

January 5, 2010

Mr. Bill Burke, Building Projects Manager
Collin County
4600 Community Avenue
McKinney, Texas 75071

Re: Proposed Amphitheater & Toilet Facility
Myer's Park
McKinney, Texas



Dear Mr. Burke:

Spurgin & Associates Architects is pleased to submit this proposal to provide Professional Design Services for the amphitheater and toilet facility at Myer's Park, located at the southwest corner of County Roads 166 and 168 in McKinney, Texas.

Scope: Provide geotechnical study, surveying services, preliminary alignment staking, architectural/structural/civil/MEP engineering and bidding/construction documents for the amphitheater, toilet facility, HC parking spaces, and off-site water line, and construction phase observation. The scope of the work does not include stormwater detention design, roadway design, or septic system design.

Fee: Our fee for the above enumerated services shall be Eight Three Thousand Dollars (\$83,000.00) lump sum fee which shall not be exceeded without prior approval from Collin County. In the event Collin County elects to proceed with a pre-fabricated toilet facility rather than a custom designed/constructed facility, Twenty Thousand Dollars (\$20,000) may be deducted from the lump sum fee stated above.

Extra Services: Additional services requested by Collin County will be performed at an hourly rate per the schedule shown below.

Reimbursable Expenses: Reimbursable items shall include lodging, airfare, rental car, meals, delivery charges, long distance telephone charges, postage, mileage, film, film processing, CADD plots and printing charges not included in above services provided. These charges will be used for the expedience of the project and be at the sole discretion of the consultants. Reimbursable expenses shall be invoiced at consultant's direct cost incurred plus 10% with a maximum not-to-exceed Eight Thousand Three Hundred Dollars (\$8,300.00).

Schedule of Direct Labor Rates:

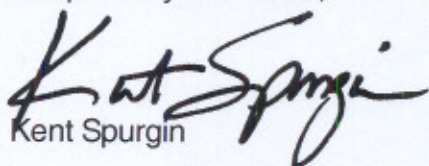
Discipline	Staff Designation	Hourly Billing Rate
Architect	Principal Architect	\$120
Architect	Technician	\$55
Civil	Principal Engineer	\$150
Civil	Registered Engineer	\$115
Civil	Engineer-in-Training	\$90
Civil	Senior Designer	\$100
Civil	Technician	\$85

Civil	Clerical	\$60
Electrical	Director	\$195
Electrical	Senior Engineer, Manager	\$165
Electrical	Project Engineer, Manager	\$135
Electrical	Engineer, Specialist	\$105
Electrical	Graduate Engineer, Designer, Admin. Secretary	\$85
Electrical	Technician, Secretary, Intern, Clerical	\$60

Please refer to civil and electrical consultants proposals to Spurgin & Associates Architects (copy attached) for additional information.

Please do not hesitate to contact our office if you have any questions or comments. We look forward to working with Collin County once again.

Respectfully submitted,


Kent Spurgin

CROSS

ENGINEERING CONSULTANTS

I N C O R P O R A T E D

December 30, 2009

Spurgin & Associates Architects
103 W. Louisiana Street
McKinney, Texas 75069

Attn: Kent Spurgin

Re: Myers Park Amphitheater

Dear Mr. Spurgin:

We are pleased to present the following proposal and fee schedule to provide engineering services for an Amphitheater at Myers Park in McKinney, Texas. The Amphitheater will be located approximately 1,100 feet south of CR 168 and 1,500 feet west of Cr 166. This proposal also includes the design of site improvements for a prefabricated restroom facility with an accessible path from the theater, parking areas near the amphitheater with an accessible path and an offsite water line. This fee proposal is based upon the general alignment shown on the attached exhibit. Substantial variations to this alignment may require additional services. We propose to provide the following professional services:

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I. Surveying Services

1. Topographic Survey

- Field tie area required for final design.
- Field tie above ground visible improvements.
- Prepare a topographic survey drawing.
- This drawing will show ground surface contours at an interval of one (1) foot supplemented by appropriate spot elevations accurate to 0.1 foot elevation in areas where new facilities are proposed.
- This task includes performing a topographic survey for approximately 4 acres plus an additional 2,000 l.f. for the waterline along a 30 foot path to FM 168.

2. Preliminary Alignment Staking

- Set field stakes (lathes) for preliminary location for inspection by Collin County Engineer and County Staff.
- Field tie adjusted field stakes after modifications by County Engineer and/or County Staff.

