



# City of Pflugerville

## Legislation Details (With Text)

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**On agenda:** 2/8/2022    **Final action:** 2/8/2022  
**Title:** Approving a Professional Services Agreement with Freese and Nichols, Inc. in the amount of \$7,309,766.00 for professional engineering services associated with the Secondary Colorado River Raw Water Line Project, and authorizing the City Manager to execute the same.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Professional Services Agreement\_Co River Raw Water Line FNI, 2. RFQ Ranking for the Secondary Colorado River Raw Water Line, 3. Draft Presentation\_2022-0161

Date	Ver.	Action By	Action	Result
2/8/2022	1	City Council	Approved	Pass

Approving a Professional Services Agreement with Freese and Nichols, Inc. in the amount of \$7,309,766.00 for professional engineering services associated with the Secondary Colorado River Raw Water Line Project, and authorizing the City Manager to execute the same.

Based on the findings of the Preliminary Engineering Report that was completed and presented to City Council in December 2021, the City is proceeding with design and bid phase services for the Secondary Colorado River Raw Water Line Project that will transport water from the Colorado River to Lake Pflugerville, parallel to the City's existing raw water line, to provide additional water supply to support the future of Pflugerville. This agreement provides for design and bid phase services for approximately 15 miles of 42-inch water pipeline and improvements to the Colorado River Intake Pump Station to allow for increase transfer in water supply from the Lower Colorado River Authority from 12,000 acre-feet per year to 24,000 acre-feet per year. Construction phase services will be contracted at a later date. The project estimate from the Preliminary Engineering Report estimates the total cost of the project at \$86M.

A Request for Qualifications (RFQ) was released on December 8, 2021. In accordance with the directions in the RFQ, firms submitted Statements of Qualifications (SOQ) on January 5, 2022. The City received four SOQs that were reviewed, scored and ranked by a scoring committee. Based on the recommendations of the committee, Freese and Nichols, Inc. was selected as the most qualified firm to complete the work for the Project.

Based on population and water demand projections, this project needs to be built and operational by 2025. Based on this aggressive schedule, the City is planning to deliver the project using a Construction Manager at Risk (CMAR) method which allows the City to bring the contractor in early during the design process and allows them to provide feedback on constructability, manage material procurement and assist in overseeing the bidding process. The CMAR method will allow the City to build the pipeline on the aggressive schedule. There will be separate contracts for the Engineer and Contractor and a guaranteed maximum price will be set at either 60 or 90% design phase. This is the

first time that Pflugerville has used CMAR to procure a project. The City also plans to engage a Owner's Representative to ensure this project stays on track and within budget.

Freese and Nichols, Inc. will provide the following services for the project: project management, procurement of CMAR, design (60%, 90%, and 100%), permitting and coordination with affected entities including City of Austin, Travis County, and TxDOT, and bid phase services. In addition, FNI has provided subconsultants who will provide environmental services, subsurface utility engineering, survey, pump station physical modeling, corrosion engineering, surge protection, geotechnical engineering, easement acquisition and archeological investigation. Supplemental services have been included in the scope only to be used with authorization of staff, if determined to be needed, for Texas Water Development Board coordination, design of a new pump station electrical building and additional unforeseen engineering items that may be needed on this 16 mile project.

### Background

In conjunction with the City's planned Water Treatment Plant Expansion project that is currently under design, the City has also evaluated water supply alternatives to support the future of Pflugerville. The City retained Garver to provide Owner's Representative services as the Owner's agent and liaison between the Design Consultants, Construction Contractors, Texas Commission on Environmental Quality (TCEQ), Texas Water Development Board (TWDB), and other stakeholders for the Pflugerville Water Treatment Plant Facility Expansion Project and water supply evaluation. The City is growing rapidly and needs to ensure adequate water supply for its customers within the next five to ten years as well as prepare for expansive future growth by full buildout.

The permanent water supply option to expand the City's existing pump station and raw water pipeline that conveys water from the Colorado River to Lake Pflugerville was selected as the initial option to expand water supply for Pflugerville given the City's ability to deliver the project within the projected time period and to add redundancy and resiliency to the City's existing water supply. This PER focused on an analysis of the feasibility of constructing this project in the near-term. Other water supply options defined in the Water Supply Evaluation, such as the HB 1437 Interbasin Transfer and Round Rock Emergency Interconnect projects, are still under evaluation with the relevant stakeholders, and will be further evaluated under a separate Supplemental Agreement at a later date, once details are better-defined. A Memorandum of Intent Related to the Provision of Treated Wastewater Effluent From the Brazos River Basin to the City of Pflugerville, Texas between the City of Pflugerville, the City of Round Rock, the Brazos River Authority, and the Lower Colorado River Authority (LCRA) is on the agenda this evening for City Council to consider.

In addition, City staff, legal Counsel and Garver have been coordinating with the LCRA to work through what is needed to secure an additional 12,000 acre-feet of raw water to supplement our current 12,000 acre-feet for a total of 24,000 acre-feet per year of raw water supply from the Lower Colorado River basin by 2024. An application for the additional water supply has been submitted to LCRA.

City Staff presented the findings of a Preliminary Engineering Report for the Secondary Colorado River Raw Water Line Project to City Council at the December 14, 2021 Worksession. The project is currently estimated at \$86M.

### **Prior City Council Action**

On March 10, 2020, City Council approved a professional services agreement with Garver in the amount of \$199,820 to provide owner representative services associated with the Surface Water

Treatment Plant Expansion Project including an evaluation of water supply alternatives.

On July 28, 2020, City Council received a presentation during the worksession regarding the Water Treatment Plant Expansion Alternatives Analysis including water supply alternatives.

On August 25, 2020, City Council approved a professional services supplemental agreement with Garver in the amount of \$1,220,657.00 to provide owner representative services associated with the Surface Water Treatment Plant Expansion Project which included water rights acquisition support.

On January 26, 2021, City Council approved the engagement of McCarthy & McCarthy LLP as Special Counsel for the City for the purpose of assisting staff with permits, contracts and negotiations related to obtaining additional water rights to support the future growth of Pflugerville.

On April 27, 2021, City Council approved a professional services supplemental agreement with Garver, the City's owner representative associated with the Surface Water Treatment Plant Expansion Project, in the amount of \$311,132 for professional engineering services related to an evaluation of future water supply alternatives.

On May 27, 2021, City Council received a presentation regarding the City of Pflugerville's future water supply options.

On December 14, 2021, City Council received a presentation regarding the Pflugerville Colorado River Water Supply Analysis and future water supply options.

### Deadline for City Council Action

Action is requested on February 8, 2022 to meet the schedule needed to deliver the project.

**Funding Expected:** Revenue  Expenditure  N/A

**Budgeted Item:** Yes  No  N/A

**Amount** \$7,309,766.00

**1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  Date Completed: 02/04/2022

### Supporting documents attached:

Professional Services Agreement

Firm Ranking

Draft Presentation

### Recommended Action

Approving the selection of Freese and Nichols, Inc. for professional engineering services associated with the Secondary Colorado River Raw Water Line Project and authorizing the City Manager to execute a professional services agreement in the amount of \$7,309,766.00.