



NOTICE OF MEETING OF COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION

Notice is hereby given that a Regular Meeting of the Copperas Cove Economic Development Corporation will be held on February 22, 2023, at 12.00 p.m. in the Technology Center at 508 S. 2nd Street, Copperas Cove, Texas 76522 at which time the following agenda will be discussed.

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. ANNOUNCEMENTS

- Sales Tax and Business Expense workshop, February 28, 2023, in the CCISD Board Rm at 5:45 pm.
- Oscar's Market Workshop, February 25, 2023, at 9:30 a.m.

E. CITIZENS FORUM

At this time, citizens will be allowed to speak on any matter other than personnel matters, matters under litigation, or matters on the regular agenda, for a length of time not to exceed five minutes per person. Thirty minutes total has been allotted for this section.

F. CONSENT AGENDA

All matters listed under this item are considered to be routine by the EDC Board of Directors and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

1. Consideration and action on approval of minutes for the Regular Meeting held on January 25, 2023. **Brittany Sanders, Economic Development Specialist, Copperas Cove EDC.**

G. PUBLIC HEARINGS

H. ACTION ITEMS

1. Consideration and action on approving the Profit and Loss report for the month of January 2023. **Fred Welch, Executive Director, Copperas Cove EDC.**

2. Consideration and action on approving Resolution # EDC 2023-01, accepting the Quarterly Investment Report as presented for the quarter ending December 31, 2022, per the Investment Policy. **Fred Welch, Executive Director, Copperas Cove EDC.**
3. Consideration and action on crafting and publishing an RFP for grant writing services to assist in the submission of an Economic Development Administration (EDA) grant, to support land development along Mashburn Dr. **Fred Welch, Executive Director, Copperas Cove EDC.**
4. Consideration and action to approve a consultation agreement between the CCEDC and NaviRetail, to conduct a marketing analysis and create recruitment strategies to attract targeted commercial and retail businesses. **Fred Welch, Executive Director, Copperas Cove EDC.**
5. Consideration and action on approving additional funding to the City of Copperas Cove for the reconstruction of Constitution Drive. **Fred Welch, Executive Director, Copperas Cove EDC**

I. REPORTS FROM STAFF, OUTSIDE ENTITIES, ADVISORY COMMITTEES, AND BOARDS

1. Update on EDC Activities. **Diane Drussell, Assistant Director, Copperas Cove EDC.**
2. Executive Directors Report. **Fred Welch, Executive Director, Copperas Cove EDC.**

J. ITEMS FOR FUTURE AGENDAS

K. EXECUTIVE SESSION

1. Pursuant to §551.072 of the Texas Government Code, the Economic Development Corporation Board will meet in Executive Session to discuss deliberation regarding the purchase, exchange, lease, or value of real property. **Mashburn Dr. Property**

L. RECONVENE INTO AN OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEM POSTED AND LEGALLY DISCUSSED IN THE EXECUTIVE SESSION.

M. ADJOURN

The Board of Directors reserves the right to adjourn into Executive Session at any time regarding any issue on this agenda for which it is legally permissible.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Governing Body of the Copperas Cove Economic Development Corporation was posted at **5:00 p.m. February 17, 2023.**

Brittany Sanders, ED Specialist
Copperas Cove EDC

Economic Development Corporation

F.1.

Meeting Date: February 22, 2023

Contact: Brittany Sanders, Economic Development Specialist, Copperas Cove EDC

Subject:

Consideration and action on approval of minutes for the Regular Meeting held on January 25, 2023.

Brittany Sanders, Economic Development Specialist, Copperas Cove EDC

Attachments:

Regular Meeting Minutes - January 25, 2023



COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION
Meeting Minutes for January 25, 2023

A. CALL TO ORDER

Chairman JC Stubbs called the Regular meeting of the Copperas Cove Economic Development Corporation to order at 12:03 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Chairman Rick Kirkpatrick led the Invocation and the Pledge of Allegiance.

C. ROLL CALL

Roll call led by Brittany Sanders, Economic Development Specialist

<i>Present:</i> JC Stubbs, Chairman	Fred Welch, Executive Director
Rick Kirkpatrick, Vice Chairman	Diane Drussell, Assistant Director
Elizabeth Ruszkiewicz, Secretary	Sheena Tanner, Marketing Specialist
Bradi Diaz, Director	Brittany Sanders, ED Specialist
	Barbara Boulware-Wells, Legal Counsel

Absent: Ted Gonzalez, Director
Fred Chavez, Council Liaison

D. ANNOUNCEMENTS

- Annual Chamber Banquet- February 4th, 2023, at the Holy Family Social Hall
- Copperas Cove EDC Board Retreat February 17, 2023, from 8:30 a.m. -11:30 a.m. at the Copperas Cove EDC.

E. CITIZENS FORUM

At this time, citizens will be allowed to speak on any matter other than personnel matters, matters under litigation, or matters on the regular agenda, for a length of time not to exceed five minutes per person. Thirty minutes total has been allotted for this section.

- F. CONSENT AGENDA** - All matters listed under this item are considered to be routine by the EDC Board of Directors and will be enacted by one motion. There will not be a separate discussion of these Item. If discussion is desired, that item will be removed from the consent agenda and considered separately.

1. Consideration and action on approval of minutes for the Regular Meeting held on December 20, 2022. **Brittany Sanders, Economic Development Specialist, Copperas Cove EDC.**

Secretary Elizabeth Ruszkiewicz made a motion to approve Agenda Item F1. Vice Chairman Rick Kirkpatrick seconded the motion and with a unanimous vote, the motion carried.

G. PUBLIC HEARINGS

None

H. ACTION ITEM

1. Consideration and action on approving the Profit and Loss report for the month of December 2022. **Fred Welch, Executive Director, Copperas Cove EDC.**

Voce Chairman Rick Kirkpatrick made a motion to approve Agenda Item H1. Director Bradi Diaz seconded the motion and with a unanimous vote, the motion carried

2. Consideration and action on approving Resolution # EDC 2023-01 accepting the Quarterly Investment Report as presented for the quarter ending December 31, 2022, per the Investment Policy **Fred Welch, Executive Director, Copperas Cove EDC**

Executive Director Fred Welch tabled agenda Item H3, which will be presented at February 2023 meeting.

3. Consideration and action on approving the Fiscal Year 2020-2021 Annual Financial Report. **Fred Welch, Executive Director, Copperas Cove EDC.**

Secretary Elizabeth Ruszkiewicz made a motion to approve Agenda Item H3. Vice Chairman Rick Kirkpatrick seconded the motion and with a unanimous vote, the motion carried.

I. EDC REPORTS FROM STAFF, OUTSIDE ENTITIES, ADVISORY COMMITTEES, AND BOARDS

1. Update on EDC Activities. **Diane Drussell, Assistant Director, Copperas Cove EDC.**

- *Assistant Director Diane Drussell gave an update on the following topics listed below:*
 - *ICSC Trade Show recap*
 - *January's monthly workshops and future workshops*
 - *Upcoming Shop Small quarterly event*

2. Executive Director Report. **Fred Welch, Executive Director, Copperas Cove EDC.**

- *Executive Director Fred Welch gave an update on the following topics listed below:*
 - *Social Media update*
 - *Current and future projects*
 - *Fieldstone Commercial land sale*
 - *Upcoming business trips*
 - *Quarterly information luncheon for the community*
 - *Board retreat*
 - *Open house for CCEDC's new location*

J. ITEM FOR FUTURE AGENDAS

K. EXECUTIVE SESSION CONVENED AT 12:30 PM.

Pursuant to §551.072 of the Texas Government Code, the Economic Development Corporation Board will meet in Executive Session to discuss deliberation regarding the purchase, exchange, lease, or value of real property. **Project Black Dragon.**

Pursuant to §551.087 of the Texas Government Code, the Economic Development Corporation Board will meet in Executive Session for an update regarding the offer of a financial or other incentives to a business prospect referenced as **Project United.**

No Action was taken.

L. RECONVENE INTO OPEN SESSION AT 1:01 PM FOR POSSIBLE ACTION RESULTING FROM ANY ITEM POSTED AND LEGALLY DISCUSSED IN THE EXECUTIVE SESSION

M. ADJOURN

Chairman JC Stubbs adjourned the meeting at 1:01 p.m.

ATTEST:

Brittany Sanders, ED Specialist

Elizabeth Ruszkiewicz, Secretary

Economic Development Corporation

H.1.

Meeting Date: February 22, 2023

Contact: Fred Welch, Executive Director, Copperas Cove EDC

Subject:

Consideration and action on approving the Profit and Loss report for the month of January 2023. **Fred Welch, Executive Director, Copperas Cove EDC**

Description/Information:

The Profit and Loss report for January 2023, has been prepared by Donkbuilt Service Exchange "Donkbuilt" as per the agreement between the CCEDC and Donkbuilt. The report is attached for review by the Board.

Financial Impact:

See attached.

Action/Recommendation:

EDC staff recommends the Board approve the Profit and Loss report for January 2023, as presented by Fred Welch.

Attachments:

January 2023, Financials:

Profit and Loss
Profit and Loss Budget Performance
Bancorp South Reconciliation
TexPool Reconciliation

Copperas Cove Economic Development Corporation
Profit & Loss
January 2023

	Jan 23
Ordinary Income/Expense	
Income	
Revenues	
Sales Tax Income	141,306.97
Interest Income	26,186.84
Total Revenues	<u>167,493.81</u>
Total Income	167,493.81
Expense	
EXPENDITURES	
EDC ADMINISTRATION	
PERSONNEL	
00-1150 · Phone Reimbursement	280.00
00-1100 · Car Allowance	1,000.00
00-1000 · Staff Salary	27,447.03
00-1200 · Longevity	44.32
00-1500 · FICA Tax	1,895.37
00-1600 · Employee Insurance	792.76
00-1800 · Retirement	3,201.12
Total PERSONNEL	<u>34,660.60</u>
REPAIRS AND MAINTENANCE	
00-4100 · Repairs & Maint. - Bldg	1,692.99
Total REPAIRS AND MAINTENANCE	<u>1,692.99</u>
CONTRACTUAL SERVICES	
00-6000 · Bank Analysis Fees	50.00
00-6200 · Communication	221.60
00-6300 · Rental of Equip / Copier Lease	289.99
00-6350 · Rental of Property	2,600.00
00-6550 · Contract Labor	3,500.00
00-6800 · Professional Services	600.00
00-6900 · Utilities	122.60
Total CONTRACTUAL SERVICES	<u>7,384.19</u>
DESIGNATED EXPENSES	
00-7000 · Insurance Expense	528.35
Total DESIGNATED EXPENSES	<u>528.35</u>
Total EDC ADMINISTRATION	44,266.13
DEBT SERVICES	
10-9326 · 2012 Sales Tax Bond Note Int	5,999.64
Total DEBT SERVICES	5,999.64
EDC NON-DEPARTMENTAL	
CONTRACTUAL SERVICES	
90-6400 · Dues and Subscriptions	100.00
90-6610 · Business Attraction	500.00
90-6800 · Professional Services	6,000.00
Total CONTRACTUAL SERVICES	<u>6,600.00</u>
Total EDC NON-DEPARTMENTAL	6,600.00

