



## ENGINEERING SERVICES

**To:** Mayor and Town Council

**From:** Joshua Cotton, P.E., Senior Engineer

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

**Re:** Construction Material Testing and Observation Services Agreement  
Legacy Drive (Prosper Trail – Parvin Road)

Town Council Meeting – May 19, 2026

### Strategic Visioning Priority: Accelerate Infrastructure Delivery

---

#### **Agenda Item:**

Consider and act upon authorizing the Town Manager to execute a Professional Services Agreement between Geotex Engineering, LLC, and the Town of Prosper, Texas, related to professional construction materials testing and observation services for the Legacy Drive (Prosper Trail – Parvin Road) project in the amount of \$222,722.

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

At the May 19, 2026, Town Council meeting, the Town Council awarded McMahon Contracting LP, the construction contract for the Legacy Drive (Prosper Trail – Parvin Road) project (2410-ST). In conformance with standard practice for governmental entities, the Town of Prosper is contracting with an independent firm for professional construction materials testing and observation services instead of the selected contractor including these services in their proposals.

Construction materials testing and observation services are typically 1% to 5% of a project's construction cost depending on its scope. The proposal from Geotex Engineering, LLC for construction materials testing and observation services is 3.80% of the CIP project's construction cost. The proposed services will be delivered on an as-needed basis and invoiced based on the actual quantity of work performed during construction. After establishing a fee schedule, the scope of services has been estimated based on standard practices and requirements for materials testing frequencies within the construction industry.

At the October 24, 2023, Town Council meeting, the Town Council approved a list of qualified firms, which included services for Geotechnical Engineering and Material Testing. Geotex Engineering, LLC, is included on the approved list. Geotex Engineering, LLC, successfully completed the testing for the Legacy (Prairie – First) project.

**Budget Impact:**

The estimated cost for professional construction materials testing and observation services is \$222,722. The costs will be initially covered by the same Interlocal Agreement (ILA) dated November 26, 2024, with Prosper Independent School District (PISD) which is funding the construction of the Legacy Drive (Prosper Trail – Parvin Road) project. PISD is funding the construction costs, including professional construction materials testing and observation services, through two deposits to the Town of Prosper (Town). Upon the Town’s execution of a Construction Agreement with McMahon Contracting LP, PISD shall deposit the first half (1/2) of the construction costs. When the construction is 50% complete, PISD shall deposit the second half (1/2) of the construction costs with the Town. The deposited funds will be used for the construction of and materials testing for the Legacy Drive (Prosper Trail – Parvin Road) project under Account No. ST202410-CONST-CONST.

Once construction is complete, the Town will reimburse PISD in accordance with the ILA within four (4) years of Final Acceptance of the Legacy Drive (Prosper Trail – Parvin Road) project. The reimbursement for professional construction materials testing and observation services will be a portion of the overall costs associated with the Town’s portion of the project.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard professional services agreement as to form and legality.

**Attached Documents:**

1. Location Map
2. Professional Services Agreement

**Town Staff Recommendation:**

Town Staff recommends that the Town Council authorize the Town Manager to execute a Professional Services Agreement between Geotex Engineering, LLC, and the Town of Prosper, Texas, related to professional construction materials testing and observation services for the Legacy Drive (Prosper Trail – Parvin Road) project in the amount of \$222,722.

**Proposed Motion:**

I move to authorize the Town Manager to execute a Professional Services Agreement between Geotex Engineering, LLC, and the Town of Prosper, Texas, related to professional construction materials testing and observation services for the Legacy Drive (Prosper Trail – Parvin Road) project in the amount of \$222,722.