

MASTER SERVICES AGREEMENT
FOR
CITY OF PFLUGERVILLE RIGHT OF WAY SERVICES
(27" KELLY LANE WASTEWATER INTERCEPTOR)

WORK AUTHORIZATION NO. 2023-4

This WORK AUTHORIZATION is made pursuant to the terms and conditions of the Master Services Agreement executed the 27th day of February, 2023 by and between the City of Pflugerville and Seven Arrows, 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, the deliverables to be provided by the Consultant, and the milestone schedule for completing the tasks and the deliverables for Twenty-three (23) parcels for the 27" Kelly Lane Wastewater Interceptor Project.

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 \$416,000.00, unless amended by a Supplemental Work Authorization.

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

CITY OF PFLUGERVILLE

BY: 
Director

DATE: 04/13/2023

BY: _____
City Manager

DATE: _____

7ARROWS LAND STAFF

BY: 
Managing Partner

DATE: March 21, 2023



Scope of Work 27" Kelly Lane Wastewater Interceptor Attachment "A"

PROJECT SCOPE: 7Arrows Land Staff, LLC (7Arrows) shall provide land services to support City in execution of the installation of the 27" Kelly Lane Wastewater Interceptor between Kenemer Drive and Wiess Lane. Services shall include obtaining rights of entry, title research and procurement, presenting of offers, negotiation and closing of all types of land rights, (i.e. Right of Way, Temporary Construction and Permanent Easement and Property acquisition services). 7Arrows' services may also include, as directed by City, assistance with open houses or similar meetings with the public, presentations to all approval authorities, and other real estate and property work that may be needed from time to time to support the timely execution of the project.

BASIC SERVICES: 7Arrows shall render the following professional services in connection with the development of the 27" Kelly Lane Wastewater Interceptor for the acquisition of 23 parcels.

A. Right of Way/Property Acquisition Services

1. Pre-Acquisition Services

- a) Confirm ownership and easement information.
- b) Attendance of public information meetings, project design meetings, route development field visits by land manager.

2. Title/Curative Services

- a) Review preliminary title commitment (Schedules A, B & C) or preliminary title search information for all properties.
- b) Secure title commitments and updates in accordance with insurance rules and requirements for parcel payment submissions for properties which will be acquired in fee simple and for ROW easements
- c) Secure title insurance for all parcels, insuring acceptable title. Cure all exceptions on Schedule C, when applicable. Written approval by the City of Pflugerville will be required for any exceptions to coverage.

3. Right of Entry

- a) Prepare Right of Entry packets to include Landowner Bill of Rights, maps and paperwork to be executed.
- b) The agent will initiate and participate in landowner meetings for ROE documents.
- c) Upload Right of Entry executed documents to central location for access by City, its agents and employees.

4. Negotiation Services

- a) Analyze appraisal reports and confirm approved value prior to making offer for each parcel.



- b) Analyze preliminary title report to determine potential title problems and propose methods to cure title deficiencies.
- c) Prepare the initial offer letter and any other documents required or requested by the City of Pflugerville in an acceptable form.
- d) Contact each property owner or owner's designated representative and present the written offer in person where practical. When owners do not wish to have offers delivered in person, they will be mailed via certified mail with return receipt for documentation of delivery/receipt. Maintain follow-up contacts and secure the necessary instruments upon acceptance of the offer for the closing.
- e) Provide a copy of the appraisal report for the subject property exclusively to the property owner or authorized representative at the time of the offer.
- f) Respond to property owner inquiries verbally and/or in writing within two business days.
- g) Prepare a separate negotiator contact report for each parcel file for each contact.
- h) Maintain parcel files of original documentation related to the purchase of the real property or property interests/acquisition of the Easement for Right of Way.
- i) Present counteroffers in a form as directed by the City. Transmit any written counteroffer from property owners including supporting documentation, and Agent's recommendation with regard to the counteroffer.
- j) Prepare final offer letter as necessary.

5. Acquisition/Closing Services:

- a) Prepare check request, review closing documents facilitate execution of all necessary documents. Attend closings and provide closing services in conjunction with Title Company for all tracts.
- b) Transport any documents to City and landowner for signatures.
- c) Record or cause to be recorded all original instruments immediately after closing at the respective County Clerk's Office.
- d) Review Title Policy and give to City for permanent storage.

6. Project/Document Administration

- a) Maintain current status reports of all parcel and project activities and provide monthly or as requested to the City.
- b) Participate in project review meetings as requested.
- c) Provide copies of all incoming and outgoing correspondence as generated if requested.
- d) Maintain copies of all correspondence and contacts with property owners.



e) Update database with current status information and documentation.

7. Initiate and Coordinate Appraisal with city approved appraisers

- a) Secure written permission from owner to enter the property from which land is to be acquired. Maintain permission letters with appraisal reports.
- b) Prepare and conduct personal pre-appraisal contact with interest owner(s) for each parcel.
- c) Contact property owners or their designated representative to offer opportunity to accompany the appraiser on the appraiser's inspection of subject property. Maintain record of contact in file.
- d) Finalize complete appraisal report for each parcel. These reports shall conform to the City of Pflugerville's policies and procedures along with the Uniform Standards of Professional Appraisal Practice.
- e) As necessary, prepare written notification to the City of Pflugerville of any environmental concerns within the needed right of way to be acquired which could require remediation.
- f) All completed appraisals will be administratively reviewed and approved by the City of Pflugerville.
- g) Deliver Final Appraisal Reports to City.
- h) As necessary, the appraiser will appear and or testify as an Expert Witness in eminent domain proceedings and be available for pre-hearing or pre-trial meetings as directed by the City of Pflugerville. (*Fees for this service NOT included in this proposal*)

8. Condemnation Support

- a) Upon receipt of a copy of the final offer, research and produce an updated "Condemnation Limited Title Report" (search parameters set by City and/or outside legal counsel).
- b) Prepare a condemnation package as directed by the City and deliver the package to the City's designee or legal counsel.
- c) Upon notification from the City request the update of appraisal.
- d) d) Appear as Expert Witness as requested.



**City of Pflugerville
27" Kelly Lane Wastewater Interceptor
Right of Way & Easement Services
Attachment "B"**

Right of Way/Easement/Temporary Easement Acquisition Services:

Right of Entry:	\$1,000.00 per parcel
Title/Curative Services:	\$1,500.00 per parcel
Administrative/Document Services:	\$1,500.00 per parcel
Negotiation Services:	\$3,500.00 per parcel
Acquisition/Closing Services:	\$3,500.00 per parcel
Appraisal Services:	\$5,000.00 per parcel
*Project Management (approx. 230 hours).	\$46,000.00 (billed at hourly rate as noted below)
23 Parcel to be acquired:	\$368,000.00
TOTAL ESTIMATED COST:	\$416,000.00

*Staff update meetings, Public Information meetings, City Council meetings, route development visits, project design meetings, appraisal coordination, relocation coordination, and condemnation support shall be billed at an hourly basis.

Hourly Rates:

Partner Hourly Rate: \$200.00
Administrative Agent: \$125.00

*City will be charged and invoiced only for services provided.