

EXHIBIT A
PERFORMANCE STATEMENT
COUNTY OF BROOKS

All activities funded with TxCDBG funds must meet one of the CDBG program's National Objectives: benefit low- and moderate-income persons, aid in the prevention or elimination of slums or blight, or meet community development needs having a particular urgency.

Contractor shall carry out the following activities in the target area identified in the Application. The Contractor shall ensure that the amount of funds expended for each activity described does not exceed the amount specified for such activity in the Budget.

CURRENT NEED

The Falfurrias Utility District (UD), located in Brooks County, serves the City of Falfurrias and residents in the unincorporated areas of the county and has a water well that has failed, resulting in the UD not being able to provide an adequate amount of water if an additional well were to fail.

The Contractor certifies that the activity (ies) carried out under this contract will meet the National Objective of benefitting low- and moderate-income persons with at least 51% of the beneficiaries qualifying as low- to moderate-income.

ACTIVITIES

Water Improvements Contractor shall construct a well to provide the UD an additional viable source of water. Contractor shall construct one (1) well, piping, electrical, and all associated appurtenances. Residents will be served by the Falfurrias UD. Construction shall take place northwest of the intersection of Highway 285 and CR 101.

These activities shall benefit seven thousand seven hundred thirty-two (7,732) persons, of which four thousand eight hundred forty-five (4,845) persons or sixty-three percent (63%) are of low- to moderate-income.

Acquisition

Contractor shall acquire the real property needed for the water improvement project site. Contractor shall carry out all acquisition of needed real property, easements, and/or rights-of-way in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. Sec. 4601 et. seq.) and HUD implementing regulations (24 C.F.R. Part 42).

Engineering

Contractor shall ensure that the amount of Department funds expended for all eligible project-related engineering services, including preliminary and final design plans and specifications, all interim and final inspections, and all special services does not exceed the amount specified for engineering in the Budget.

General Administration

Contractor shall ensure that the amount of Department funds expended for all eligible project-related administration activities, including the required annual program compliance and fiscal audit does not exceed the amount specified for administration in the Budget.

EXHIBIT B
BUDGET
COUNTY OF BROOKS

<u>Project Activities</u>		<u>Contract Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
03J_W	Water Improvements - Total	\$460,000	\$250,000	\$710,000
	Water Improvements-Construction	\$355,000	\$250,000 ¹	\$605,000
	Water Improvements-Engineering	\$80,000	\$0	\$80,000
	Water Improvements-Acquisition	\$25,000	\$0	\$25,000
21A	General Program Administration - Total	\$40,000	\$0	\$40,000
TOTALS		\$500,000	\$250,000	\$750,000

Source of Other Funds:

1 – Falfurrias Utility Board, General Fund

EXHIBIT C
PROJECT IMPLEMENTATION SCHEDULE
COUNTY OF BROOKS

CONTRACT START DATE
 October 15, 2014

CONTRACT END DATE
 October 14, 2016

If Contractor fails to meet milestones in accordance with this schedule, the Department will withhold payments to Contractor until such milestone has been completed.

Activity To Be Completed by Date Specified:		Milestone Date
Procurement of Professional Services Completed	Month 2	12/15/2014
4-Month Conference Call / Meeting Completed ⁽¹⁾	Month 4	2/15/2015
Plans and Specifications Completed	Month 6	4/15/2015
Plans and Specifications Submitted for Approval (as required ¹)	Month 6	4/15/2015
Environmental Review Completed	Month 6	4/15/2015
Clearance of Pre-Construction Special Conditions	Month 8	6/15/2015
Wage Rate 10-Day Confirmation	Month 8	6/15/2015
Construction Contract Awarded & Executed	Month 9	7/15/2015
Construction - 50% TxCDBG project complete	Month 14	12/15/2015
Construction - 75% TxCDBG project complete	Month 17	3/15/2016
Construction - 90% TxCDBG project complete	Month 19	5/15/2016
Construction & Final Inspections Completed	Month 20	6/15/2016
End Date of Contract	Month 24	10/14/2016
Close-out documents submitted to Department (60 days after End Date)	Month 26	12/13/2016

⁽¹⁾ See TxCDBG Project Implementation Manual

EXHIBIT D

COMMUNITY DEVELOPMENT FUND

SPECIAL CONDITIONS

COUNTY OF BROOKS

A. Special Conditions for Release of Construction Funds

Funds for construction activities under this contract will not be released to the Contractor by the Department until the following special conditions for release of funds are met. These special conditions must be satisfactorily completed no later than twelve (12) months after the contract start date. In accordance with Section 6 of the contract, the Department shall terminate this contract twelve (12) months after the commencement date specified in Section 2 if these special conditions are not met by such date. Contractor shall submit to the Department:

1. Documentation evidencing Contractor's completion of its responsibilities for environmental review and decision-making pertaining to the project as required by Section 13 (Environmental Review) of this contract, and its compliance with NEPA and other provisions of law that further the purposes of NEPA, as specified in 24 CFR 58.5.
2. Certification that Contractor has received all required pre-construction permits or approvals from the appropriate federal, state, or local entity or regulatory agency prior to beginning construction activities under this contract.
3. Other documentation required by the Department for release of construction funds as specified in Chapter 2 of the TxCDBG Project Implementation Manual.

B. Other Special Conditions

1. Prior to the Contractor submission of the Project Completion Report for the water system improvements described in the Performance Statement, the Contractor shall provide a letter from the Texas Commission on Environmental Quality that the constructed well is approved for interim use and may be temporarily placed into service pursuant to Title 30 of the Texas Administrative Code, Chapter 290 (Rules and Regulations for Public Water Systems).