

**Cumby City Council  
Special Meeting Agenda  
Tuesday, December 15, 2020  
City Hall – 100 East Main Street, Cumby, Texas  
6:00 p.m.**

**Public Link:** <https://us02web.zoom.us/j/85908927225>

**Meeting ID: 859 0892 7225**

- I. Call to Order**
- II. Establish quorum**
- III. Invocation**
- IV. Pledge of Allegiance**
- X. New Business**
  - A. Discuss and take necessary action to award a construction contract for the TXCDBG sewer improvements project to 7-H Construction Co. Inc.**
  - B. Discuss and consider possible action appointing Leigh Thompson as temporary prosecuting attorney for City of Cumby Municipal Court.**
  - C. Discuss and consider possible action starting the selection process for City Attorney.**
- XIII. Adjournment**

*If during the course of the meeting, any discussion of any item on the agenda should be held in closed session, the Council will convene in such executive or closed session in accordance with the following: 1) VTCA Government Code 551.071 - Consultations with legal counsel concerning pending or threatened litigation or matters where counsel's duty to the City conflicts with the Open Meetings Act; 2) VTCA Government Code 551.072 - Deliberations regarding the purchase, sale, lease or exchange of real property; 3) VTCA Government Code 551.073 - Deliberations regarding prospective gifts or donations; 4) VTCA Government Code 551.074 - Deliberations regarding personnel of the City; 5) VTCA Government Code 551.076 - Deliberations regarding the deployment of security devices or the implementation of security policy; and VTCA Government Code 551.087 – Deliberations regarding Economic Development negotiations.*

CERTIFICATION

I, Codi Reynolds, City Secretary for City of Cumby, hereby certify that the above notice of meeting and agenda was posted on the Public Notice Board at Cumby City Hall, 100 East Main Street, Cumby, Texas on December 11, 2020 at 4:00 p.m.

  
Codi Reynolds, City Secretary



**BID TABULATION**  
**CITY OF CUMBY, TEXAS**

City of Cumby, Hopkins County, Texas  
 2019-2020 TDA Lift Station Improvements  
 Bid Date: November 30, 2020; Private/Local Funds; TRB Project No. 19132