Copperas Cove Economic Development Corporation
Profit & Loss
January 2023

	Jan 23
Total EXPENDITURES	56,865.77
Total Expense	56,865.77
Net Ordinary Income	110,628.04
Net Income	110,628.04

Copperas Cove Economic Development Corporation
Profit & Loss Budget Performance
October 2022 through January 2023

	Oct '22 - Jan 23	YTD Budget	Annual Budget
Ordinary Income/Expense			
Income			
Revenues			
Sales Tax Income	588,056.70	519,666.64	1,559,000.00
Interest Income	90,800.21	2,833.28	8,500.00
Total Revenues	678,856.91	522,499.92	1,567,500.00
Total Income	678,856.91	522,499.92	1,567,500.00
Expense			
EXPENDITURES			
EDC ADMINISTRATION			
PERSONNEL			
00-1150 · Phone Reimbursement	1,000.00	960.00	2,880.00
00-1100 · Car Allowance	2,500.00	2,000.00	6,000.00
00-1000 · Staff Salary	100,054.23	88,000.00	264,000.00
00-1200 · Longevity	177.28	268.00	804.00
00-1500 · FICA Tax	6,973.65	6,666.64	20,000.00
00-1600 · Employee Insurance	3,171.04	7,053.36	21,160.00
00-1700 · Worker's Comp Insurance	726.00	266.72	800.00
00-1800 · Retirement	11,617.47	11,666.72	35,000.00
00-1901 · Other Personnel Expenses	95.00	466.64	1,400.00
PERSONNEL - Other	0.00	0.00	0.00
Total PERSONNEL	126,314.67	117,348.08	352,044.00
SUPPLIES AND MATERIALS			
00-2030 · Office Supplies	1,145.23	1,500.00	4,500.00
00-2040 Printing Costs	0.00	200.00	600.00
00-2200 · Postage/Shipping	0.00	133.04	400.00
00-2300 · Minor Tools	0.00	0.00	0.00
00-2820 · Furniture and Fixtures	1,205.61	6,666.64	20,000.00
00-2842 · Minor Equipment/Electronics	36.66	0.00	0.00
00-2844 · Minor Equipment - Software	0.00	0.00	0.00
Total SUPPLIES AND MATERIALS	2,387.50	8,499.68	25,500.00
REPAIRS AND MAINTENANCE			
00-4100 · Repairs & Maint. - Bldg	4,376.94	2,180.00	6,540.00
00-4200 · Repairs & Maint. - Facility	735.85	980.00	2,940.00
00-4400 · Repairs & Maint. - Equipment	1,474.98	233.20	700.00
00-4600 · Repairs & Mant. - Software	0.00	0.00	0.00
Total REPAIRS AND MAINTENANCE	6,587.77	3,393.20	10,180.00
CONTRACTUAL SERVICES			
00-6012 · Consulting Fees (Legal)	0.00	3,000.00	9,000.00
00-6000 · Bank Analysis Fees	200.00	200.00	600.00
00-6100 · Advertising	350.00	166.64	500.00
00-6200 · Communication	2,742.58	1,900.00	5,700.00
00-6300 · Rental of Equip / Copier Lease	1,159.96	1,160.00	3,480.00
00-6350 · Rental of Property	15,200.00	8,333.36	25,000.00

Copperas Cove Economic Development Corporation
Profit & Loss Budget Performance
October 2022 through January 2023

	Oct '22 - Jan 23	YTD Budget	Annual Budget
00-6400 · Dues and Subscriptions	7,732.75	3,123.36	9,370.00
00-6550 · Contract Labor	7,564.98	5,200.00	15,600.00
00-6600 · Professional Development	5,725.70	7,000.00	21,000.00
00-6800 · Professional Services	3,661.25	2,800.00	8,400.00
00-6801 · Recruiting/Executive Search	0.00	0.00	0.00
00-6810 · Provided City Services	0.00	0.00	0.00
00-6900 · Utilities	2,424.40	1,820.00	5,460.00
Total CONTRACTUAL SERVICES	46,761.62	34,703.36	104,110.00
DESIGNATED EXPENSES			
00-7000 · Insurance Expense	1,928.95	1,833.36	5,500.00
00-1998 · Board Related Expenses	303.78	1,500.00	4,500.00
00-1999 · Public Relations	890.13	721.64	2,165.00
Total DESIGNATED EXPENSES	3,122.86	4,055.00	12,165.00
Total EDC ADMINISTRATION	185,174.42	167,999.32	503,999.00
DEBT SERVICES			
10-9325 · 2001 Sales Tax Bond Note Int	0.00	0.00	0.00
10-9226 · 2012 Sales Tax Bond Principal	0.00	38,333.20	115,000.00
10-9326 · 2012 Sales Tax Bond Note Int	14,999.10	11,999.20	35,998.00
Total DEBT SERVICES	14,999.10	50,332.40	150,998.00
EDC NON-DEPARTMENTAL			
SUPPLIES AND MATERIAL			
90-2060 · Program / Project Supplies	261.29	0.00	0.00
Total SUPPLIES AND MATERIAL	261.29	0.00	0.00
CONTRACTUAL SERVICES			
90-6400 · Dues and Subscriptions	200.00	7,080.00	21,240.00
90-6100 · Advertising	180.70	5,401.64	16,205.00
90-6550 · Contract Labor	6,223.10	6,933.36	20,800.00
90-6610 · Business Attraction	16,815.69	19,080.00	57,240.00
90-6800 · Professional Services	6,714.36	1,500.00	4,500.00
Total CONTRACTUAL SERVICES	30,133.85	39,995.00	119,985.00
90-9000 · ENTREPRENEUR CENTER			
90-9001 · Start Up	0.00	5,000.00	15,000.00
90-9002 · Operations	0.00	10,666.64	32,000.00
Total 90-9000 · ENTREPRENEUR CENTER	0.00	15,666.64	47,000.00
90-9100 · BUSINESS RETENTION			
90-9101 · Flyers / Design	0.00	1,333.36	4,000.00
90-9102 · Workshops	0.00	5,676.64	17,030.00
90-9104 · Travel	0.00	5,001.64	15,005.00
Total 90-9100 · BUSINESS RETENTION	0.00	12,011.64	36,035.00
Total EDC NON-DEPARTMENTAL	30,395.14	67,673.28	203,020.00
OTHER EXPENDITURES			
90-8600 · CAPITAL OUTLAY			
90-8607 · New Business Park Study	0.00	10,000.00	30,000.00
90-8601 · Constitution	0.00	666,666.64	2,000,000.00

Copperas Cove Economic Development Corporation
Profit & Loss Budget Performance
October 2022 through January 2023

	Oct '22 - Jan 23	YTD Budget	Annual Budget
90-8602 · Land Exchange	0.00	0.00	0.00
90-8605 · Infrastructure	0.00	183,333.36	550,000.00
Total 90-8600 · CAPITAL OUTLAY	0.00	860,000.00	2,580,000.00
Total OTHER EXPENDITURES	0.00	860,000.00	2,580,000.00
Total EXPENDITURES	230,568.66	1,146,005.00	3,438,017.00
Total Expense	230,568.66	1,146,005.00	3,438,017.00
Net Ordinary Income	448,288.25	-623,505.08	-1,870,517.00
Net Income	448,288.25	-623,505.08	-1,870,517.00

3:31 PM

02/14/23

Copperas Cove Economic Development Corporation

Reconciliation Summary

Cash- BANCORPSOUTH, Period Ending 01/31/2023

	Jan 31, 23
Beginning Balance	1,338,817.19
Cleared Transactions	
Checks and Payments - 41 items	-80,967.82
Deposits and Credits - 3 items	142,156.45
Total Cleared Transactions	61,188.63
Cleared Balance	1,400,005.82
Uncleared Transactions	
Checks and Payments - 9 items	-26,817.02
Total Uncleared Transactions	-26,817.02
Register Balance as of 01/31/2023	1,373,188.80
New Transactions	
Checks and Payments - 18 items	-11,479.55
Total New Transactions	-11,479.55
Ending Balance	1,361,709.25

Copperas Cove Economic Development Corporation
Reconciliation Summary
TEXPOOL ACCOUNT, Period Ending 01/31/2023

	Jan 31, 23
Beginning Balance	6,726,911.29
Cleared Transactions	
Deposits and Credits - 1 item	24,248.81
Total Cleared Transactions	24,248.81
Cleared Balance	6,751,160.10
Register Balance as of 01/31/2023	6,751,160.10
Ending Balance	6,751,160.10

Economic Development Corporation

H.2.

Meeting Date: February 22, 2023

Contact: Fred Welch, Executive Director, Copperas Cove EDC.

Subject:

Consideration and action on approving Resolution # EDC 2023-01 accepting the Quarterly Investment Report as presented for the quarter ending December 31, 2022, per the Investment Policy. **Fred Welch, Executive Director, Copperas Cove EDC**

Description/Information:

The Public Funds Investment Act of Chapter 2256, Texas Government Code, requires investment management reports to be accepted by the Board. The Copperas Cove Economic Development Corporation's Investment Policy requires that the Investment Officer shall report a detailed listing of all purchases, sales, and payments, and a description of each security held as well as management summary information.

Financial Impact:

See attached Quarterly Investment Report for the month ending December 31, 2022.

Action/Recommendation:

EDC staff recommends that the Board approves Resolution # EDC-2023-01 accepting the Quarterly Investment Report as presented for the quarter ending December 31, 2022, per the Investment Policy.

Attachments:

Resolution # EDC-2023-01
Quarterly Investment Report

RESOLUTION NO. EDC- 2023-01
A RESOLUTION OF THE COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION,
APPROVING THE INVESTMENT REPORT FOR THE QUARTER ENDING DECEMBER 31, 2022.

WHEREAS, Chapter 2256 of the Texas Government Code, commonly known as the “Public Funds Investment Act,” requires the Investment Officer of the City to present s written report of investment transactions for all Economic Development Corporation’s accounts covered for the preceding reporting period to the Board of Directors; and

WHEREAS, this reporting is authorized by the Public Funds Investment Act; and

WHEREAS, the Public Funds Investment Act requires the Quarterly Investment Report be presented to the Board of Directors; and

WHEREAS, the attached Quarterly Investment Report complies with the Public Funds Investment Act.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE COPPERAS COVE ECONOMIC CORPORATION:

Section 1.

