



# City of Pflugerville

## Legislation Details (With Text)

<b>File #:</b>	2022-0853	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Agenda Item	<b>Status:</b>		Approved	
<b>File created:</b>	8/31/2022	<b>In control:</b>		Engineering Dept	
<b>On agenda:</b>	9/13/2022	<b>Final action:</b>		9/13/2022	
<b>Title:</b>	Discuss and consider action to approve a Professional Services Supplemental Agreement with Freese & Nichols, Inc in the amount of \$3,261,237 for professional engineering services associated with the 2020 General Obligation Bond Transportation Projects, and authorize the City Manager to execute the same.				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. PSSA 1\_FNI GEC, 2. 2020 Transportation Bond Program Map, 3. Draft Presentation\_2022-0853

Date	Ver.	Action By	Action	Result
9/13/2022	1	City Council	Approved	Pass

Discuss and consider action to approve a Professional Services Supplemental Agreement with Freese & Nichols, Inc in the amount of \$3,261,237 for professional engineering services associated with the 2020 General Obligation Bond Transportation Projects, and authorize the City Manager to execute the same.

The proposed Agenda Item is a request from City Council for approval of a Professional Services Supplemental Agreement with Freese and Nichols, Inc. (FNI) to continue serving as the City's General Engineering Consultant (GEC) with the 2020 General Obligation Bond Transportation Projects as Time and Materials, Not To Exceed contract in the amount of \$3,261,237 for a twenty-four (24) period, during City's Fiscal Year 2023 and Fiscal Year 2024. The total fee as proposed comprised of following, as only the FNI and The Rios Group Fees funded by the Bond Program. 7 Arrows funded separately:

FNI Services (Program Management Oversight)	\$2,280,391.00
The Rios Group (Utility Coordination & Oversight)	\$ 405,596.00
7 Arrows (Right of Way Management & Acquisition Services)	\$ 575,250.00

The proposed combined fee of \$2,685,987 represented by services provided by FNI and The Rios Group as part of the 2020 Transportation Bond Management funds and the remaining \$400,000 respectively will be as allocated for individual projects based on Right of Way needs.

Accordingly, City staff has negotiated PSSA for FNI to provide overall Transportation Bond Program Management with support from subconsultants to manage Right-of-Way (ROW), Utility Coordination for Program Control, Conformity, and Consistency. FNI currently provides approximately ten (10) staff members in addition to two (2) subconsultants comprised of an additional 15 team members in support of the voter-approved Proposition (Prop A) which included issuance of \$101,700,000.00 bonds by the City of Pflugerville, Texas, for City neighborhood street reconstruction, Immanuel Road, FM 685 Corridor improvements, SH 45 frontage roads, Kelly Lane Phase 3, Pfluger Farm Lane

North, Main Street, Central Commerce Drive, Picadilly Drive, Weiss Lane Extension/realignment with Cameron Road, East Pflugerville Parkway and Pecan Street. Overall, the Transportation Bond Program includes approximately 47 projects, of which some have been combined for delivery within five (5) years of the 2020 Bond approval as projected for 2025.

FNI has provided a Not to Exceed (NTE) Time and Materials Professional Services Supplemental Agreement (PSSA) for management of the various transportation bond projects. FNI will complete the proposed scope of work items and invoice the City accordingly to the terms and conditions of the Agreement. The scope and associated fee will be for the second term (24 months) of the program including Fiscal Year (FY) 23 and FY 24. It is presumed that the overall program and design management services will continue through FY 23 and FY 24. It is anticipated several projects will start transitioning into construction phase services during the latter part of FY 23. FNI will collaborate with City staff and continue to focus on early priority projects to finalize design, ROW acquisitions, and utility relocations activities with the goal to expedite construction activities in FY 23. Services for FY 25 and FY 26 will be addressed at a later date.