| ITEM NO.  | DESCRIPTION AND UNIT PRICE   | ESTIMATED QUANTITY | 7-H Construction Co., Inc.<br>3801 Arlington Avenue<br>Tyler, TX 75701 |              | J. S. Haven Company<br>1175 Hwy 11 North<br>Auburn, TX 73203 |              | Harrison Walker & Hejzer<br>2510 S Church St<br>Paris, TX 75460 |              | Reg-Mar Construction<br>3416 Reed Street<br>Fort Worth, TX 76119 |              | Blastco Texas, Inc.<br>16201 Wood Drive<br>Chamberlain, TX 77330 |               |
|-----------|--|--------------------|--|--------------|--|--------------|---|--------------|--|--------------|--|---------------|
|           |  |                    | UNIT PRICE   | TOTAL PRICE  | UNIT PRICE   | TOTAL PRICE  | UNIT PRICE  | TOTAL PRICE  | UNIT PRICE   | TOTAL PRICE  | UNIT PRICE   | TOTAL PRICE   |
| 01 58 13  | M&R Lift Station<br>Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary to furnish and install a Temporary Project Sign for a TDA funded project complete and in place for Mobilization, Bidding, and Insurance costs, including liability insurance with the Owner and Engineer named as additional insured complete for   | 1 LS               | \$ 600.00  | \$ 600.00    | \$ 300.00  | \$ 300.00    | \$ 5,175.46   | \$ 5,175.46  | \$ 2,250.00  | \$ 2,250.00  | \$ 919.00  | \$ 919.00     |
| 01 71 13  | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for the removal and proper disposal of all existing lift station components at the M&R lift station, including but not limited to all pumps, piping, valves, fittings, control and power wiring currently associated with said lift station complete for  | 1 LS               | \$ 15,500.00   | \$ 15,500.00 | \$ 18,000.00   | \$ 18,000.00 | \$ 73,504.06  | \$ 73,504.06 | \$ 50,000.00   | \$ 50,000.00 | \$ 101,197.00  | \$ 101,197.00 |
| 02 41 11A | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for pumping the contents of the M&R lift station and thoroughly cleaning existing concrete structure to facilitate the installation of the new lift station pumps and related appurtenances including the proper disposal of contents complete  | 1 LS               | \$ 4,975.00  | \$ 4,975.00  | \$ 26,000.00   | \$ 26,000.00 | \$ 7,699.22   | \$ 7,699.22  | \$ 19,000.00   | \$ 19,000.00 | \$ 69,376.00   | \$ 69,376.00  |
| 02 41 11B | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for pumping the contents of the M&R lift station and thoroughly cleaning existing concrete structure to facilitate the installation of the new lift station pumps and related appurtenances including the proper disposal of contents complete  | 1 LS               | \$ 2,800.00  | \$ 2,800.00  | \$ 6,000.00  | \$ 6,000.00  | \$ 11,477.73  | \$ 11,477.73 | \$ 8,500.00  | \$ 8,500.00  | \$ 24,616.00   | \$ 24,616.00  |
| 02 41 11C | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary after the removed M&R lift station is operational to remove any and all temporary plugs, "bypass" piping, drain the existing 2-in firemain piping, backfill and redress disturbed areas complete for  | 1 LS               | \$ 4,465.00  | \$ 4,465.00  | \$ 2,000.00  | \$ 2,000.00  | \$ 8,593.96   | \$ 8,593.96  | \$ 8,300.00  | \$ 8,300.00  | \$ 54,701.00   | \$ 54,701.00  |
| 26 00 00A | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for installation of all requisite electrical components, control panels(s), VFD and any other requisite necessary for the power and control of the lift station including but not limited to: all conduit, wiring, and miscellaneous materials required for a complete and working lift station complete and in place for   | 1 LS               | \$ 40,295.00   | \$ 40,295.00 | \$ 10,000.00   | \$ 10,000.00 | \$ 38,636.40  | \$ 38,636.40 | \$ 51,700.00   | \$ 51,700.00 | \$ 88,889.00   | \$ 88,889.00  |
| 26 00 00B | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for installation of a propane fired 26-kw-SSK W generator including but not limited to generator, automatic transfer switch, all conduit, wiring, concrete slab, (Contractor to coordinate with the City for the lease and delivery of a 500-gallon propane tank - Contractor to coordinate installation thereof) and miscellaneous materials required for a complete and working emergency generator complete and in place for   | 1 LS               | \$ 64,400.00   | \$ 64,400.00 | \$ 24,000.00   | \$ 24,000.00 | \$ 52,628.48  | \$ 52,628.48 | \$ 37,200.00   | \$ 37,300.00 | \$ 129,915.00  | \$ 129,915.00 |
| 31 22 00  | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for Site Grading and Preparation to facilitate planned rehabilitation of the City's existing M&R Lift Station including: temporary bypass pump and related discharge line, and connection to the existing 2-in PVC force main including but not limited to: removal of grasses and other existing surface materials (Cleaning and Grubbing); removal of existing fencing only to the extent required; excavation and backfill (density controlled); and finish grading of disturbed areas complete and in place for | 1 LS               | \$ 1,900.00  | \$ 1,900.00  | \$ 27,000.00   | \$ 27,000.00 | \$ 5,833.72   | \$ 5,833.72  | \$ 15,000.00   | \$ 15,000.00 | \$ 20,913.00   | \$ 20,913.00  |
| 31 50 00  | Furnish and install trench excavation protection per OSHA requirements for any excavation of trench with a depth greater than 5-ft complete and in place for   | 1,500 LF           | \$ 1.00  | \$ 1,500.00  | \$ 1.00  | \$ 1,500.00  | \$ 9.50   | \$ 14,250.00 | \$ 2.25  | \$ 3,375.00  | \$ 6.84  | \$ 10,260.00  |
| 32 01 17  | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite to save out existing pavement and install Flexible Pavement Repair along the existing pavement route in accordance with the corresponding Plans and Specifications complete and in place for  | 450 SY             | \$ 48.00   | \$ 21,600.00 | \$ 8.00  | \$ 3,600.00  | \$ 96.97  | \$ 43,636.50 | \$ 75.00   | \$ 33,750.00 | \$ 123.10  | \$ 55,395.00  |