That the Copperas Cove Economic Development Corporation has complied with the requirements of the Public Funds Investment Act, and the Quarterly Investment Report for the quarter ending December 31, 2022, attached hereto as “Exhibit A,” is hereby approved as the quarterly investment report for the quarter ending December 31, 2022 of the Corporation effective February 22, 2023.

PASSED, APPROVED, AND ADOPTED on this 22nd day of February 2023 at a regular meeting of the Economic Development Corporation which meeting was held in compliance with the Open Meetings Act, *Tex. Gov’t Code*, §551.001, et. seq. at which meeting a quorum was present and voting.

ATTEST:

Brittany Sanders, ED Specialist

JC Stubbs, Chairman

APPROVED AS TO FORM:

The Knight Law Firm
Copperas Cove Economic Development Corporation Attorney



Quarterly Investment Report

December 31, 2022

1st Quarter

The following report is submitted in accordance with the Public Funds Investment Act (Chapter 2256). The report also offers a supplement not required by the Act to fully inform the Board of Directors of the position and activity within the Copperas Cove Economic Development's portfolio of investments. The report includes a management summary overview, detailed holdings report for the end of the period and a transaction report as well as graphic representations of the portfolio to provide full disclosure to the Board.

The Copperas Cove EDC's portfolio is managed in full compliance with the Public Funds Investment Act, the Corporations' Investment Policy and Strategy and under the strictest safety parameters as set by the Board.

Copperas Cove Economic Development Corporation

Operating Fund Quarterly Investment Report

October 1, 2022 - December 31, 2022

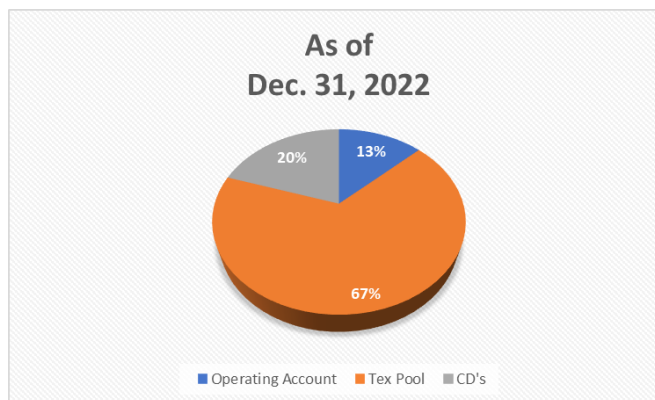
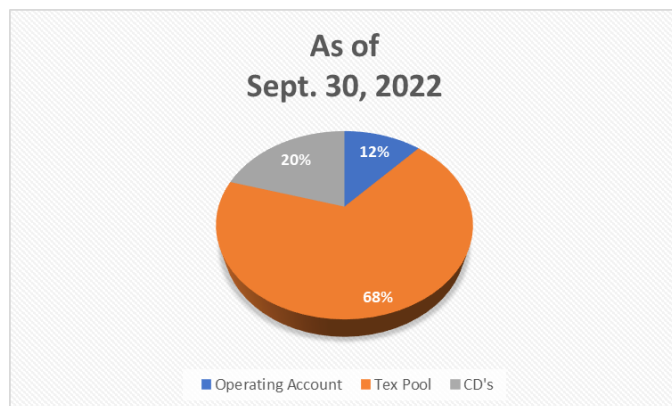
Compared to previous Quarter

Portfolio Summary Management Report

This Quarterly Report is in compliance with the investment policy and strategy as established by the Board

and the Public Funds Investment Act (Chapter 2256, Texas Govt. Code)

	As of Sept. 30, 2022	As of Dec. 31, 2022
Operating Account	\$ 1,156,543	\$ 1,307,952
Tex Pool	\$ 6,667,798	\$ 6,726,911
CD's	\$ 2,001,089	\$ 2,004,354
	\$ 9,825,429	\$ 10,039,218



Fred Welch , Executive Director

Annette Donker, Donkbuilt Services

Economic Development Corporation

H.3.

Meeting Date: February 22, 2023

Contact: Fred Welch, Executive Director, Copperas Cove EDC

Subject:

Consideration and action on crafting and publishing a RFP for grant writing services to assist in the submission of an Economic Development Administration (EDA) grant, to support land development along Mashburn Dr. **Fred Welch, Executive Director, CCEDC**

Description/Information:

The assistance being proposed is for the assistance to draft a proposal for grant submission to the EDA to assist in the land development along Mashburn Dr. which would aid in the expansion of the business park and add to city infrastructure.

Financial Impact:

Action/Recommendation:

EDC staff recommends the Board approve creating and publishing a RFP for grant writing services for the purpose of assisting in a grant writing proposal.

Attachments:

Backup

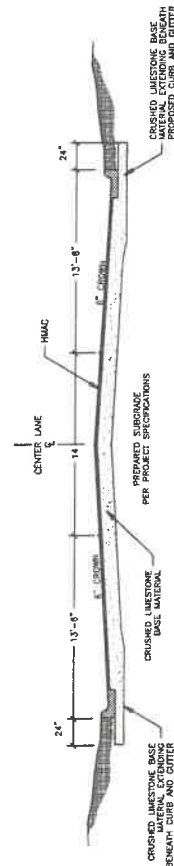
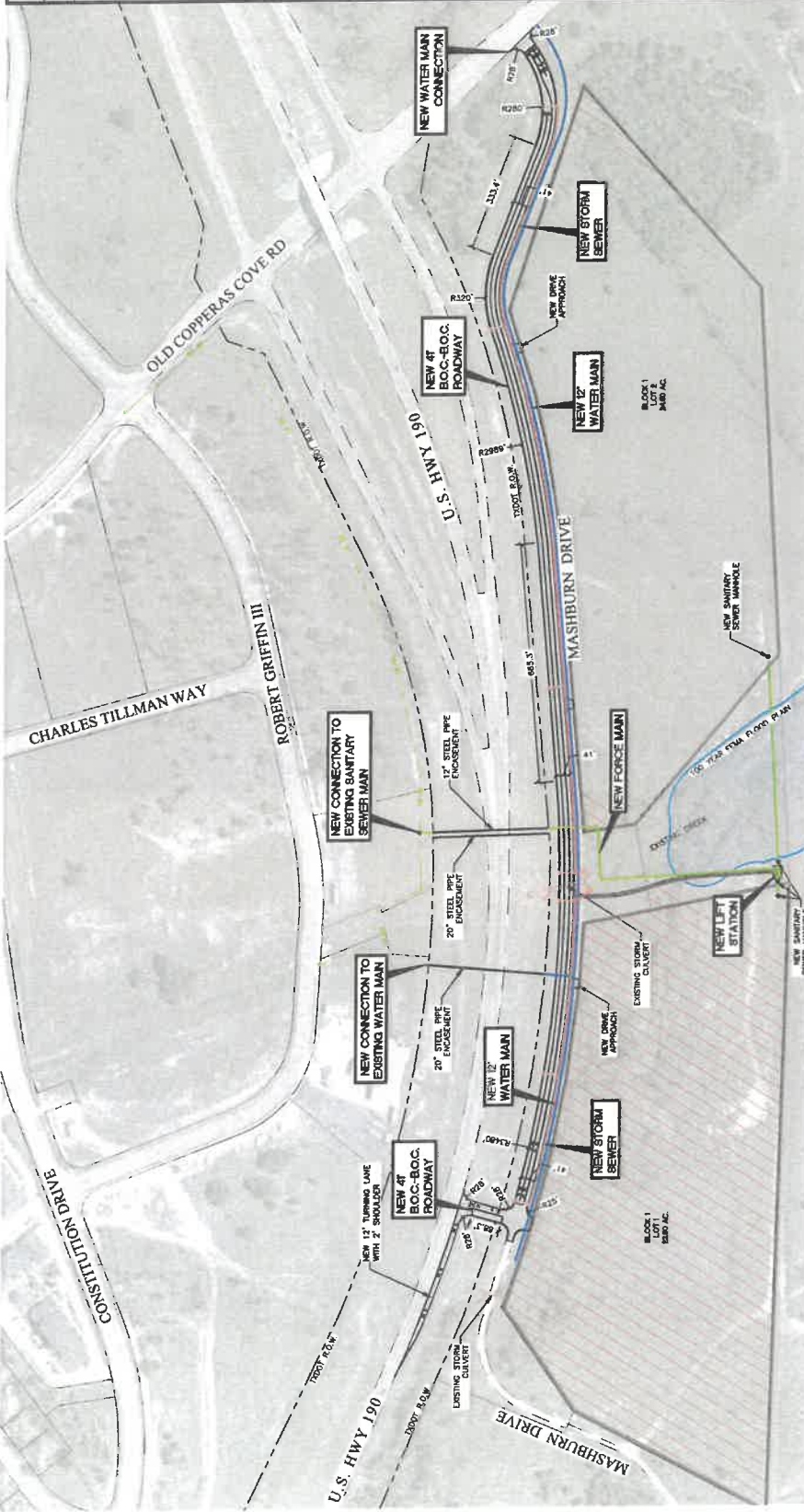
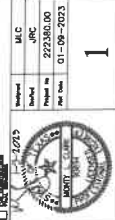