II. Preliminary Engineering

- This task item includes one meeting with Collin County Engineer or County Staff to obtain information necessary to complete design of the project and define project parameters.
- Perform on-site visit to review existing conditions and analyze potential amphitheater location.
- A Preliminary plan will be prepared for review by the Collin County Engineer or County Staff. This plan will indicate location, spot elevations, and general horizontal alignment.

III. Civil Engineering Services – Construction Documents

1. Coordination

- This task item includes two (2) meetings with Owner, Architect, and the Collin County Engineer or County Staff to obtain information necessary to complete design of the project and define project parameters. Additional meetings will be billed as additional services.
- Perform on-site visit to review existing conditions.

2. Site Paving & Dimension Control

- Provide paving & dimension control plan. This item includes all necessary vehicular paving details, layout of parking striping, location of expansion joints and differing pavement thickness. This item also includes dimension control and/or coordinates of building corners and pavement curb lines.
- Pavement section design to be provided by the geotechnical engineer. All structural aspects of the pavement design (i.e. pavement thickness, reinforcement, subgrade, etc.) shall be based on the geotechnical report.

3. Site Grading Plan

- A Preliminary grading plan will be prepared for review by Architect and County Engineer or County Staff. This plan will indicate the elevation of the buildings, structures and pavement areas as well as preliminary drainage design.
- Upon approval of the preliminary grading plan, a final grading plan will be prepared. This grading plan will be suitable for construction. This plan will show existing and proposed ground contour lines, and spot elevations needed to grade the site.

4. Site Drainage Design

- Produce, in conjunction with the site grading plan, one final site drainage plan, which will meet the requirements of the Architect, and the County Engineer.

- The site drainage plan will be suitable for construction of improvements to allow for proper storm water drainage of the site. The construction drawings will indicate proposed inlets, storm sewers, flumes, swales, headwalls and other necessary drainage features.
- An overall drainage area map will be prepared. The drainage area map will delineate drainage areas and storm sewer runoff data for this site and for adjacent properties that may affect drainage of this site.

5. Water Plan

- Prepare construction drawings for the water lines. These drawings will consist of water plans for the proposed on-site improvements.
- Coordinate the location and layout of water services to serve the proposed facilities. Water service sizes and service locations shall be determined by the M.E.P. consultant. The layout of these facilities will be to a point five feet outside the building lines. The scope of this proposal includes design of on-site water facilities only.
- Coordinate with Collin County and M.E.P. concerning fire protection facilities. Design responsibilities shall be limited to fire protection facilities, such as, freestanding hydrants and water supply lines beyond the 5-foot building line of all structures.

6. Erosion Control Plan

- Prepare erosion control plan in conjunction with the grading and drainage designs. This task is for the preparation of design drawings and associated details only. The Erosion Control Plan shall serve as information to the contractor in his/her preparation of the Stormwater Pollution Prevention Plan.

IV. Construction Phase Services

1. Limited Construction Administration

- Visit site once a week to review progress of work.
- Provide clarifications and assistance to the owner and contractor.
- Review shop drawings and Submittals.
- Assist owner in making final inspection and punch list.
- Respond to contractor's requests for information.
- Supply As-Built drawings of the project, on Mylar film. Provide the County with AutoCAD files, and Tiff images of As-Built drawings.
- Bid advertisement, we will prepare and distribute them to potential contractors.
- Attend the pre-construction meeting.
- We will be available to review any field changes that may occur during construction.

V. Geotechnical Report (To be performed by Alpha Testing)

The purpose of the geotechnical study will be to provide information for use in design of typical foundations for the proposed project. This study will include the following evaluations:

- Subsurface soil, rock and groundwater conditions on the site to depths that would be significantly affected by foundations.
- Engineering characterization of the subsurface materials encountered.
- Typical foundations suitable for support of the proposed project and data required for design of typical foundation systems.
- Recommendations regarding earthwork, including grading and excavation, backfilling and compaction, the treatment of in-place soils for the support of foundations, pavement and possible construction problems reasonably to be expected.