BID TABULATION

CITY OF CUMBEY, TEXAS  
 City of Cumby, Hopkins County, Texas  
 2019-2020 TDA Lift Station Improvements  
 Bid Date: November 30, 2020; Private/Local Funds; TBC Project No. 19132

| ITEM NO.                                    | DESCRIPTION AND UNIT PRICE  | ESTIMATED QUANTITY | 7-H Construction Co., Inc.<br>3901 Arlington Avenue<br>Tyler, TX 75701 |                   | J. S. Haven Company<br>1175 Hwy 71 North<br>Athens, TX 37903 |                   | Harrison Walker & Harper<br>2510 S Church St<br>Paris, TX 75460 |                   | Reg-Mar Construction<br>3416 Reed Street<br>Fort Worth, TX 76119 |                   | Blasco Texas, Inc.<br>16201 Wood Drive<br>Chamblee, TX 77330 |                     |
|---|---|--------------------|--|-------------------|--|-------------------|---|-------------------|--|-------------------|--|---------------------|
|   |   |                    | UNIT PRICE   | TOTAL PRICE       | UNIT PRICE   | TOTAL PRICE       | UNIT PRICE  | TOTAL PRICE       | UNIT PRICE   | TOTAL PRICE       | UNIT PRICE   | TOTAL PRICE         |
| 32 31 6D                                    | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary to repair or replace existing fencing removed to facilitate construction activities complete and in place for  | 50 LF              | \$ 20.00   | \$ 1,000.00       | \$ 10.00   | \$ 500.00         | \$ 34.50  | \$ 1,725.00       | \$ 55.00   | \$ 2,750.00       | \$ 34.18   | \$ 1,709.00         |
| 32 32 19A                                   | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for seeding of disturbed areas complete and in place for   | 26 SY              | \$ 43.00   | \$ 1,075.00       | \$ 5.00  | \$ 125.00         | \$ 13.80  | \$ 345.00         | \$ 130.00  | \$ 3,250.00       | \$ 47.88   | \$ 1,197.00         |
| 33 32 19A                                   | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary to provide and maintain temporary "bypass" pumping of influent from the new manhole location to a point to be established on the existing 2-in forcemain including but not limited to: intercepting influent before the M&R lift station; installing a temporary removable plug; a temporary soles handling pump capable of moving approximately xx gpm at a discharge head of y-y4 (TDH) complete and in place for  | 4 MO               | \$ 8,090.00  | \$ 32,240.00      | \$ 1,000.00  | \$ 4,000.00       | \$ 3,208.01   | \$ 12,832.04      | \$ 46,000.00   | \$ 184,000.00     | \$ 24,615.50   | \$ 99,482.00        |
| 33 32 19B                                   | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for the construction/installation of a duplex submersible pump lift station including but not limited to: two (2) non-clog sewage pumps; discharge elbow; SS lifting cables; quick rail system; SS braces; brackets; cable holders; bolts, nuts, washers and connectors; level switches; electrical equipment and connections; interior to the wet well; duplex control panel and all related appurtenances for the operation and control of the lift station, complete and in place for | 1 LS               | \$ 49,540.00   | \$ 49,540.00      | \$ 168,175.00  | \$ 168,175.00     | \$ 71,702.86  | \$ 71,702.86      | \$ 43,000.00   | \$ 43,000.00      | \$ 136,753.00  | \$ 136,753.00       |
| 33 33 13 A                                  | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary to furnish and install temporary discharge piping from the temporary "bypass" pump to the existing 2-in forcemain including but not limited to: appropriately sized piping to match the discharge of the temporary pump supplied, fittings; valves; pipe supports/anchors; and any other requisite necessary for the temporary "bypass" pump to pump into the existing forcemain, complete and in place for  | 1 LS               | \$ 950.00  | \$ 950.00         | \$ 2,000.00  | \$ 2,000.00       | \$ 16,754.79  | \$ 16,754.79      | \$ 5,000.00  | \$ 5,000.00       | \$ 27,351.00   | \$ 27,351.00        |
| 33 33 13 B                                  | Furnish and install 4-inch ASTM D2241 SDR-21 PVC (Class 200) forcemain piping with Class B-1 embedment complete and in place for  | 1,500 LF           | \$ 20.00   | \$ 30,000.00      | \$ 20.00   | \$ 30,000.00      | \$ 19.04  | \$ 28,560.00      | \$ 16.00   | \$ 24,000.00      | \$ 88.89   | \$ 133,335.00       |
| 33 33 13 C                                  | Furnish and install select backfill above Class B embedment for sanitary sewer trenches complete and in place for   | 1,500 LF           | \$ 0.05  | \$ 75.00          | \$ 5.00  | \$ 7,500.00       | \$ 8.13   | \$ 12,195.00      | \$ 10.50   | \$ 15,750.00      | \$ 34.19   | \$ 51,285.00        |
| 33 39 13A                                   | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary to construct a standard 4-ft diameter over existing sanitary sewer lines including but not limited to excavation and backfill (density controlled) complete and in place   | 2 EA               | \$ 5,325.00  | \$ 10,650.00      | \$ 4,000.00  | \$ 8,000.00       | \$ 12,533.32  | \$ 25,066.64      | \$ 8,800.00  | \$ 17,600.00      | \$ 41,026.00   | \$ 82,052.00        |
| 33 39 13 B                                  | Furnish and install extra vertical height for 4-foot diameter concrete manholes if necessary, complete and in place for   | 1.0 VF             | \$ 285.00  | \$ 285.00         | \$ 200.00  | \$ 200.00         | \$ 172.52   | \$ 172.52         | \$ 425.00  | \$ 425.00         | \$ 12,992.00   | \$ 12,992.00        |
| <b>TOTAL BASE BID M&amp;R LIFT STATION:</b> |   |                    | \$   | <b>289,550.00</b> | \$   | <b>338,900.00</b> | \$  | <b>430,789.38</b> | \$   | <b>524,950.00</b> | \$   | <b>1,100,317.00</b> |