FNI's primary role is to provide Program Project management services with additional support from The Rios Group (TRG) and 7 Arrows to supplement services for delivery of project construction documents to General Contractors for construction. TRG serves as the Utility Coordinator (UC) as proposed to provide twelve (12) months service related to Utility Coordination Oversight. TRG shall perform utility coordination and liaison activities with involved utility owners, their consultants, and the City to achieve timely project notifications, formal coordination meetings, conflict analysis and resolution. The UC shall continue coordination with all utility owners up to the project letting and prior to beginning of construction. The TRG shall be responsible for coordinating 1) Communication; 2) Permits; and 3) Standard Agreements with the City's team, Utility Providers and GEC. The Utility Coordinator (UC), in association with the FNI Project Manager assigned to the project shall be responsible for managing, directing, and coordinating all utility activities associated with the 2020 Transportation Bond Program projects to comply with City's policies and procedures. The UC shall be accountable for applying and ensuring appropriate quality control processes, procedures, and conformance is occurring across the team to ensure the highest quality products are delivered to the City.

7 Arrows serve as the Right of Way (ROW) Management Consultant in support of services to secure easements and land purchases associated with needed ROW. 7 Arrows will coordinate with FNI for managing and tracking acquisition on all projects to maintain project schedules, as well as meet with City team(s), property owners, Title Companies, and external agencies as required. ROW Services as proposed as Time and Materials, Not To Exceed amount for a period of twenty-four (24) months. If ROW is obtained prior to 24-month period, only a portion of services will be provided as required. Currently within the Transportation Bond Program, approximately 59 parcels identified for ROW management needs, as well as the many Utility Providers involved for potential conflicts to be relocated outside of the perspective ROW. ROW Parcels list:

Cameron Road - 4 Parcels  
East Pecan Street - 8 Parcels  
Immanuel Road - 5 Parcels  
Main Street - 5 Parcel  
Kelly Lane, Phase 3 - 37 Parcels

Background:

The City retained Freese and Nichols, Inc. to provide General Engineering Consultant Program Management services to support management and implementation of the City's 2020 Transportation Bond Program. The City of Pflugerville's 2020 Transportation Bond Program (the Project) will include planning, design, and construction of multiple capital improvement projects (CIP) as approved by the voters in November 2020. FNI will continue to provide a variety of services to support the City in execution of the bond program including program and project management oversight, design management and oversight, bid phase assistance, and construction phase assistance. FNI's services may also include, if requested by the City, onsite representation during construction, site/civil, structural, storm water, environmental, GIS, or other general engineering services that may be needed to support the timely execution of the program. It is envisioned the program will require approximately five (5) years to achieve completion of all identified projects.

This item is supported by the infrastructure of the Strategic Plan.

### **Prior City Council Action**

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 Freese and Nichols, Inc. for professional engineering services associated with the 2020 General Obligation Bond Transportation Projects at the January 26, 2021 meeting.

City Council approved a professional services agreement with Freese and Nichols, Inc. in the amount of \$1,574,574 for professional engineering services associated with the 2020 General Obligation Bond Transportation Projects for an initial 18-month term, not-to-exceed time and material agreement for FY21 and FY22 at the March 23, 2021 meeting.

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

Action is requested on September 13, 2022.

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

**Budgeted Item:** Yes ☐ No ☐ N/A ☒

\*This agreement will be funded by the 2020 Transportation Bond Program, Proposition A.

**Amount:** \$3,189,921.00

**1295 Form Required?** Yes ☒ No ☐

**Legal Review Required:** N/A ☐ Required ☒ Date Completed: 09/08/2022

### **Supporting documents attached:**

Professional Services Agreement  
2020 Transportation Bond Program Map  
Draft Presentation

### **Recommended Action**

Approve a Professional Services Supplemental Agreement with Freese & Nichols, Inc in the amount

of \$3,189,921 for professional engineering services associated with the 2020 General Obligation Bond Transportation Projects, and authorize the City Manager to execute the same.