45 ACRE INDUSTRIAL
PARK - PHASE I
NEW SITE DEVELOPMENT
COPPERAS COVE, TEXAS

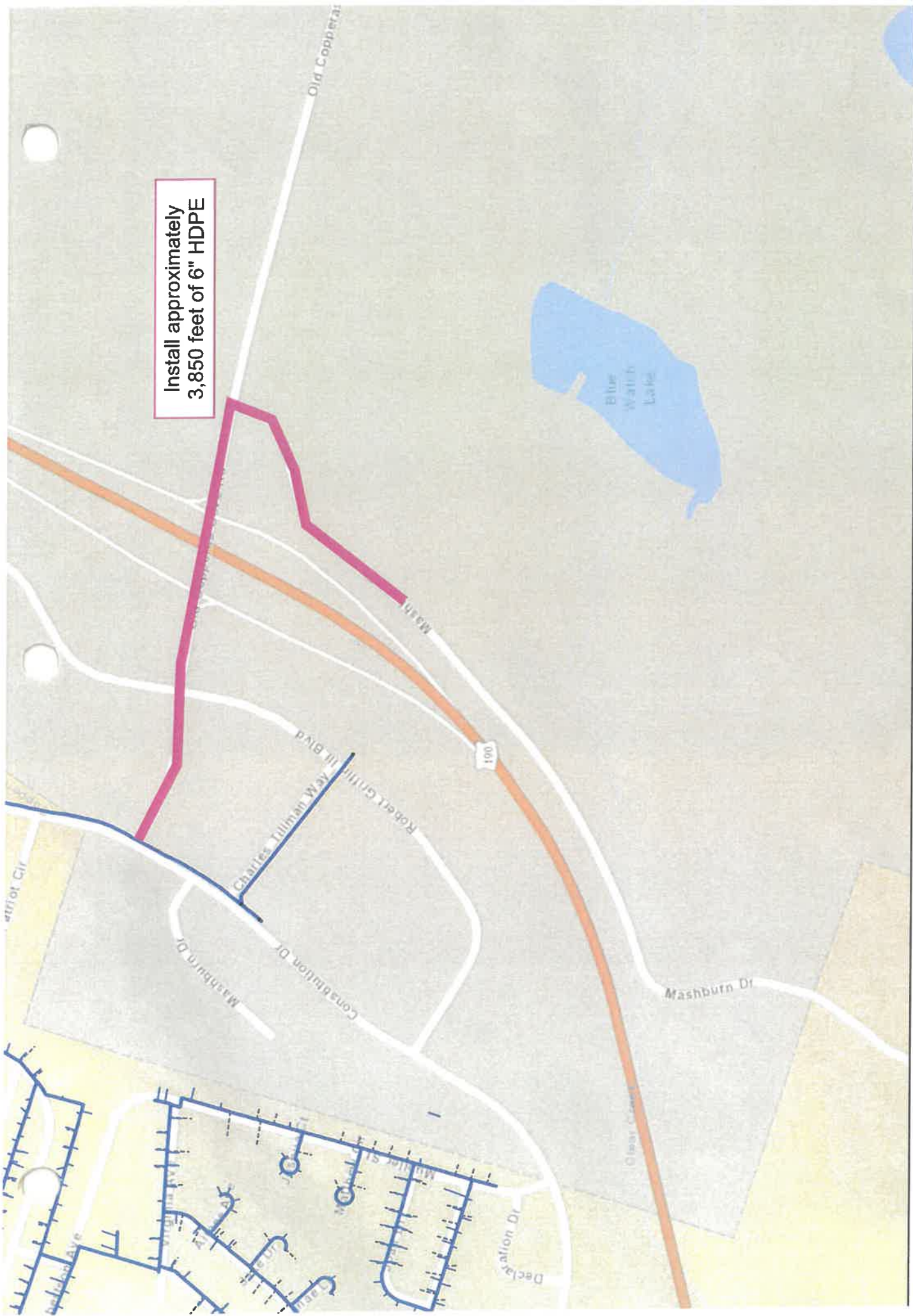
OVERALL ROAD PLAN

DRAWING STATUS

DATE: 01-10-2023
BY: JWC
CHECKED: JWC
DATE: 01-10-2023



1 TYPICAL STREET SECTION
SCALE: N.T.S.





**PRELIMINARY OPIONION OF PROBABLE COST
COPPERAS COVE EDC - NEW INDUSTRIAL PARK**

Date: 1-12-2023

Mobilization, Site Prep, and Traffic Control

Item Description	Unit	Unit Cost	Quantity	Total
1. Site Preparation and Clearing	STA.	\$ 750.00	40	\$ 30,000.00
2. Site Mobilization, Bonding, and Insurance	L.S.	\$ 70,000.00	100%	\$ 70,000.00
3. Traffic Control Plan & Implementation	L.S.	\$ 8,500.00	100%	\$ 8,500.00
4. Storm Water Pollution Prevention Plan & Implementation	L.S.	\$ 8,500.00	100%	\$ 8,500.00
SUBTOTAL:				\$ 117,000.00

New Roadway and Utilities

Item Description	Unit	Unit Cost	Quantity	Total
1. Compacted Subgrade	S.Y.	\$ 5.80	19500	\$ 113,100.00
2. Compacted Crushed Limestone Base	S.Y.	\$ 24.00	19500	\$ 468,000.00
3. HMAc Pavement	S.Y.	\$ 20.50	17390	\$ 356,495.00
4. 6" Reinforced Concrete Curb and Gutter	L.F.	\$ 24.00	7811	\$ 187,464.00
5. Reinforced Concrete Pavement	L.F.	\$ 80.00	500	\$ 40,000.00
6. Connection to Existing Roadway	E.A.	\$ 3,500.00	3	\$ 10,500.00
7. Earthwork and Embankment (Allowance)	L.S.	\$ 45,000.00	100%	\$ 45,000.00
8. Sandy Loam Topsoil, Grass Seeding, & Watering (Allowance)	L.S.	\$ 7,500.00	100%	\$ 7,500.00
9. Striping and Signage	L.S.	\$ 9,500.00	100%	\$ 9,500.00
SUBTOTAL:				\$ 1,228,059.00

New Storm Sewer

1. Precast Curb Inlet	EA.	\$ 8,250.00	10	\$ 82,500.00
2. RCP Storm Sewer	L.F.	\$ 250.00	3000	\$ 750,000.00
3. Precast Concrete Headwall	EA.	\$ 12,500.00	5	\$ 62,500.00
4. Stone Rip Rap	S.Y.	\$ 24.00	100	\$ 2,400.00
SUBTOTAL:				\$ 897,400.00

New Water Main

1. Connection to Existing Water Main	EA.	\$ 2,850.00	2	\$ 5,700.00
2. 12" PVC Water Main	L.F.	\$ 85.00	3515	\$ 298,775.00
3. 12" Restrained Joint PVC Water Main	L.F.	\$ 88.00	400	\$ 35,200.00
4. MJ Tees	EA.	\$ 3,800.00	3	\$ 11,400.00
5. MJ Gate Valves	EA.	\$ 3,250.00	6	\$ 19,500.00
6. MJ Fittings	EA.	\$ 950.00	10	\$ 9,500.00
7. Steel Pipe Encasement via Bore	L.F.	\$ 450.00	440	\$ 198,000.00
8. New Fire Hydrant Assembly	EA.	\$ 4,500.00	12	\$ 54,000.00
SUBTOTAL:				\$ 632,075.00

New Sanitary Sewer Main

1. Concrete Manhole	EA.	\$ 5,400.00	4	\$ 21,600.00
2. 10" PVC SDR 26 Sanitary Sewer	L.F.	\$ 95.00	700	\$ 66,500.00
3. Lift Station, Plant Piping and Pumps (Allowance)	L.S.	\$ 275,000.00	100%	\$ 275,000.00
4. Electrical Panels, and Wiring (Allowance)	L.S.	\$ 75,000.00	100%	\$ 75,000.00
5. New Force Main	L.F.	\$ 58.00	1200	\$ 69,600.00
6. Steel Pipe Encasement via Bore	L.F.	\$ 450.00	380	\$ 171,000.00
SUBTOTAL:				\$ 678,700.00



SUBTOTAL CONSTRUCTION: \$ 3,553,234.00
10% CONSTRUCTION CONTINGENCY: \$ 355,323.40

TOTAL CONSTRUCTION: \$ 3,908,557.40

Economic Development Corporation

H.4.

Meeting Date: February 22, 2023

Contact: Fred Welch, Executive Director, Copperas Cove EDC

Subject:

Consideration and action on approving an agreement/contract between the Copperas Cove EDC and NaviRetail, to conduct a marketing analysis and create recruitment strategies, in an effort to attract targeted retail and commercial businesses.

Description/Information:

NaviRetail is a company who specializes in Market Analysis and Retail Recruitment Services. The services provided would help identify the retail and commercial needs of Copperas Cove and help to attract specific businesses.

Financial Impact:

Action/Recommendation:

EDC staff requests CCEDC Board approve the agreement/contract between NaviRetail and the CCEDC to conduct a market analysis to help identify the retail and commercial needs of Copperas Cove.

Attachments:

Contract/Agreement

NaviRetail Scope of Work

PROPOSED
**SCOPE OF
WORK**

Market Analysis and Retail Recruitment Services

Copperas Cove, Texas

January 2023

Fort Worth Office

201 Main Street
Suite 600
Fort Worth, Texas 76102

Memphis Office

5100 Poplar Avenue
Suite 2700
Memphis, Tennessee 38137



Casey Kidd, CEO
NaviRetail Inc.
201 Main Street
Suite 600
Fort Worth, Texas 76102

January 26, 2023

Fred Welch, Executive Director
Copperas Cove Economic Development Corporation
207 South 3rd Street
Copperas Cove, Texas 76522

Re: Market Analysis and Retail Recruitment Services

Fred:

I want to take this opportunity to thank you for reviewing our Scope of Work and considering us. NaviRetail has long-awaited the chance to work with Copperas Cove.

As we've discussed in the past, we do things very differently, and I truly believe this approach is exactly what the city needs in order to accomplish its many development goals.

As a company, we take great pride in ensuring that every detail of a project is not only recognized, but also, addressed in a very intentional manner. Our approach to every project prioritizes the following:

1. Quality over quantity
2. Cutting-edge creativity
3. Commitment and perseverance

We believe that every project should begin with a well-defined plan; however, I can't emphasize enough the need for economic responsibility and sustainability when crafting this plan. We are full-fledged supporters of new business development while also maintaining economic sustainability amongst current businesses in Copperas Cove.

With your help, I believe that we can not only accomplish the goals of the city, but exceed them in every way. I am confident we will have success, and I can't wait to see Copperas Cove thrive like we all know it should.

Please review the following Scope of Work; and if you should have any questions, feel free to contact me directly via phone at (662) 419-8098 or e-mail at casey@naviretail.com.

Sincerely,

Casey Kidd, CEO



EXECUTIVE
SUMMARY



EXECUTIVE SUMMARY

You might be asking yourself: *Why is _____ not here? or How come we don't have a _____?*

The answers to these questions vary from scenario to scenario, but one thing remains true for all: If they could be there, they would be. Our goal is to find out what is keeping them from being there and mitigate any issues that might stand in the way of them locating.

Year 1

Phase 1: Critical Path Method (CPM) & Project Kickoff

We will meet with the economic development staff to organize efforts and determine the CPM for future development in Copperas Cove. This step ensures our process remains both efficient and pragmatic.

Phase 2: Data Gathering & Collection

We will start by gathering all the necessary data and facts about the area. This data focuses primarily on those who frequently shop and eat in the area, not just those who live within the Copperas Cove city limits.

Phase 3: Market Analysis & Mobility Assessment

We will use market insights to study the patterns and trends concerning Copperas Cove's consumers. With this information, we can better affect recruitment. This helps us to "zero-in" on prospective business targets.

Phase 4: Combine Reports & Market Findings

We will create comprehensive reports to better convey what this information means. What good is all of this useful information if presented in a way that is hard to digest or understand? Simple is better and that's exactly our approach.