**BID TABULATION**  
**CITY OF CUMBY, TEXAS**

City of Cumby, Hopkins County, Texas  
 2019-2020 TDA Lift Station Improvements  
 Bid Date: November 30, 2020; Private Local Funds; TEC Project No. 19132

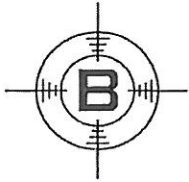
| ITEM NO.   | DESCRIPTION AND UNIT PRICE  | ESTIMATED QUANTITY | UNIT PRICE   | TOTAL PRICE       | 7-H Construction Co., Inc.<br>3901 Arlington Avenue<br>Tyler, TX 75701 | J. S. Haren Company<br>1175 Hwy 11 North<br>Athens, TN 37303 | Harrison Walker & Harper<br>2510 S Church St<br>Paris, TX 75460 | Ray-Mar Construction<br>3416 Reed Street<br>Fort Worth, TX 76119 | Blasco Texas, Inc.<br>16201 Wood Drive<br>Chandler, TX 77390 | TOTAL PRICE       |
|--|---|--------------------|--------------|-------------------|--|--|---|--|--|-------------------|
| 02 41 110  | Tarrant Street Lift Station<br>Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for the removal and proper disposal of all existing lift station components at the Tarrant St. lift station, including but not limited to all pumps; piping; valves; fillings; control and power wiring currently associated with said lift station complete for  | 1 LS               | \$ 6,800.00  | \$ 6,800.00       |  |  |   |  |  | \$ 6,800.00       |
| 28 00 00C  | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for installation of all requisite electrical components, control panel(s), VFD and any other requisite necessary for the power and control of the lift station including but not limited to: all conduit, wiring, and miscellaneous materials required for a complete and working lift station complete and in place for   | 1 LS               | \$ 33,900.00 | \$ 33,900.00      |  |  |   |  |  | \$ 33,900.00      |
| 32 92 18B  | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for seeding of disturbed areas complete and in place for   | 20 SY              | \$ 54.00     | \$ 1,080.00       |  |  |   |  |  | \$ 1,080.00       |
| 33 32 19C  | Furnish all labor, tools, equipment, materials, supervision, insurance and any other requisite necessary for the construction/installation of a duplex submersible pump lift station including but not limited to: two (2) grinder sawage pumps; discharge elbow; SS jilting cables; guide rail system; SS braces; brackets; cable holders; bolts; nuts; washers and connectors; level switches; electrical equipment and connections interior to the wet well; duplex control panel and all related appurtenances for the operation and control of the lift station, complete and in place for | 1 LS               | \$ 32,790.00 | \$ 32,790.00      |  |  |   |  |  | \$ 32,790.00      |
| <b>TOTAL BASE BID TARRANT STR. LIFT STATION:</b>   |   |                    |              | <b>73,570.00</b>  |  |  |   |  |  | <b>73,570.00</b>  |
| <b>TOTAL BASE BID LIFT STATIONS:</b>   |   |                    |              | <b>357,220.00</b> |  |  |   |  |  | <b>357,220.00</b> |
| <b>DEDUCT ALTERNATE</b><br>In order to meet budgetary restrictions the City of Cumby reserves the right to DEDUCT the costs associated with the Tarrant Street lift station in its entirety. |   |                    |              |                   |  |  |   |  |  |                   |
| <b>TOTAL BASE BID WITH DEDUCT:</b>   |   |                    |              | <b>283,650.00</b> |  |  |   |  |  | <b>283,650.00</b> |