We propose to explore the subsurface soil and/or rock conditions at the site by drilling three (3) test borings. Two (2) of the borings will be drilled to a depth of about 20 to 25 ft in the amphitheater area, and one (1) boring will be drilled to a depth of about 20 ft at the restroom and paving area. However, the number and depth of the test borings required to obtain the necessary field data may vary depending on the actual soil and/or rock conditions encountered. If unusual subsurface conditions are encountered and alternate field work is indicated, we will consult with the client prior to demobilization from the site. Please note, regardless of the number of borings performed subsurface conditions between borings may vary.

The study will also include laboratory tests to evaluate the classification, gradation and other physical characteristics of the subsurface soils

VI. Additional Services

1. Stormwater Pollution Prevention Plan (SWPPP)

- Preparation of the Stormwater Pollution Prevention Plan. This shall be used by the contractor, and his erosion control inspector, to maintain compliance with City of McKinney, EPA, and TCEQ requirements.
- This item includes preparation of the Stormwater Pollution Prevention Plan Documents, and the preparation of the Notice of Intent, and the Preparation of the Notice of Termination, as required by TCEQ. This item does not include erosion control inspection, maintenance, enforcement, or any field related activities.

FEE SUMMARY

We propose to provide the herein-described services for the following lump sum fees:

I. Surveying Services

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|----------------------------------|---------|
| 1. Topographic Survey | \$2,100 |
| 2. Preliminary Alignment Staking | \$ 400 |

II. Preliminary Engineering \$3,500

III. Construction Documents \$12,000

IV. Construction Phase Services \$6,000

V. Geotechnical Report \$3,720

VI. Additional Services

- | | |
|---|---------|
| 1. Stormwater Pollution Prevention Plan | \$1,000 |
|---|---------|

TOTAL	\$28,720
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The fees established above, shall be considered lump sum fees, and will not be exceeded without prior approval from Owner. This professional services proposal is based upon the receipt of an owner-approved Architectural Site Plan and a Geotechnical Report as a basis for design. Major revisions by the Owner and/or Architect (after receipt of an owner-approved site plan), dictating construction document revisions will be considered as extra services to this contract. Prior to proceeding with extra services, Owner approval shall be obtained.

Reimbursable expenditures (printing, deliveries, CADD plots, travel, etc...) will be invoiced at 1.10 times the direct cost incurred. Invoices shall be submitted monthly for work completed to date and shall be due within 30 days of submittal.

Attachment "A" includes items which are not included in this proposal, but can be provided by Cross Engineering Consultants, if needed. The fees quoted in this proposal will be honored for up to 45 days from the date of this proposal.

Construction Staking, Lighting Plan, Detention Design, Septic System Design and Road Design are excluded from this proposal but can be provided by Cross Engineering Consultants on an additional services request if needed.

Construction Phase Services are not included in the scope of this proposal. Construction Phase Services, if necessary will be provided as an additional service, as requested, and will be billed on an hourly basis. A schedule of hourly rates is provided below.

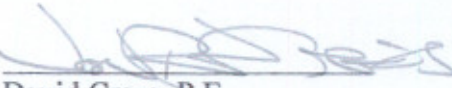
SCHEDULE OF HOURLY RATES

STAFF	HOURLY RATE
PRINCIPAL ENGINEER	\$150
REGISTERED ENGINEER	\$115
ENGINEER-IN-TRAINING	\$90
SENIOR DESIGNER	\$100
TECHNICIAN	\$85
CLERICAL	\$60
DIRECT COSTS	ACTUAL COST + 10%

Cross Engineering Consultants, Inc. appreciates the opportunity to submit this proposal. The return of an executed copy of this agreement will serve as your acceptance and our authorization to commence work. Please feel free to call if you have any questions or comments concerning this matter.

Sincerely,

CROSS ENGINEERING CONSULTANTS, INC.

By: 
Jon David Cross, P.E.
President

Accepted: _____
Printed Name: _____
Title: _____
Name of Company: _____
Date: _____

ATTACHMENT A

1. Inspection and material testing services during construction.
2. Landscape Architecture and related details.
3. Fire protection, gas, telephone, cable and/or electric design.
4. Surveys not specifically included in the above proposal.
5. Filing fees, permit fees and sales tax on Final Plat or surveys.
6. Environmental impact statements and assessments, Wetland Determination or Delineation.
7. Traffic Impact Analysis, traffic engineering report or studies.
8. Construction staking.
9. Custom (site specific) Traffic Control Plans.
10. Flood plain studies, or reclamation plans.
11. Design of any facilities within the limits of the building.
12. Design of any off-site improvements required to serve the property is not included.