Phase 5: Community Forum & Recruitment Workshop

We will host two separate seminars in Copperas Cove where local stakeholders, developers, and businesses all have a chance to network as well as receive relevant market data. Community buy-in is imperative.

Phase 6: Retailer Matching & Targeting Strategies

We will match the city's data to businesses that are a fit for Copperas Cove. Effective targeting is crucial to the success of our recruitment efforts. This is why possessing in-depth data about the city's consumers proves to be so important.

Phase 7: Site Matching & Inventory Assessment

We will match targeted businesses with sites that would best suit them. Matching retailers with sites that fit their consumer's psychographic profile and spending trend is paramount when courting a business prospect.

Phase 8: Hotel Monitoring & Feasibility Study (Optional +\$8,500)

We will prepare a hotel feasibility study for a proposed hotel property in Copperas Cove so that NaviRetail has adequate and necessary marketing collateral while attracting prospective hotel developers to the city.

Phase 9: Action Items & Recommendations

We will identify and address any issues that might be hindering the city's development goals. We will submit relevant recommendations that serve to mitigate obstacles that would slow down the development process.

Phase 10: Business Recruitment & Retention

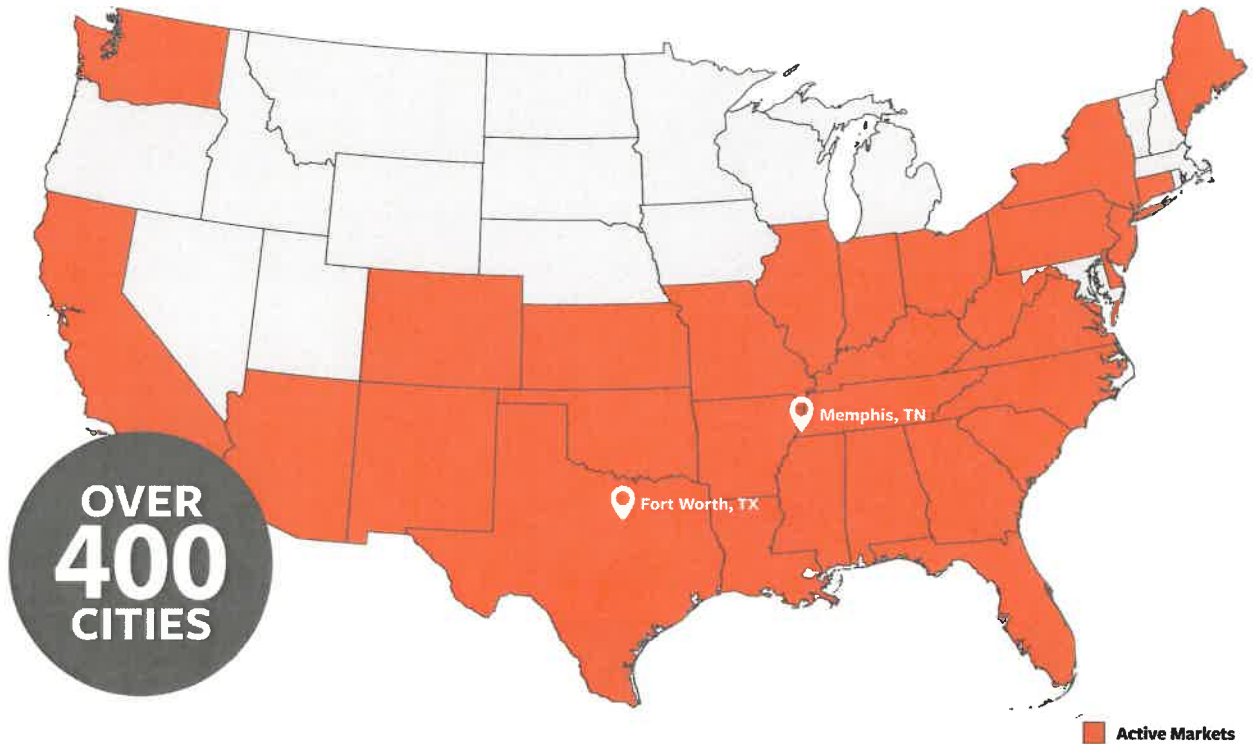
We will begin contacting targeted retailers and developers on the city's behalf. This is where our vast network of industry connections with both retailers and developers is such a value to Copperas Cove. Having a "foot in the door" speeds up this process tremendously.



COMPANY BACKGROUND &
EXPERIENCE



OUR COMPANY



ABOUT US

Founded in 2016, NaviRetail quickly became the industry leader in economic development consulting and new business recruitment. The tenure of several employees at other companies provided a new perspective on the retail recruitment industry and has allowed NaviRetail to differentiate itself from competitors.

NaviRetail team members have worked in as many as 30 different states and over 400 communities all across the U.S. With over 50 years in combined experience, we are shedding new light on the retail recruitment industry. This perspective is mandatory to recruit the retailers your constituents want to see.



Clark Tower – Memphis, Tennessee Office



Wells Fargo Tower – Fort Worth, Texas Office

We want to show you the retail potential Copperas Cove has and also allow you the opportunity to work together with us during the process. This is the part of our job that we love the most. Developing relationships and working directly with communities are the key elements to success.

We are dedicated to becoming a full-fledged community partner, as this is the exact sort of environment which yields success. We will bridge the gap between both the public and private sectors.



OUR LEADERSHIP

About the CEO



Casey Kidd

Chief Executive Officer

A native of North Mississippi, Casey Kidd has worked as an economic development consultant across the U.S. for more than a decade. His passion for unconventional data analysis, combined with his knack for working deals for cities from start to finish, make him a well-suited match for the ever-changing retail market. Kidd has worked with government officials and stakeholders in over 400 communities and 30 states — and can likely tell you the exact address of city hall, the nearest Walmart, and the best local brewery in each of them.

Aside from his expertise in data analysis and placemaking, Kidd is largely guided by his personal relationships with national retailers. These connections give him an insider's perspective into specifics retailers look for when considering a new site, as well as how cities can position themselves more competitively in today's market.

Early in his career, Kidd developed the first technology for interpreting cell phone data to track consumer movement and spending; and he continues to be committed to giving back to the industry with the development of cutting edge technology.

Before his love for data and dealmaking sent him on the road, Casey traveled as a professional musician and composer. His work is still brought to life by groups across the world, while he spends most of his days now on an airplane (possibly one he's piloting), on the phone, or at a desk making deals happen for small town America.

Board of Directors



Casey Kidd

**President &
Chief Executive Officer**



Walker Wright

**Vice President &
Director of Sales**



Dan Umberger

**Treasurer &
Director of Operations**



Jeff Leathers

**Secretary &
General Counsel**

PROPOSED
**SCOPE OF
WORK**



SCOPE OF WORK

Phase 1

Critical Path Method (CPM) & Project Kickoff

Thank you for taking the initiative to be proactive rather than reactive. By hiring us, you're proving that the future development in Copperas Cove is a priority that cannot be ignored. Our critical path method (CPM) includes several discussion topics listed below. We look forward to kicking off this project with the city and discussing our approach.

Our plan, while not necessarily a step-by-step guide, will aid in the decisions the city will be making in determining the future for Copperas Cove. We will place much emphasis on ensuring economic democracy amongst current businesses so as not to change the self-managed enterprises that already exist in the local market.

We will thoroughly research and analyze various aspects about the community, even outside of the local economy, so that we offer the most complete perspective available by an outside firm. The topics presented will be done so in a diplomatic fashion, but with the utmost importance placed on truth, accuracy, and pragmatism.

Topics To Be Covered:

This list is simply a minimum list of topics to be included and is expected to grow as this process continues and our data is gathered.

- Business Feasibility and Consumer Targeting
- Overall Aesthetics of the Copperas Cove Market
- Government Organization and Economic Solidarity
- Inclusion and Availability of Small Business Resources
- Available Properties Highest and Best Uses
- Future Housing Development
- Infrastructure Improvements and Expansion
- Retail Education and Current Business Development
- Tourism Planning and Staffing Considerations
- Young Talent Retention Strategies
- Workforce Development and Education

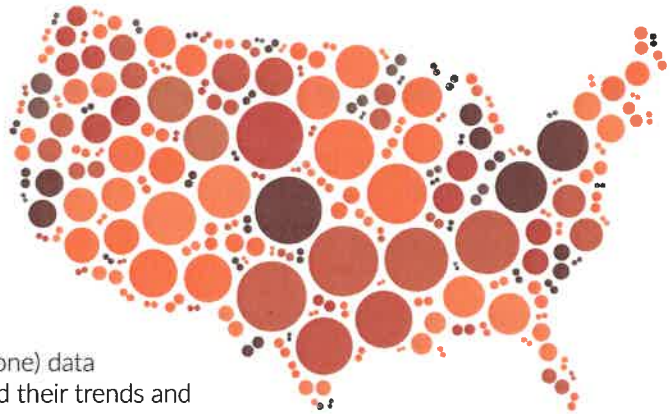


SCOPE OF **WORK**

Phase 2

Data Gathering & Collection

- 1 Identify Existing Businesses**
NaviRetail will identify existing businesses in the market to survey the base of all the consumers present in the market.
- 2 Ping Mobile Device Data**
NaviRetail will collect mobile device (cell phone) data about these consumers to better understand their trends and patterns.
- 3 Collect Demographics, Psychographics, and Leakage/Surplus Data**
NaviRetail will collect all relevant demographic, psychographic, and sales leakage/surplus data to be paired with relevant mobile device data.

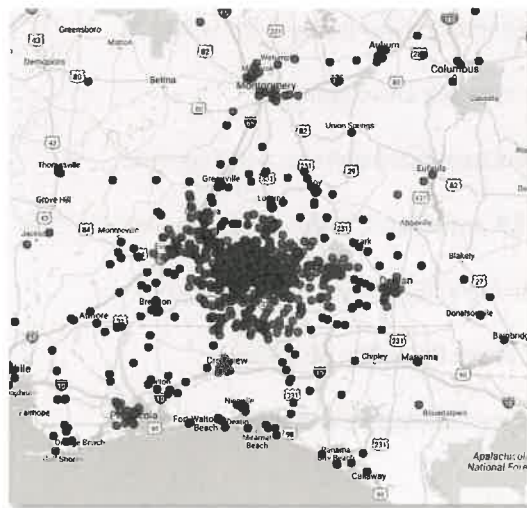
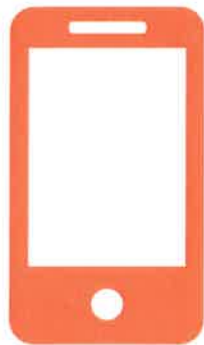


How do you do that?

