

LUBBOCK COUNTY ROAD IMPROVEMENT DONATION POLICY

Lubbock County shall maintain ownership, control and maintenance of roads after improvements are made.

Adjacent property owners of a County Road, or any interested party, may request improvement to a Lubbock County road which is not otherwise identified by the Public Works Department for improvement. The request shall be made in writing to the Lubbock County Public Works Department, and shall be subject to approval by the Lubbock County Commissioners Court.

To be eligible for improvement, the adjacent property owners, or an interested party, must do the following:

1. Donate the Right of Way (ROW) and easements determined to be required by the Public Works Department prior to the beginning of the project; and
2. Bear the cost of preparing ROW dedications, deeds or easements; survey work; and fence relocation. If the improvement will require the relocation of utilities, and if the utility is not required by law to pay for such relocation, then the requesting party must pay the cost of utility relocation.

Right of way and roadway widths and thicknesses on improvements shall conform to Lubbock County Subdivision Regulations, Lubbock County's Thoroughfare Requirements and Lubbock County Dirt to Caliche Conversion Specification (Exhibit A).

I. Material Requirements

A. All materials used must be pre-approved by the Director of Public Works or designee. This may require materials testing, which will be at the expense of the prospective donor. Caliche must meet the specifications as found in the Lubbock County Dirt to Caliche Conversion Specification. All paving materials must meet the specifications as found in the Lubbock County Subdivision Regulations.

B. Culverts or drainage devices in addition to existing may be required to properly improve the roadway. This will be at the cost of the potential donor.

II. County Performed Work

In some cases, the request for improvement can be completed by the Lubbock County work force. Prior to beginning the improvement project, the requestor must complete the following:

PUBLIC WORKS ROADWAY DONATION POLICY

Approved by the Commissioner's Court of Lubbock County, Texas on the _____
day of _____, 2023.

Curtis Parrish, Lubbock County Judge,
County Court Of Lubbock County, Texas

ATTEST:

Terence Kovar, Lubbock County,
Texas Commissioner, Precinct 1

Jason Corley, Lubbock County,
Texas Commissioner, Precinct 2

Gilbert Flores, Lubbock County,
Texas Commissioner, Precinct 3

Jordan Rackler, Lubbock County,
Texas Commissioner, Precinct 4

Kelly Pinion, County Clerk Of
Lubbock County, Texas

- A. Tender to the County Treasurer sufficient funds to pay for the cost to complete all elements of the project, as determined by the Director of Public Works or designee; and
- B. Establish project completion timeline with the Public Works Director or designee.

III. Contractor Performed Work

In lieu of paying the cost of a proposed road improvement, a landowner may seek approval from the County for an improvement project and, upon approval by the Commissioners Court, contract with a private contractor to have the improvements made, at the landowner’s sole cost and expense, and thereafter donate the completed improvements to the County.

A. Pursuant to Section 1001.053 of the Texas Occupations Code, if the amount of work to be completed exceeds \$20,000, the project is required to have a licensed professional engineer submit plans. These plans must include a traffic control plan for the safety of the travelling public near and through the work zone. The Director of Public Works or designee will receive and review the plans. Approved plans are required before commencement of work.

B. Donations of completed work shall conform to existing County standards as set forth in the Lubbock County Dirt to Caliche Conversion Specification and the Lubbock County Subdivision Regulations. Lubbock County Director of Public Works reserves the right to alter Standards based on site conditions. Material Testing Requirements: Refer to Lubbock County Subdivision Regulations and Lubbock County Dirt to Caliche Conversion Specification for testing requirements. Testing and construction oversight must be performed by appropriately qualified individuals and will be at the sole expense of the potential donor.

C. Insurance Requirements: The work must be performed by a reputable, insured contractor who will be required to provide the County proof of liability insurance. The following insurance coverage shall be in force throughout the time the work is being conducted:

Types of Coverage	Minimum Limits of Liability
1. Worker’s Compensation/Employer’s Liability	
a. Worker’s Compensation	Statutory Requirement
b. Employer’s Liability	\$500,000.00
2. Commercial General Liability	
a. Bodily Injury/Personal Injury/Property Damage	\$1,000,000 per occurrence/ \$2,000,000 aggregate
3. Auto Liability	
a. Combined Single Liability	\$1,000,000 per occurrence

D. Bond requirements are as follows:

1. A construction bond filed by the potential donor payable to the County Judge in the amount determined by the Director of Public Works or designee to be adequate to ensure proper construction of the roads and/or drainage improvements. The bond should not exceed the estimated cost of construction of the roads and/or drainage improvements. The bond must be obtained through a surety company licensed to operate in the State of Texas and approved by the Director of Public Works or designee. The bond must be conditioned that the roads and/or drainage will be constructed in accordance with the specifications adopted by the Commissioners' Court and within a reasonable time approved by the Director of Public Works or designee.

2. The potential donor may provide funds in escrow, certificate of deposit, an irrevocable letter of credit or other financial instrument satisfactory to Director of Public Works or designee in the amount of the cost of construction. If a letter of credit is used, it must list as the sole beneficiary the County Judge and be conditioned that the potential donor will construct all roads and/or drainage improvements in accordance with Lubbock County Specifications and within a reasonable time approved by the Director of Public Works or designee.

E. Acceptance of improvements

To be accepted into County maintenance, the following must be completed:

1. Required testing reviewed and approved by the Director of Public Works or designee; and

2. Improvements inspected and approved by the Director of Public Works or designee.