



ENGINEERING SERVICES

To: Mayor and Town Council

From: Hulon T. Webb, Jr., P.E., Interim Executive Director of Development and Infrastructure Services

Through: Harlan Jefferson, Town Manager

Re: Town Council Meeting – July 26, 2022

Agenda Item:

Consider and act upon authorizing the Town Manager to execute a Personal Services Contract between McCarthy Right of Way Partners, LLC., and the Town of Prosper, Texas, related to property acquisition services for the First Street (DNT – Coleman) project.

Description of Agenda Item:

This contract is for providing right of way and easement acquisition services for 14 parcels along First Street between the Dallas North Tollway and Coleman Street where right of way and/or easements are anticipated to require extensive negotiations due to potential impacts. Staff will provide acquisition and negotiation services for the remaining 15 parcels.

McCarthy Right of Way Partners, LLC, has not worked directly with the Town of Prosper on a project, but Town staff does have experience with their staff from previous project(s) while employed by the City of Garland with positive results.

Budget Impact:

The cost for the services is \$126,030, and the funding source is Account No. 750-5410-10-00-1512ST.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard Personal Services Contract as to form and legality and has confirmed that Right of Way services are not professional services under state law and qualifies as a personal service, not subject to the bidding statutes in Chapter 252 of the Local Government Code.

Attached Documents:

1. Personal Services Contract
2. Location Map

Town Staff Recommendation:

Town staff recommends that the Town Council authorize the Town Manager to execute a Personal Services Contract between McCarthy Right of Way Partners, LLC., and the Town of Prosper, Texas, related to property acquisition services for the First Street (DNT – Coleman) project.

Proposed Motion:

I move to authorize the Town Manager to execute a Personal Services Contract between McCarthy Right of Way Partners, LLC., and the Town of Prosper, Texas, related to property acquisition services for the First Street (DNT – Coleman) project.