Through strategic partnerships, NaviRetail has the ability to track the GPS in location-enabled devices all across the United States. This data shows us where consumers live, work, and even where they were leading up to the surveyed retail location.

Why is this important?

Possessing accurate data is paramount. Retailers rely heavily on specific data regarding their consumers, and thankfully – NaviRetail is able to provide them with just that. Being able to show them what's happening in a given market is the first step to effective retail recruitment.





SCOPE OF **WORK**

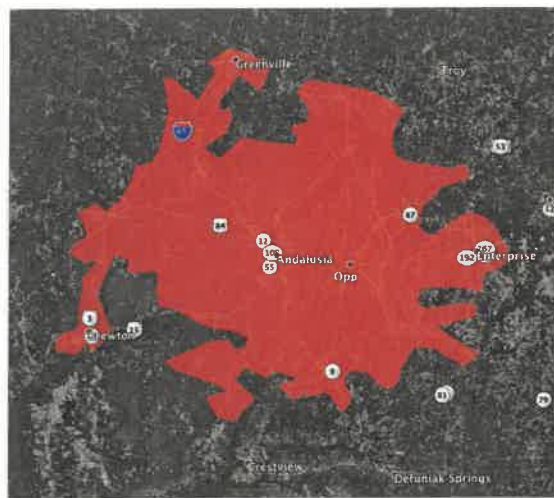
Phase 3

Market Analysis & Mobility Assessment

- 1 Determine Retail Trade Area(s)**
NaviRetail will evaluate the Retail Trade Areas for your market by filtering through the mobile device data collected, leaving only the most frequent consumers.
- 2 Pair Data Sets**
NaviRetail will pair geographic data with other data sources that may include consumer spending surveys, credit card transactions, and lifestyle attributes.
- 3 Analyze Collected Data**
NaviRetail will thoroughly analyze the demographics, psychographics, and leakage/surplus data to determine who your consumers are and what they're buying elsewhere.
- 4 Compare Peer Communities**
NaviRetail will identify peer communities with similar demographics that already possess the desired retail offerings the city seeks, helping to better understand how and why they located where they did.
- 5 Identify Competing Communities**
NaviRetail will identify competing communities that might be causing consumers to leave the city to purchase a particular good or service, ultimately causing retail sales to leak outside the city.

Why is this important?

Knowing the consumers in a given market is essential for targeting suitable retailers. We spend quite a bit of time gathering and analyzing information to accomplish this. In the end, the retailers feel most confident in their decision when they can depend on the information we've provided, even after a store is built.





SCOPE OF WORK

Phase 4

Combine Reports & Market Findings

- 1 Create Retail Marketing Flyer**
NaviRetail will create marketing pieces for the city that contains pertinent information retailers and developers might want to see in first conversations.
- 2 Create Demographic, Psychographic, and Leakage/Surplus Reports**
NaviRetail will compile all the collected demographic, psychographic, and leakage/surplus data into comprehensive reports, allowing the city to understand their standing in the local market.
- 3 Create Peer Analysis Report**
NaviRetail will create a report detailing the identified peer communities that are similar, as well as information about how they might have obtained their current selection of retailers.
- 4 Create Competing Communities Report**
NaviRetail will create a report that lists the current competing communities of the city, threats that they might impose, as well as potential opportunities that exist because of their current situation.
- 5 Create Radial & Drive-time Reports**
NaviRetail will create several different radial and drive-time reports, allowing for fast access of general demographic information if needed by the city or members of NaviRetail while at trade shows.

Why is this important?

Not only do we provide you valuable data about your consumers, but we also compile it into a format retailers want to see. Branding is an extremely powerful tool when reaching out to retailers; therefore, we ensure that all of your reports are not only helpful, but also eye-catching and consistent. This is very influential when retailers are reviewing the facts about your consumers and Retail Trade Area.





SCOPE OF **WORK**

Phase 5

Community Forum & Recruitment Workshop

1 *Host Seminars for Local Businesses & Stakeholders*

NaviRetail will host two (2) seminars in Copperas Cove:

The first seminar will invite local businesses and other major stakeholders to help identify ways in which to enrich the current retail landscape in Copperas Cove.

The second seminar will invite the City Council and the Planning / Zoning Commission to come and learn about what retail recruitment entails and ultimately means for the city as we work through this process together.

2 *Connect Locals with Opportunities for Development or Franchising*

NaviRetail will educate stakeholders about development and franchising opportunities, gather contact information, and follow-up with interested parties about how to get involved.

3 *Identify Potential Development & Redevelopment Opportunities*

NaviRetail will identify and pursue potential development and redevelopment opportunities involving those locally that might be interested in helping with future development or redevelopment in the area.

Why is this important?

Connecting with local stakeholders is essential for getting the entire city on the same page. We prefer to do this prior to starting recruitment rather than after the fact. This way, if there are any potential issues, we can mitigate those on the front end - not after we have an interested party.





SCOPE OF **WORK**

Phase 6

Retailer Matching & Targeting Strategies

- Analyze Retail Wish List**
NaviRetail will collect and analyze a "retail wish list" from the city. This is a list of retailers that constituents have expressed they would like to see added to Copperas Cove's retail base.
- Identify Expanding Retailers**
NaviRetail will identify and track retailers that are currently expanding, as well as keeping a mindful watch on retailers who are currently not expanding, but might potentially be in the near future.
- Create Retailer Target List**
NaviRetail will create a list of retailer targets that fit Copperas Cove's demographics and needs. This list will be a combination of matches from the retail wish list, as well as other targets added by NaviRetail.

Why is this important?

Knowing who to target at trade shows and events is sometimes half the battle of recruiting retail. The retail recruitment industry is changing at a very fast pace. Going blindly after retailers can not only be ineffective, but possibly even detrimental.

NaviRetail focuses on tracking movement in the retail industry so that we always know who, when, and how to target the retailers we've matched to Copperas Cove.





SCOPE OF **WORK**

Phase 7

Site Matching & Inventory Assessment

- 1 Catalog Available Properties**
NaviRetail will research and catalog the current available properties for retail in Copperas Cove. This property database information is essential for next steps when we identify an interested party.
- 2 Match Sites to Retailer Targets**
NaviRetail will use the compiled property database in conjunction with our retailer match list to determine which available properties would be best for the targeted retailers.
- 3 Determine Any Potential Issues**
NaviRetail will identify potential issues or obstacles that may exist concerning a retailer locating on a given property. We will also work to mitigate these issues before the initial contact with the retailer.

Why is this important?

The retailers always take the path of least resistance and the more information we can provide them initially, the better the chance is that they'll take it back to the office and do their own research.

By collecting and organizing some of this information for the retailers, we streamline the recruitment process. This allows us to see results faster rather than waiting for our initial contact with the retailers to collect and sort this data.





SCOPE OF **WORK**

Phase 8 (Optional)

Hotel Monitoring & Feasibility Study

- 1 Collect Hotel Market Data**
NaviRetail will gather relevant market data from existing properties in the Copperas Cove hotel market area. This data will help serve Copperas Cove for both future developments and the retention of existing hotel properties.
- 2 Analyze Hotel Market Conditions**
NaviRetail will evaluate the hotel market in Copperas Cove to measure the market rebound from the COVID-19 pandemic. This includes a review of data from previous years, including the pandemic, and comparison to current market conditions.
- 3 Prepare Hotel Feasibility Study**
NaviRetail will prepare a Hotel Feasibility Study for the purposes of building a proposed property in Copperas Cove and the feasibility of this project thereof. This will detail the construction costs, land costs, and include market data to show whether this project would be feasible or not, and to what extent.

Why is this important?

We believe that adequate hotel lodging space is a very necessary piece of a town's overall tourism strategy. This ensures that the tourist or business traveler is able to make all purchases locally when suitable hotel properties are available near their final destination.





SCOPE OF **WORK**

Phase 9

Action Items & Recommendations

- 1** **Send Progress Reports**
NaviRetail will send frequent progress reports to our point of contact throughout this project.
- 2** **Follow up with Stakeholders and Seminar Attendees**
NaviRetail will be available for contact by seminar attendees throughout this project.
- 3** **Identify Action Items and Recommendations**
NaviRetail will identify potential obstacles that stand in the way of development in Copperas Cove and recommend ways in which the city can work to mitigate these issues.

Why is this important?

It's difficult to fix a problem that you never knew was a problem. That's where our help proves to be invaluable to Copperas Cove.

We believe wholeheartedly that if development could happen without further city intervention, it would. When it hasn't already, we see it as our duty to identify and inform our clients how to be proactive in mitigating any issue that might hinder development.





SCOPE OF **WORK**

Phase 10

Business Recruitment & Retention

1

Attend Retail Trade Shows

NaviRetail will attend the following trade shows on behalf of Copperas Cove (if deemed safe to do so):

- **Retail Live! Carolinas**
- **ICSC @ Monterey**
- **ICSC @ Carolinas**
- **ICSC @ Red River States**
- **Retail Live! Southeast**
- **ICSC @ Las Vegas**
- **ICSC @ New England**
- **ICSC @ Florida**
- **Retail Live! Southcentral**
- **ICSC @ PA/NJ/DE**
- **ICSC @ Western**
- **ICSC @ Central**
- **ICSC @ Southeast**
- **Retail Live! Southwest**
- **ICSC @ New York**



2

Contact Retailers

NaviRetail will contact the retailers listed on the Retailer Match List, at minimum, quarterly.

3

Contact Developers

NaviRetail will contact the developers listed on the Developer Match List, at minimum, quarterly.

Why is this important?

We believe that retail trade show marketing should be the core of any retail recruitment strategy. That is why we attend trade shows on behalf of our clients all across the United States.

Not only do we leverage our many years of industry connections on behalf of Copperas Cove, but we also employ checks and balances to make sure existing businesses continue to thrive while recruiting new ones.



TIMELINE & PRICING

Year 1

Agreement is Signed

Both parties have fully executed the agreement.

First Payment

Once the agreement is signed, Copperas Cove shall remit **\$45,000*** to NaviRetail.

Phase 1: Critical Path Method (CPM) & Project Kickoff

This will be started immediately.

Phase 2: Data Gathering & Collection

This will be started immediately.

Phase 3: Market Analysis & Mobility Assessment

This will be completed 3-4 weeks after Project Kickoff.

Phase 4: Combine Reports & Market Findings

This will be completed 4-5 weeks after Project Kickoff.

Phase 5: Community Forum & Business Workshop

This will be completed 1-2 months after Project Kickoff, schedules permitting.

Phase 6: Retailer Matching & Targeting Strategies

This will be completed within 3 months of Project Kickoff.

