



# City of Pflugerville

## Legislation Details (With Text)

**File #:** 2022-0160    **Version:** 1    **Name:**  
**Type:** Agenda Item    **Status:** Approved  
**File created:** 1/28/2022    **In control:** Engineering Dept  
**On agenda:** 2/8/2022    **Final action:** 2/8/2022  
**Title:** Approving a Professional Services Supplemental Agreement with Dunaway Associates, LLC. in the amount of \$97,748.00 for professional services associated with the 2020 Parks Bond Program Projects: Kelly Lane Park and Murchison Mallard Park and authorizing the City Manager to execute the same.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Dunaway Professional Services Supplemental Agreement No. 1, 2. Draft Presentation\_2022-0160

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

Approving a Professional Services Supplemental Agreement with Dunaway Associates, LLC. in the amount of \$97,748.00 for professional services associated with the 2020 Parks Bond Program Projects: Kelly Lane Park and Murchison Mallard Park and authorizing the City Manager to execute the same.

The proposed agenda item is a request for approval by the City Council to add scope to the Design Consultants scope services to perform environmental services as required to develop the designs for Kelly Lane and Murchison/Mallard Parks. It has been determined there are areas within the parcel of the Parkland which required an environmental study to identify the wetlands and waters of the United States (US) to provide a report and request approval by the US Corps of Engineers. The U.S. Army Corps of Engineers (USACE) regulates under Section 404 of the Clean Water Act (Section 404) the placement of fill material in waters of the United States (WOTUS). Aquatic resources on the subject tracts may be considered WOTUS to the extent of the ordinary high-water mark (OHWM), and adjacent wetlands where present. The placement of fill material within WOTUS for construction of trails, access roads, parking lots, and/or other parks features will require a Section 404 permit from the USACE, likely *Nationwide Permit 42 - Recreational Facilities (NWP 42)*.

During the Kelly Lane and Mallard/Murchison Project initiation, the Project Team (design consultant, Staff, and the General Consultant) agreed to evaluate the need for environmental services after the selection of the design concepts for each park. Since then, the Design Consultant completed the community engagement phase and developed two (2) concepts for City staff to consider. On January 25, 2022, the project team reviewed design concepts for both projects and agreed that Kelly Lane Concept 2 and Mallard Concept 1 are in line with the bond language and community feedback. The concept selection refined the limits of work for each park and confirmed the need for environmental services. The Supplemental Professional Service Agreement outlines the need for environmental services to identify limits of the Water of the United States, threatened and endangered species/habitats, and cultural resources to help further develop the construction documents for Kelly

Lane and Murchison/Mallard Parks and determine the appropriate permitting mechanisms.

### **Prior City Council Action**

City Council approved a professional services agreement with Dunaway Associates, LLC. in the amount of \$374,163.00 for professional services associated with the 2020 Parks Bond Program Projects: Kelly Lane Park and Murchison Mallard Park at the July 27, 2021 meeting.

Pflugerville City Council called a November 3, 2020 bond election for three propositions totaling \$191.3 million at the August 11, 2020 meeting.

City Council approved the selection of Vanir Construction to provide general consulting services associated with the 2020 General Obligation Bond Parks (Prop B) Projects at the January 26, 2021 meeting.

City Council approved a professional services agreement with Vanir Construction to provide general consulting services associated with the 2020 General Obligation Bond Parks (Prop B) Projects at the April 13, 2021 meeting.

### **Deadline for City Council Action**

Action is requested on February 8, 2022.

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

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

\*This agreement will be funded by the 2020 Parks Bond Program, Proposition B.

**Amount:** \$97,748.00

**1295 Form Required?** Yes  No

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

### **Supporting documents attached:**

Professional Services Agreement  
Draft Presentation

### **Recommended Action**

Approve a Professional Services Supplemental Agreement with Dunaway Associates, LLC. in the amount of \$97,748.00 for professional services associated with the 2020 Parks Bond Program Projects: Kelly Lane Park and Murchison Mallard Park authorizing the City Manager to execute the same.