



ENGINEERING SERVICES

To: Mayor and Town Council

From: Hulon T. Webb, Jr., P.E., Director of Engineering Services

**Through: Mario Canizares, Town Manager
Chuck Ewings, Assistant Town Manager**

Re: Contract Amendment No. 1 – US 380 Deceleration Lane Modifications

Town Council Meeting – June 13, 2023

Agenda Item:

Consider and act upon authorizing the Town Manager to execute Contract Amendment No. 1 to the Professional Engineering Services Agreement, between TranSystems Corporation dba TranSystems Corporation Consultants, and the Town of Prosper, Texas, related to the design of the US 380 Deceleration Lane Modifications project.

Description of Agenda Item:

The Texas Department of Transportation (TxDOT) is currently widening approximately 10.5 miles of US 380 in Denton County from US 377 to CR 26. Within the limits of the Town of Prosper, there are multiple non-residential developments with driveways connecting to US 380. Due to high volume and high speeds along US 380, the Town requires deceleration lanes at all driveways to improve safety for motorists turning right from US 380 into the developments. However, since TxDOT does not require deceleration lanes at non-residential driveways, the design of US 380 did not incorporate ten (10) deceleration lanes to serve several key developments, including CDJR, Cook Children's, Windsong Retail (Home Depot, Kroger), Westfork Retail (LA Fitness) and Westside Addition (Costco).

For the deceleration lanes to be constructed to serve several key developments, TxDOT will allow the Town to either work through the process of redesigning the plans and providing the funds to construct them with the US 380 widening project or approve a TxDOT driveway permit to allow the Town to construct the improvements after TxDOT has completed the project. Since the Town coordinated with many of the developments on escrow agreements for the costs associated with adding the deceleration lanes, incorporating the construction of the improvements into TxDOT's project is expected to be the most economical and quickest option.

Transystems Corporation is the design engineer for TxDOT on the US 380 widening project and their scope of work for the Town on this project is broken into two phases. On November 7, 2022, a Professional Engineering Services Agreement was approved for Phase I, which included the initial evaluation of the proposed ten (10) deceleration lanes requested by the Town from Legacy Drive to FM 1385. The evaluation included identification of potential franchise utility conflicts, right-of-way impacts and ultimate feasibility of adding the requested deceleration lanes for discussion with the Town and TxDOT. Final recommendation from Phase I was that all ten (10) proposed deceleration lanes could be redesigned into the project without significant impacts to the project.

Contract Amendment No. 1, is for the redesign of the construction plans to include the proposed ten (10) deceleration lanes. Redesign includes updating traffic control, roadway plan and profile plans, drainage plans and calculations, signage and pavement marking, and storm water pollution prevention plans. In addition, revisions will include estimating final plan quantities and construction costs to be used in the Advanced Funding Agreement (AFA) between TxDOT and the Town. The approval of an AFA with TxDOT is required to include the construction of the deceleration lanes in the US 380 widening project.

Budget Impact:

The original agreement for Phase 1 was approved on November 7, 2022, in the amount of \$24,670, and the cost for Contract Amendment No. 1 is \$124,100. The FY2023 Engineering Services budget included \$60,000 for this project in Account No. 100-5410-98-01. In order to provide the remaining \$88,770 of funding needed for this project, the \$130,000 in funding for the Frontier Park Emergency Access project construction was moved, through an approved internal Budget Adjustment on May 10, 2023, from Account No. 100-6110-98-01 (Capital Expenditures) to Account No. 100-5410-98-91 (Professional Services). At the October 11, 2022, Town Council Work Session, the Town Council decided not to proceed with the construction of the Frontier Park Emergency Access project. On May 19, 2023, \$24,700 of the \$130,000 was allocated to a Professional Services Agreement with Lee Engineering for the development of a Crosswalk Signs and Markings Policy, leaving \$105,300 remaining unallocated. Funding for the construction, currently estimated at \$500,000, is recommended to be funded as part of the proposed FY2024 Capital Improvement Plan.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard Contract Amendment as to form and legality.

Attached Documents:

1. Contract Amendment #1

Town Staff Recommendation:

Town staff recommends that the Town Council authorize the Town Manager to execute Contract Amendment No. 1 to the Professional Engineering Services Agreement, between TranSystems Corporation dba TranSystems Corporation Consultants, and the Town of Prosper, Texas, related to the design of the US 380 Deceleration Lane Modifications project.

Proposed Motion:

I move to authorize the Town Manager to execute Contract Amendment No. 1 to the Professional Engineering Services Agreement, between TranSystems Corporation dba TranSystems Corporation Consultants, and the Town of Prosper, Texas, related to the design of the US 380 Deceleration Lane Modifications project.