Phase 7: Site Matching & Inventory Assessment

This will be completed within 4 months of Project Kickoff.

Phase 8: Hotel Monitoring & Feasibility Study (Optional +\$8,500)

This will be completed within 5 months of Project Kickoff.

Phase 9: Action Items & Recommendations

This will be completed within 6 months of Project Kickoff.

Phase 10: Actual Business Recruitment & Retention

We will begin retailer/developer contacting once the retailer match list has been approved by Copperas Cove.

**Pricing is valid for sixty (60) days.*



PROJECT **DELIVERABLES**

Year 1

- **Community Demographic Profile**
- **Primary & Secondary Retail Trade Areas Demographic Profiles**
- **Primary & Secondary Retail Trade Areas Psychographic Profiles**
- **Total Retail Trade Area Gap Analysis**
- **Retail Marketing Flyer**
- **Peer Communities Analysis**
- **Competing Communities Analysis**
- **Radial Demographic Profiles**
- **Drive-time Demographic Profiles**
- **Community Forum**
- **Recruitment Workshop**
- **Retailer Match List**
- **Developer Match List**
- **Available Property Database**
- **Hotel Feasibility Study (If Selected)**
- **Action Items**
- **Trade Show Attendance**
- **Retailer Contacting**
- **Developer Contacting**



PROFESSIONAL SERVICES

AGREEMENT

PROFESSIONAL SERVICES AGREEMENT

This contract ("Agreement") is entered into as of the date this Agreement is signed by both parties ("Effective Date"), between the Copperas Cove Economic Development Corporation ("the Client"), and NaviRetail Inc., a Mississippi Corporation ("the Contractor") (each a "Party" and collectively "Parties"), acting through their authorized representatives.

WHEREAS, the Client wishes to engage the services of the Contractor to assist the Client in their retail recruitment efforts ("the Project"). The Contractor wishes to provide services for **Market Analysis and Retail Recruitment Services**, as described in this Scope of Work ("the Proposal").

THEREFORE, in exchange for the mutual obligations in this Agreement, and other consideration, the Parties agree as follows:

1. Term of Agreement

1.1 This Agreement commences on the Effective Date and continues through twelve (12) months from Effective Date.

1.2 The Parties may extend the term of this Agreement by mutual agreement in a writing signed by both Parties which specifically states it is extending the term of this Agreement.

2. Services by the Contractor

2.1 The Contractor shall perform the services in connection with the Project as set forth in the Proposal on the schedule set forth in the Proposal.

2.2 The Parties acknowledge and agree that any and all opinions provided by the Contractor in connection with the Proposal represent the professional judgment of the Contractor in accordance with the professional standard of care applicable by law to the services performed hereunder.

2.3 The Contractor shall devote such time as reasonably necessary for the satisfactory performance of the services under this Agreement. Should the Client require additional services not included under this Agreement, the Contractor shall make reasonable effort to provide such additional services within the time schedule without decreasing the effectiveness of the performance of services required under this Agreement and shall be compensated for such additional services as agreed between the Parties.

2.4 The Contractor shall furnish the facilities, equipment and personnel necessary to perform its obligations under this Agreement.

2.5 Except for the obligations and restrictions expressly contained in this Agreement, nothing contained herein shall prohibit the Contractor from rendering services to any other entities during the term of this agreement.

3. Compensation to the Contractor

3.1 The Client shall remit one payment to the Contractor for **\$45,000.00** in accordance with the amounts listed in the Proposal. Payments are to be made within fifteen (15) days of the Effective Date.

3.2 The Contractor shall be entitled to no additional compensation under this Agreement unless the Parties agree to additional compensation in a writing signed by both Parties which specifically states it is altering the compensation due under this Agreement.

4. Termination

4.1. Either Party may terminate this Agreement immediately upon the material breach of the other Party.

5. General Obligations and Agreements

5.1 Amendments. Modifications or amendments to this Agreement are only effective if done in a writing signed by all Parties, which specifically states it is modifying or amending this Agreement.

5.2 Confidentiality. All documents, data compilations, reports, computer programs, photographs, and any other work provided to or produced by the Contractor and marked "Confidential" shall be kept confidential by the Client unless written permission is granted by Contractor for its release.

5.3 Compliance with Laws. The Contractor shall keep informed of and comply with all applicable federal, state and local laws and regulations in the performance of this Agreement.

5.4 Entirety of Agreement. This Agreement and its attachments, if any, represent the entire and integrated Agreement between the Parties and supersedes all prior negotiations, representations, and agreements, whether written or oral.

5.5 Ethics. The Contractor shall keep informed of and comply with all ethical standards governing the Contractor's profession.

5.6 Force Majeure. Neither party shall be liable for failure to perform under this Agreement if such failure to perform arises out of causes beyond the control and without the fault or negligence of the nonperforming party. This provision shall become effective only if the party failing to perform immediately notifies the other party of the extent and nature of the problem, limits delay in performance to that required by the event, and takes all reasonable steps to minimize delays.

5.7 Indemnification. The Contractor shall indemnify, defend and hold harmless the Client and its agents, employees, successors and assigns from all claims, lawsuits, and liabilities arising out of the Contractor's performance (or failure to perform) under this Agreement.

5.8 Independent Contractor. The Contractor is an independent contractor, and not an employee of the Client, under this Agreement. The Contractor is not authorized to incur any obligation on behalf of the Client.

5.9 Ownership of Work Product. All work product, including but not limited to all documents, reports, records, materials and data resulting from performance of this Agreement and produced for the Client's exclusive use shall become the property of the Client upon completion of this Agreement. The Client agrees that it shall not alter, transform, or make derivative works of the product for the distribution or sale to any third-party. Any materials bearing the name or that of any specific retailer, developer, or other entity and/or not otherwise designated as being produced for the exclusive use of the Client shall not be considered as being produced for the exclusive use of the Client and shall remain the property of the Contractor.

5.10 Third-Party Beneficiary Rights. The Parties do not intend to create in any other person the status of third-party beneficiary, and this Agreement shall not be construed to create such status. The rights and obligations in this Agreement operate only between the Parties and inure solely to the benefit of the Parties. The Parties intend and expressly agree that only the Parties have any right to enforce this Agreement, to any remedy arising out of a party's performance or failure to perform any term or condition of this Agreement, or to bring an action for the breach of this Agreement.

5.11 Time is of the Essence. Time is of the essence in all provisions of this Agreement.

5.12 Waiver. The waiver of any breach of any term or condition in this Agreement shall not be deemed a waiver of any prior or subsequent breach.

5.13 Severability. If any part of this Agreement is declared unenforceable or invalid, the remainder will continue to be valid and enforceable.

IN WITNESS WHEREOF, this Agreement has been agreed to and duly executed by the authorized representatives of the parties hereto as of the Effective Date.

NaviRetail Inc.

Per: _____ Date: _____

Casey Kidd, CEO

- AND -

Copperas Cove Economic Development Corporation

Per: _____ Date: _____

Fred Welch, Executive Director

Economic Development Corporation

H.5.

Meeting Date: February 22, 2023

Contact: Fred Welch, Executive Director, Copperas Cove EDC

Subject:

Consideration and action on approving additional funding to the City of Copperas Cove for the reconstruction of Constitution Drive.

Description/Information:

On February 24, 2021, during a Regular Meeting of the CCEDC, a general discussion was held concerning approval for the authorization of expenditures for infrastructure related to the Constitution Drive Drainage and Roadway Improvements project.

This Project was part of the City of Copperas Cove's 2022-2026 Capital Improvement Plan ("CIP") and, at that time, consisted of two components: a) the Drainage portion in the amount of \$442,008 and b) the Street Reconstruction portion in the amount of \$1,597,545 for a total of \$2,039,553. The overall project would improve additional roadway access to The Narrows Business and Technology Park from Highway 190.

On March 24, 2021, the CCEDC Board of Directors approved Resolution # EDC-2021-01 to fund the Constitution Drive reconstruction project, not to exceed \$2,039,553.

In February, 2023, the CCEDC received a request to provide additional funding to this project to cover the shortfall and an 8% contingency fee (for unforeseen change fees) for a total amount of \$716,000.

Financial Impact:

\$716,000

Action/Recommendation:

EDC staff requests CCEDC Board consider approving the additional funding request of \$716,000 made by the City of Copperas Cove for the reconstruction of Constitution Drive.

Attachments:

Request letter from City of Copperas Cove

Resolution # EDC 2021-01



"The City Built for Family Living"

Public Works

February 14, 2023

Copperas Cove Economic Development Corporation Board
C/O: Fred Welch, Director

Re: Constitution Drive Reconstruction Project

Dear Mr. Welch,

As we have briefly discussed, the Constitution Drive Reconstruction Project (Project) is fully designed and was recently readvertised for bids. On February 6, one bid was received for the construction of the Project in the amount of \$2,354,453. This amount exceeds the remaining amount of the original budget less design and advertisement (\$1,826,744) for this Project by \$527,709. The purpose of this memorandum is to provide background details and to respectfully request that the Copperas Cove Economic Development Corporation Board (EDC) consider supplementing the original funding for this critical project in the amount of the shortfall, plus a contingency for unforeseen change orders (at approximately 8% of the bid price) that may occur during construction, for a total of \$716,000.

Background:

Following the City's assessment of a section of Constitution Drive between US BUS 190 and MLK Jr. Blvd. in 2020, it was determined that the section of roadway had failed and would need to be reconstructed. The City subsequently identified the project in the City's Capital Improvement Plan for future funding. However, as this section of Constitution Drive is a primary feed into a significant portion of the existing business hub of the City and the Narrows Business Park, discussions between the EDC and the City ensued and resulted in the EDC's commitment to fund this critical project in the originally budgeted amount indicated above. This commitment was memorialized by EDC Resolution No. EDC-2021-05 on September 22, 2021. Following this commitment, City staff promptly engaged Kimley-Horn to design the Project and provide bidding and construction phase services for the project's ultimate construction.

The Project was originally scoped to reconstruct approximately 3,600 linear feet of asphalt/flexible base roadway and install drainage infrastructure to take stormwater underground to ensure the longevity of the reconstructed roadway. However, as design progressed, in early 2022 it was determined that significant obstacles made the drainage improvements impractical due to limited elevation changes throughout the Project and numerous existing utility conflicts. Overcoming these obstacles would have increased the Project cost more than an additional \$700,000 (pricing in early 2022). Following this determination, the Project was value engineered and the design scope was ultimately changed to eliminate the proposed underground drainage improvements. However, to ensure longevity of the project it was also determined that as stormwater would remain on the surface, the roadway would need to be constructed out of concrete, rather than asphalt/flexible base. The durability of the material will also serve the substantial heavy truck traffic that frequents this area due to the business base.

