



## ENGINEERING SERVICES

**To:** Mayor and Town Council

**From:** Pete Anaya, P.E., Assistant Director of Engineering Services CIP

**Through:** Mario Canizares, Town Manager  
Chuck Ewings, Assistant Town Manager  
Hulon T. Webb, Jr., P.E., Director of Engineering Services

**Re:** Contract Amendment No. 2 – Lower Pressure Plane (LPP) Pump Station and LPP Water Line Phase 2

Town Council Meeting – April 30, 2024

### Strategic Visioning Priority: 1. Acceleration of Infrastructure

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#### **Agenda Item:**

Consider and act upon authorizing the Town Manager to execute Contract Amendment No. 2 to the Professional Engineering Services Agreement, between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Lower Pressure Plane (LPP) Pump Station and LPP Water Line Phase 2 project for \$277,950.00.

#### **Description of Agenda Item:**

At the August 13, 2019, Town Council meeting, the Town Council approved a Professional Engineering Service Agreement with Freese and Nichols, Inc., in the amount of \$1,434,400 to design of the Lower Pressure Plane (LPP) Pump Station and LPP Water Line Phase 2 project.

Contract Amendment No. 1 was approved on November 10, 2023, in the amount of \$22,400 to provide the services to conduct the filed investigation and provide a report to the Texas Historical Commission (THC) detailing the selected alignment of the pipeline as required under Section 106 of the National Historic Preservation Act and/or the Antiquities Code of Texas once the alignment was moved away from US 380.

Contract Amendment No. 2 consists of the design efforts associated with the relocation of the pipeline away from the original proposed US 380 alignment and the TxDOT widening project. These efforts were not addressed with Contract Amendment No. 1 since there were still some items that were not finalized at that time related to the added coordination and permitting requirements with the Collin County Soil and Water Conservation District (SWCD) and the Natural Resources Conservation Service (NRCS). Now that the pipeline alignment is to be along the northside of the NRCS dam, additional design efforts were required to address alignment and easement changes stemming from Prosper Independent School District (PISD) property and other property owners that arose during the negotiations and acquisitions phase for the easements. This amendment also includes additional construction services for the added efforts necessary to oversee the next phase of pipeline construction, which is a separate phase of the overall project from the pump station project that was originally anticipated to all be constructed concurrently.

**Budget Impact:**

The cost for Contract Amendment No. 2 is \$277,950.00. The original estimated budget for the design of the Lower Pressure Plane (LLP) Pump Station and LPP Water Line Phase 2 (Project Number 1501-WA) and the LPP Water Line Phase 2A (Project Number 1810-WA) was \$1,585,100. The total cost for the design, including Contract Amendments No. 1 and 2 is \$1,734,750. The additional funding of \$149,650 needed will be transferred to Account No. 760-6610-10-00-1501-WA from cost savings in the \$11,452,762 construction budget for LPP Water Line Phase 2A in Account No. 760-6610-10-00-1810-WA. Bids for the construction of the LPP Water Line Phase 2A project received on April 25, 2024, range from \$7,413,720 to \$12,717,475, and a contract will be awarded at the May 16, 2024, Town Council meeting.

**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 No. 2
2. Location Map

**Town Staff Recommendation:**

Town staff recommends that the Town Council authorize the Town Manager to execute Contract Amendment No. 2 to the Professional Engineering Services Agreement, between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Lower Pressure Plane (LPP) Pump Station and LPP Water Line Phase 2 project for \$277,950.00.

**Proposed Motion:**

I move to authorize the Town Manager to execute Contract Amendment No. 2 to the Professional Engineering Services Agreement, between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Lower Pressure Plane (LPP) Pump Station and LPP Water Line Phase 2 project for \$277,950.00.