

**MASTER SERVICES AGREEMENT  
FOR  
CITY OF PFLUGERVILLE RIGHT OF WAY SERVICES**

**WORK AUTHORIZATION NO. 2020-01A**

This WORK AUTHORIZATION is made pursuant to the terms and conditions of the Master Services Agreement executed the 6<sup>th</sup> day of July, 2020 (and Work Authorization No. 2020-01 for the Pecan/Weiss Lane project, executed the 22<sup>nd</sup> day of July, 2020) by and between the City of Pflugerville and LJA Engineering, Inc., hereinafter referred to as the Agreement.

The Consultant will perform the professional services as shown in Attachment A, Scope of Services, which will include the tasks to be performed and the deliverables to be provided by the Consultant. Completion of services is estimated to be 210 days from the effective date of this work authorization.

Compensation to the Consultant for the services provided pursuant to this work authorization shall be in accordance with Article 4 of the Master Services Agreement, as further detailed in Attachment B to this Work Authorization. Attachment B shall include the method and basis for determining the compensation for this work authorization. The maximum amount payable under this Work Authorization is \$68,000.00, unless amended by a Supplemental Work Authorization.

This Work Authorization does not waive any of the parties' responsibilities and obligations provided under the Master Services Agreement.

This Work Authorization is hereby accepted, acknowledged, and is effective when fully executed below.

CITY OF PFLUGERVILLE

CONSULTANT

BY: \_\_\_\_\_  
City Engineer

BY: Kenneth D. Schrock  
DATE: January 12, 2021

DATE: \_\_\_\_\_

TITLE: Senior Vice President

BY: \_\_\_\_\_

City Manager

DATE: \_\_\_\_\_

Attachments: "A" and "B"

**Attachment “A”**  
**Scope of Services**  
**Acquisition Services for Pecan St./Weiss Lane Waterline Project**

**I. Project Management and Coordination**

- A. Attend project review meetings and coordinate with project team or authorized representatives, as needed.
- B. Prepare monthly invoices.
- C. Provide monthly project status report.
- D. Set up and maintain project files.
- E. Maintain records of all payments to landowners.

**II. Preliminary Title**

- A. Obtain preliminary commitments for title insurance to identify ownership, easements, restrictions, and other encumbrances from title company.
- B. Cost of preliminary title commitments and searches will be paid by the client and is not included in this fee schedule.
- C. Research tax appraisal district data.

**III. Negotiation Services**

- A. Pre-Offer Preparation.
  - 1. Site inspection.
  - 2. Review project map and plans.
  - 3. Prepare introduction letters to each affected property owner and will include the Landowner’s Bill of Rights.
  - 4. Review field notes.
  - 5. Review title report.
  - 6. Obtain client’s approval/authorization to make offer.
  - 7. Call landowner(s) to set up meeting.
  - 8. Prepare offer letter and offer package.
- B. Initial Offer.
  - 1. Review appraisal.
  - 2. An attempt will be made to meet with landowner(s) to present offer in person as the COVID-19 pandemic protocols allow, based on the appraisal. The offer package will be mailed via certified mail, return receipt requested, and include the Texas Landowner’s Bill of Rights.
  - 3. Revised initial offers required due to design changes are not included within this scope of work.

C. Post Offer Response.

1. Negotiations and follow up with property owners.
2. Review all counter-offers and prepare summary with recommendation.
3. Prepare and mail final offer letter if owner rejects initial offer (per state law). The final offer package will be mailed via certified mail, return receipt requested, and include the Texas Landowner's Bill of Rights. The final offer package will also include the conveyance instruments with any applicable deed and/or easement documents.
4. Negotiations in excess of 8 contacts with the owner and/or after 60 days from the date of the initial offer letter are not included within this scope of work.

**IV. Title Curative Services**

- A. Obtain services of title company to provide title commitments and title policies.
- B. Review title commitments.
  1. Review of restrictive covenants and other land restrictions.
  2. Determine non-pertinent abstracts of judgment and liens.
  3. Review any easements for conflict.
- C. Prepare title curative documents.

**V. Closing Services**

- A. Order updated commitment.
  1. Cost of title insurance is paid by the client and is not included in this scope of services or fee schedule.
- B. Order HUD closing statement and request funding from client.
- C. Delivery of funds to title company.
- D. Schedule and attend closing for the local owners, as COVID -19 protocols allow. Otherwise, remote closings will be held.
- E. Closing documentation and file close-out. At project completion, prepare an electronic copy of the necessary parcel documents and deliver hard file to client.

**VI. Preparation of Condemnation Package**

- A. If negotiations are unsuccessful, prepare request for eminent domain proceedings.
  1. Upon issuance of the final offer letter, order updated title commitment.
  2. Use information from updated title commitment to list all interested parties to be joined in condemnation.
  3. Provide copies of all pertinent information and documentation related to the potential condemnation proceeding to client or condemning attorney.

## Attachment "B"

### Fee for Rights of Entry for Pecan-Weiss Lane Waterline

Task	Principal (\$225/hr.)	PM (\$185/hr.)	Assistant PM (\$160/hr.)	Senior Agent (\$145/hr.)	Agent (\$125/hr.)	GIS (\$115/hr.)	ROW Technician (\$90/hr.)	Admin. (\$60/hr.)	Totals
Project Management and Coordination	2	50	30	-	5	-	30	5	122
Negotiation, Title Curative, and Closing Services	-	25	100	-	140	-	35	10	310
Condemnation Support	-	4	5	-	16	-	5	-	30
Project Close-Out and Archiving	-	1	2	-	-	-	10	5	18
<i>SUB TOTALS (hours)</i>	2	80	137	0	161	0	80	20	480
<b>SUB TOTALS (\$)</b>	<b>\$450</b>	<b>\$14,800</b>	<b>\$21,920</b>	<b>\$0</b>	<b>\$20,125</b>	<b>\$0</b>	<b>\$7,200</b>	<b>\$1,200</b>	<b>\$65,695</b>

Rounded **\$65,700**

Expenses	Units	Rate	Totals
Mileage	880	Current IRS Rate	<b>\$493</b>
Misc. (postage, courier, etc.)	actual costs		<b>\$557</b>
Lien Release Fees	actual costs		<b>\$1,250</b>
<b>SUB TOTALS (\$)</b>			<b>\$2,300</b>

**Total (Not to Exceed): \$68,000**

Work performed is to be billed monthly on a time and material basis.  
Hours estimated above for each position are approximate only.  
The Not To Exceed total is the maximum to be charged under this scope of work.

**Assumptions:**

This fee schedule assumes 10 parcels will need to be acquired, all of which include permanent waterline and temporary construction easements. One parcel also requires the acquisition of an access easement for construction.

**Other Miscellaneous expenses can include:**

Texas Secretary of State research fees on corporations, Courthouse Direct fees on copies of recorded instruments, parking fees, tolls, certified copies of recorded instruments, etc.

\*\*\*Any additional services needed beyond the items listed above are not included in this scope of services. Any additional services that may be needed or requested by the Client are subject to the preparation of a Supplemental, to include additional scope items and/or funding.\*\*\*