I, Kirk R. Byrum, Professional Engineer, No. 58164 do hereby certify that the above FIVE (5) sealed bids were received, opened, and read aloud in accordance with the advertised procedures and that this tabulation is a true and accurate representation of the bids received.

*[Signature]*  
 Kirk R. Byrum, P.E., No. 58164  
 T. Brannon Corporation

2/1/2020



# THE C.T. BRANNON CORPORATION

AQUATIC CONSULTANTS | CIVIL ENGINEERS | AIRPORT CONSULTANTS

10 December 2020

The Honorable Doug Simmerman  
Mayor, City of Cumby  
100 West Main Street  
Cumby, Texas 75433

re: 2019 - 2020 TDA Lift Station Improvements - Bid Award  
TDA #7219091

Dear Mr. Simmerman,

On Monday, 30 November 2020, bids for the proposed lift station improvements were received, opened and read aloud at city hall, Cumby, Texas as duly advertised. Out of the eighteen contractors that were holding plans and specifications, six bids were received prior to the 2:00 deadline. One of the six bids received was non-compliant and their bid was not read. The bids ranged from a low of \$357,220.00 for the base bid (M&R lift Station as well as Tarrant Str.) to a high of \$1,374,780.00. Looking only at the M&R lift station the bids ranged from a low of \$283,650.00 to a high of \$1,100,317.00. The corresponding TDA budget for construction of the proposed improvements is \$223,750.00; therefore, *the low bidder is above the available funds for the M&R project alone.* In order to reduce the overall project price to within budget; it is necessary to reduce the scope of construction. The Engineer noted that the low bidder's price for the emergency generator was a substantial number. Although the generator is considered a necessity, it is the Engineer's considered opinion, the City can provide at a generator at a substantially lower price at a later date. This "solution" was discussed with you, the Mayor, and Morgan Verette, the grant consultant. It was mutually agreed the deduction of the generator is an acceptable alternative to rejecting all bids and trying for better pricing.

The apparent low bidder at the time of opening was 7-H Construction Co., Inc. out of Tyler, Texas. Following review and tabulation of the bids received 7-H Construction Co., Inc. remains the lowest responsible bidder for the City's project. The possible deduction of the emergency generator was subsequently discussed with the low bidder and is acceptable to them. Therefore, based on the bids received, review of the bid materials, and our knowledge of the Contractor, it is the Engineer's recommendation that the City of Cumby award the planned improvements to the M&R lift station only concurrent with a Change Order reducing the Contractor's bid by \$64,400.00, the bid price for the generator, to 7-H Construction Co., Inc. for the **BASE BID** of \$283,650.00 with Change Order #1 for a deduct of \$64,400.00 for a new total contract price of \$219,250.00.

If further information or clarification is desired, please advise.

Sincerely,

Kirk R. Bynum, P.E.  
Principal / Project Manager  
The C. T. Brannon Corporation

cc: Morgan Verette, Public Management Inc.

KRB 19-132  
P:\Cities\Cumby\ 19-132 19-20 TDA Lift Stations\Word & XL Documents\Correspondence\Recommendation award of M&R Lift Station



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P.O. BOX 7487  
TYLER, TX 75711  
PHONE (903) 597-2122  
FAX (903) 597-3346

WWW.BRANNONCORP.COM  
TEXAS REGISTERED ENGINEERING FIRM  
TEXAS REGISTRATION #F-242  
REGISTERED IN: AL, AR, AZ, FL, GA, LA, MS, NE, OK

# MEMO

The City Council will discuss the  
and consider possible action  
starting the selection process  
for City Attorney.