



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 for Personal Services
FM 1461 12-inch Water Line Relocation Project**

Town Council Meeting – March 12, 2024

Strategic Visioning Priority: 1. Acceleration of Infrastructure

Agenda Item:

Consider and act upon authorizing the Town Manager to execute a Contract for Personal Services between Universal Field Services, and the Town of Prosper, Texas, related to easement acquisition services for the FM 1461 12-inch Water Line Relocation project.

Description of Agenda Item:

The project involves replacement of approximately 15,700 linear feet of 12-inch water line on FM 1461 (Frontier Parkway) between Preston Road (SH 289) and Custer Road (FM 2478), ahead of the Texas Department of Transportation (TxDOT) widening from a 2-lane asphalt road to 4 lanes divided (ultimate 6 lanes). The current location of the Town has a 12-inch water line is on the south side of FM 1461 adjacent to the existing right-of-way for most of the project limits. Since the proposed roadway widening project will be over or near the existing water line, TxDOT is requiring the water line be relocated outside the limits of the roadway paving.

Since the majority of the existing 12-inch water line is located outside the current TxDOT right-of-way, the Town is eligible to receive reimbursement from TxDOT for expenses related to the water line relocation. Town staff is working with TxDOT on the Standard Utility Agreement that will establish the eligible expenses ratio, currently estimated at 72%. Once the final ratio has been calculated and determined by TxDOT, the Standard Utility Agreement will be presented to the Town Council for consideration.

This contract provides easement acquisition services for 18 parcels along FM 1461 (Frontier Parkway). Universal Field Services has not worked directly with the Town of Prosper on a project, but they have worked with other municipalities in the metroplex with positive results. They are also the firm that assisted TxDOT with acquisitions of right-of-way related to the same project. They are familiar with the project and property owners, and have the experience and knowledge to perform the work for the Town in a timely manner.

Budget Impact:

The cost for the easement acquisition services is \$166,000 and the funding source is Account No. 760-5410-10-00-2114WA. The current estimated cost for construction is \$9,000,000, and the Town's budget for easement acquisition and construction is \$3,000,000. Final amount of reimbursement by TxDOT, currently estimated at 72%, will be outlined in the TxDOT Standard Utility Agreement.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality and has confirmed that Acquisition 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. Contract for Personal Services
2. Location Map

Town Staff Recommendation:

Town staff recommends that the Town Council authorize the Town Manager to execute a Contract for Personal Services between Universal Field Services, and the Town of Prosper, Texas, related to easement acquisition services for the FM 1461 12-inch Water Line Relocation project.

Proposed Motion:

I move to authorize the Town Manager to execute to execute a Contract for Personal Services between Universal Field Services, and the Town of Prosper, Texas, related to easement acquisition services for the FM 1461 12-inch Water Line Relocation project.