

WHEREAS, the City of Grapevine is approving the bid amount of \$321,493.00 submitted by A & B Construction LLC and a project contingency in the amount of \$51,438.88 for the 45th Year CDBG Project; and

WHEREAS, the City of Grapevine commits up to an amount of \$158,000 toward construction of the 45th Year CDBG Project; and

WHEREAS, the City of Grapevine accepts the construction time on the project will be ninety (90) calendar days to substantial completion; and

WHEREAS, all constitutional and statutory prerequisites for the approval of this resolution have been met, including but not limited to the Open Meetings Act; and

WHEREAS, the City Council deems the adoption of this resolution to be in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

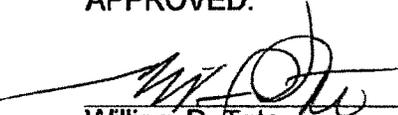
Section 2. That the City Council of the City of Grapevine, Texas, approves the terms as set forth above concerning the 45th Year CDBG Project to be submitted to the

Tarrant County Community Development Division for approval by the Tarrant County Commissioner's Court

Section 3. That this resolution shall take effect from and after the date of its passage.

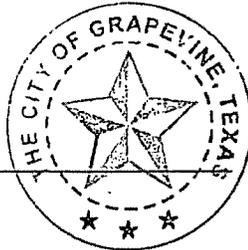
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 18th day of February 2020.

APPROVED:

  
\_\_\_\_\_  
William D. Tate  
Mayor

ATTEST:

  
\_\_\_\_\_  
Tara Brooks  
City Secretary



APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

TAKINGS IMPACT ASSESSMENT CHECKLIST

Complete this form for any count

Project/Regulation Name: GRAPEVINE B-19-UC-48-0001-30-05

County Department: TARRANT COUNTY COMMUNITY DEVELOPMENT

Contact Person: PATRICIA WARD

Phone Number for Contact Person: 817/ 850-7941

Type of TIA Performed: SHORT TIA or FULL TIA. Circle one after answering the questions in Sections II and III below.

\*\*\*\*\*

I. Stated Purpose

Attached to this checklist an explanation of the purpose of the regulation, policy, guideline, court resolution or order.

\*\*\*\*\*

Note: The remainder of this Takings Impact Assessment Checklist should be completed in consultation with the Criminal District Attorney's Office.

II. Potential Effect on Private Real Property

1. Does the county action require a physical invasion, occupation or dedication of real property?

Yes \_\_\_ No X

2. Does the county action limit or restrict a real property right, even partially or temporarily?

Yes \_\_\_ No X

If you answer yes to either question, go to Section III. If you answer no to both, STOP HERE and circle SHORT TIA at the top of the form.

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## TAKING IMPACT ASSESSMENT (TIA) CHECKLIST

Attached is the TIA Checklist as preliminarily approved by the District Attorney's Office.

Due to both timeliness regulations governing CDBG programs and the problems associated with undertaking public works project in the colder winter months, a completed preliminary checklist is being submitted to Commissioners Court for approval for this contract. Once the Commissioners Court GRAPEVINE, 45<sup>th</sup> YEAR CDBG Project. This project is located entirely within city-owned property (under a dedicated public street).