



ENGINEERING SERVICES

To: Mayor and Town Council

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

Through: Bob Scott, Interim Town Manager
Chuck Ewings, Executive Director of Development and Infrastructure Services

Re: Contract Amendment No. 2 - Freese and Nichols, Inc.
Custer Road Pipeline and Meter Vault Relocation Project

Town Council Meeting – February 14, 2023

Agenda Item:

Consider and act upon authorizing the Interim Town Manager to execute Contract Amendment No. 2 to the Professional Services Agreement, between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Custer Road Pipeline and Meter Vault Relocation project.

Description of Agenda Item:

At the November 13, 2018, Town Council meeting, Freese and Nichols, Inc. (FNI), was awarded a Professional Services Agreement, in the amount of \$290,325, for the design of the Custer Road Pipeline and Meter Vault Relocation project, related to the widening of Custer Road (FM 2478) through the Town of Prosper. The original design proposed to relocate the existing 36-inch water line and meter vault along Custer Road just outside the limits of the proposed TxDOT Right-of-Way (ROW).

Contract Amendment No. 1, in the amount of \$68,900, was awarded to FNI on July 28, 2020, for additional design services associated with the relocation of the meter vault from the original proposed site along the existing access road to the southern edge of the site. Additional survey information was required for the new pipeline alignment as well as new structural and geotechnical analysis performed based on the final approved location. The design included the extension of the retaining wall, grading and paving plans for the new access road to the existing pump station. Additional coordination with TxDOT was required to substantiate the requested reimbursement amount for the required improvements.

Contract Amendment No. 2, in the amount of \$47,450, is for additional construction related services provided by FNI beyond the original timeline of construction of the project. During the construction of the project, several items delayed the completion of the project, including coordination with TxDOT's contractor on completing the driveway connections to Custer Road, NTMWD's delays in connecting to their water system (TxDOT also had NTMWD relocate their

water line), and several delays caused by supply chain disruptions. The original substantial completion date of February 5, 2021, was extended to September 22, 2021, and the final completion date of September 7, 2022, was nearly a year later due to the significant delay with the construction coordination of the access driveway connection to Custer Road with TxDOT's Custer Road widening project.

Budget Impact:

The cost for the additional construction related services is \$47,450, will be funded through projects savings in other projects and is 100% reimbursable from TxDOT through the Standard Utility Agreement (SUA) approved at the July 28, 2020, Town Council meeting. The funding source is Account No. 760-6610-10-00-1902-WA.

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 Interim Town Manager to execute Contract Amendment No. 2 to the Professional Services Agreement, between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Custer Road Pipeline and Meter Vault Relocation project.

Proposed Motion:

I move to authorize the Interim Town Manager to execute Contract Amendment No. 2 to the Professional Services Agreement, between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Custer Road Pipeline and Meter Vault Relocation project.