Kimley-Horn completed the Project's final design in September 2022 and the City subsequently advertised the Project for bids and held a bid opening on October 13, 2022. No bids were received as a result of this effort and, when polled, plan holders indicated that the bid date was too close to the Holiday Season and that they couldn't ensure their respective



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Public Works

availability to commence with a project in the new year (2023) and, therefore, did not bid on the Project. The City recently readvertised the project in January 2023 and Kimley-Horn made a significant effort to reach out to prior and current plan holders in an effort to secure multiple competitive bids. Despite this effort, only one bid was received. However, following evaluation of the submitted bid and the submitter's references, it has been determined that TTG Utilities, LP is a reputable contractor that has successfully completed numerous City and State projects. Further, the bid has been determined to be fair, balanced and reflective of current industry pricing, which have significantly increased over the last two years as a result of supply constraints and high inflation. By comparison, the City has seen and is currently seeing bid prices on its capital projects come in that are 60-200% higher than original opinions of probable construction costs. A copy of Kimley-Horn's recommendation is attached.

Benefits to Economic Development:

Commercial and industrial development is heavily impacted by the quality of supporting infrastructure surrounding a given location. As was the case when the EDC originally committed to funding this critical Project, this area continues to be a significant hub of commercial economic activity. This section of Constitution serves Walmart, Cinergy Cinemas movie theater, multiple hotels and a variety of surrounding retail and food service entities. As one of the primary feeds from US Bus 190 to the EDC's Narrows Business Park, this route will become more and more important as the Business Park and adjacent properties develop for adequate circulation. This importance will also increase following construction of the SH 9/US Bus 190 connection that is currently being developed as that connection will deliver SH 9 westbound traffic from SH 9 to the Constitution Drive/US Bus 190 intersection.

Based on the foregoing, the City respectfully requests that the EDC consider providing supplemental funding to enable the City to move forward with the reconstruction of this critical roadway. In accordance with the bidding documents, the City must award (or reject) the bid by May 5, 2023. Please contact me directly should additional details be desired and/or discussion become necessary.

Sincerely,

Scott Osburn
Director of Public Works

Cc: Dan Yancey, Mayor
Ryan Haverlah, City Manager

Encl.: Kimley-Horn Recommendation



February 8, 2023

Cynthia Taylor
Project/Contract Manager
Public Works Administration
City of Copperas Cove
1601 N. 1st St.
Copperas Cove, TX 76522

Re: Constitution Drive Reconstruction Project
Bid No. PW 2023-01-53
KHA No. 069282101

Dear Cynthia:

On February 6, 2023, sealed bids were received and opened for the referenced project. A total of 1 responsive bid was received and tabulated. A summary of the bid tabulation for the bidder is provided in the table below:

FIRM	TOTAL BASE BID
TTG UTILITIES, LP	\$ 2,354,453.00

Kimley-Horn staff have reviewed the bid and found no bid irregularities among. Additionally, Kimley-Horn staff has reviewed relevant bidder experience and contacted project references provided by the low bidder. Based on the selection criteria set forth in the contract documents and the response of references, it appears that TTG Utilities, LLC is the responsive low bidder providing the best value for this project. We recommend awarding the contract to TTG Utilities, LLC in the amount of \$2,354,453.00.

If you have any questions or comments, please call me at (512) 418-4509.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.
TBPE No. F-928

Jordan S. Kiewit, P.E.

Attachment – Bid Tabulations



BID TABULATION
City of Copperas Cove
Constitution Drive Reconstruction Project
Bid No. PW 2023-01-S3

KINLEY-HORN AND ASSOCIATES, INC.

Owner: City of Copperas Cove				BIDDER 1			
KH Job No.: 062282101				TTC Unisa, LP			
Project: Constitution Drive Reconstruction Project				P.O. Box 299			
Date: February 6, 2023				Gainesville, TX 76738			
Item No.	Item Description	Quantity	Unit	Unit Price	Extension		
Base Bid Items							
1	Modification/Demolition	1	LS	\$225,000.00	\$225,000.00		
2	TRAFFIC CONTROL	1	LS	\$110,000.00	\$110,000.00		
3	REMOVING CONC. (SIDEWALKS)	25	SY	\$20.00	\$500.00		
4	REMOVING CONC. (CURE AND CUTTER)	3,603	LF	\$12.00	\$43,236.00		
5	REMOVING STAB BASE AND ASPH PAV (4" IF)	10,658	SY	\$7.00	\$74,606.00		
6	RIGHT OF WAY PREPARATION	1	LS	\$29,753.00	\$29,753.00		
7	EXCAVATION (POWAV)	523	CY	\$35.00	\$18,305.00		
8	EMBANKMENT/FINAL JOBS CONT (TY C)	78	CY	\$45.00	\$3,510.00		
9	FILE (CIP IN PLACE TO GR 142) IF	10,558	SY	\$4.00	\$42,232.00		
10	LINE TRT (EXT MAT) IF	2,565	TON	\$330.00	\$847,650.00		
11	CONC PMT (CONT REING-CRCP) IFES (7)	7,456	SY	\$10.00	\$74,560.00		
12	CONC PMT (CONT REING-CRCP) IFES (7)	1,840	SY	\$145.00	\$266,800.00		
13	CONC CURE (MONDITY IF)	3,603	LF	\$13.00	\$46,839.00		
14	CONC SIDEWALKS (6")	225	SY	\$22.00	\$4,950.00		
15	REFL PAV MKR TY (W/IF) (SLD) (100ML)	264	LF	\$3.00	\$792.00		
16	REFL PAV MKR TY (W/IF) (SLD) (100ML)	265	LF	\$3.00	\$795.00		
17	REFL PAV MKR TY (TY#142) (100ML)	2,789	LF	\$3.00	\$8,367.00		
18	PAVEMENT SEALER 4"	2,789	LF	\$2.00	\$5,578.00		
19	PAVEMENT SEALER 6"	284	LF	\$3.00	\$852.00		
20	PAVEMENT SEALER 24"	285	LF	\$4.00	\$1,140.00		
21	PREFAB PAV MKR TY B/W/IF (BRICK) (100ML)	700	LF	\$22.00	\$15,400.00		
22	PREFAB PAV MKR TY B/W/IF (BRICK) (100ML)	6	EA	\$2,650.00	\$15,900.00		
23	PREFAB PAV MKR TY B/W/IF (BRICK) (100ML)	6	EA	\$3,900.00	\$23,400.00		
24	REFL PAV MKR TY (C)	18	EA	\$8.00	\$144.00		
25	REFL PAV MKR TY (C-A)	63	EA	\$8.00	\$504.00		
26	REFL PAV MKR TY (C-R)	30	EA	\$8.00	\$240.00		
27	REFL PAV MKR TY (C-R)	350	LF	\$4.00	\$1,400.00		
28	PAV SURF PREP FOR MKR (4")	2,789	LF	\$2.00	\$5,578.00		
29	PAV SURF PREP FOR MKR (4")	700	LF	\$4.00	\$2,800.00		
30	PAV SURF PREP FOR MKR (6")	284	LF	\$2.00	\$568.00		
31	PAV SURF PREP FOR MKR (6")	285	LF	\$2.00	\$570.00		
32	PAV SURF PREP FOR MKR (ARROW)	6	EA	\$76.00	\$456.00		
33	PAV SURF PREP FOR MKR (ARROW)	6	EA	\$76.00	\$456.00		
34	PAV SURF PREP FOR MKR (ARROW)	40	LF	\$90.00	\$3,600.00		
35	ROCK FILTER DAMS (REMOVE)	40	LF	\$90.00	\$3,600.00		
36	ROCK FILTER DAMS (INSTALL) (TY 2)	111.1	SY	\$50.00	\$5,555.00		
37	CONSTRUCTION EXISTENCE (TY 1)	111.1	SY	\$50.00	\$5,555.00		
38	CONSTRUCTION EXISTENCE (TY 1)	140	LF	\$35.00	\$4,900.00		
39	BIODEGRADABLE CONT LOGS (REMOVE)	60	LF	\$14.00	\$840.00		
40	BIODEGRADABLE CONT LOGS (REMOVE)	60	LF	\$14.00	\$840.00		
TOTAL BASE BID					\$2,354,453.00		

MATHEMATICAL ERROR. CORRECTED AMOUNT SHOWN.

CHECKED BY: 
DATE: 2/7/2023

CITY OF COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION

RESOLUTION NO EDC 2021-01.

A RESOLUTION APPROVING THE AUTHORIZATION OF EXPENDITURES FOR INFRASTRUCTURE NECESSARY TO PROMOTE OR DEVELOP NEW OR EXPANDED BUSINESS ENTERPRISES; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, at a meeting of the Board of Directors of the Copperas Cove Economic Development Corporation (CCEDC), duly held on March 24, 2021, a general discussion was held concerning approval for the authorization of expenditures for infrastructure related to the Constitution Drive Drainage and Roadway Improvements project; and

WHEREAS, it is proposed that the CCEDC Board consider funding both components of the Project, which covers Constitution Drive from east business Highway 190 to MLK Jr Drive. Such project would improve additional roadway access to The Narrows Business and Technology Park from Highway 190 and is an allowable expenditure of CCEDC funds pursuant to Section 501.103, Texas Local Government Code; and

WHEREAS, the Project is part of the City of Copperas Cove's 2022-2026 Capital Improvement Plan ("CIP") and presently has two components: a) the Drainage portion in the amount of \$442,008 and b) the Street Reconstruction portion in the amount of \$1,597,545 for a total of \$2,039,553; and

WHEREAS, it is proposed that the CCEDC Board approve an amount not to exceed \$2,039,553.00 for design and construction of such Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION THAT:

SECTION 1: The Board of Directors of the Copperas Cove Economic Development Corporation hereby approves Resolution No.EDC-2021-01, for infrastructure improvements comprised of the Drainage portion for \$442,008 and the Street Reconstruction for \$1,597,545, for a total not to exceed \$2,039,553.00, in line with the study undertaken by the City of Copperas Cove for the 2022-2026 CIP.

SECTION 2: Such approval of this Project will also result in an amendment to the CCEDC budget subject to approval by both the Board and the City Council of the City of Copperas Cove.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and adoption.

PASSED, APPROVED AND ADOPTED on this 24 day of March, 2021 at a regular meeting of the CCEDC which meeting was held in compliance with the Open Meetings Act. *Tex. Gov't Code*, §551.001, et seq. at which a meeting a quorum was present and voting.

J. C. Stubbs

J.C. Stubbs, Chairman

ATTEST:

Jay Jackson
Jay Jackson, Secretary

APPROVED AS TO FORM:

The Knight Law Firm, LLP
The Knight Law Firm, LLP, EDC Attorney