



LANDSCAPE MAINTENANCE AGREEMENT

THE STATE OF TEXAS

THE COUNTY OF TRAVIS

This AGREEMENT made this _____ day of _____, 2022, by and between the Texas Department of Transportation, hereinafter referred to as the "State," and the City of McKinney, Collin County, Texas, acting by and through its duly authorized officers, hereinafter called the "City".

WITNESSETH

WHEREAS, Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter into agreements with the State to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through its corporate limits; and

WHEREAS, Section 221.002 of the Transportation Code authorizes the State, at its discretion, to enter into agreements with cities to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through the corporate limits of such cities; and

WHEREAS, the State and the City have entered into a Municipal Maintenance Agreement dated October 6th, 1994, **the provisions of which are incorporated herein by reference**, and wherein the City has agreed to retain all functions and responsibilities for maintenance and operations which are not specifically described as the responsibility of the department; and

WHEREAS, the State has existing and proposed landscape improvements, such as, but not limited to, the installation of tree, shrub, and turf plantings, irrigation systems, and other aesthetic elements for areas within the right of way of state highway routes within the City as shown on Attachment "A"; and

WHEREAS, the State will provide such landscape improvements, provided that the City agrees to be responsible for all required maintenance of the landscape improvements.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, it is agreed as follows:

Contract Period

This Agreement becomes effective upon the date of final execution by the State, and shall remain in effect until terminated or modified as hereinafter provided.

Coverage

This agreement prescribes the responsibilities of the State and the City relating to the maintenance of the landscape and scenic enhancements project which is located on US 75 controlled access state highway, as defined in the Municipal Maintenance Agreement. The maintenance is further described in Attachment A, and limited to the portions along US 75 at US 380 (West University Drive) and US 75 at Virginia Parkway.

Amendment

The parties agree that this agreement may be amended. Such amendments, to be effective, must be in writing and signed by both parties.

State's Responsibilities

The State shall install landscape elements including but not limited to trees, shrubs, grasses, sidewalks, irrigation systems, and hardscape features through its employees or duly appointed agents. The State reserves the right to conduct future maintenance and construction work in an established planting location.

City's Responsibilities

The City may install landscape elements including but not limited to trees, shrubs, grasses, sidewalks, irrigation systems, and hardscape features through its employees or duly appointed agents. Any installations shall be performed in accordance with Texas Department of Transportation specifications and standards, and must be approved by the State in writing prior to any work being performed. The City shall hold the State harmless for any future maintenance and construction works in an establish planting location. The City may submit a Green Ribbon application to repair damages incurred by these works.

The City shall maintain all landscape elements within the limits of the right of way including all median and island areas but excluding paved areas intended for vehicular travel. Landscape maintenance shall include but not be limited to plant maintenance, plant replacement, mowing and trimming, hardscape element maintenance, and irrigation system operation and maintenance. The City will be responsible for all utility costs associated with maintaining landscape elements. All landscape elements must be maintained in a functional and aesthetically pleasing condition.

TERMINATION

It is understood and agreed between the parties hereto that should either party fail to properly fulfill its obligations as herein outlined, the other party may terminate this agreement upon thirty days written notice. Additionally, this agreement may be terminated by mutual agreement and consent of both parties.

Should the City terminate this agreement, as prescribed here above, the City shall, at the option of the State, reimburse any reasonable costs incurred by the State.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures, the City of McKinney on the _____ day of _____, year 2022, and the Texas Department of Transportation, on the _____ day of _____, year _____.

ATTEST:

THE STATE OF TEXAS

CITY OF McKinney
By _____
(Title of Signing Official)

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, and the established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By _____
District Engineer
Dallas

District

Attachments

Attachment A – PROJECT LOCATION MAP

CSJ – 0047-14-087



CITY OF MCKINNEY, TEXAS

FUNDING SOURCE: GOVERNMENT COMMUNITY ACHIEVEMENT AWARD
FY2023

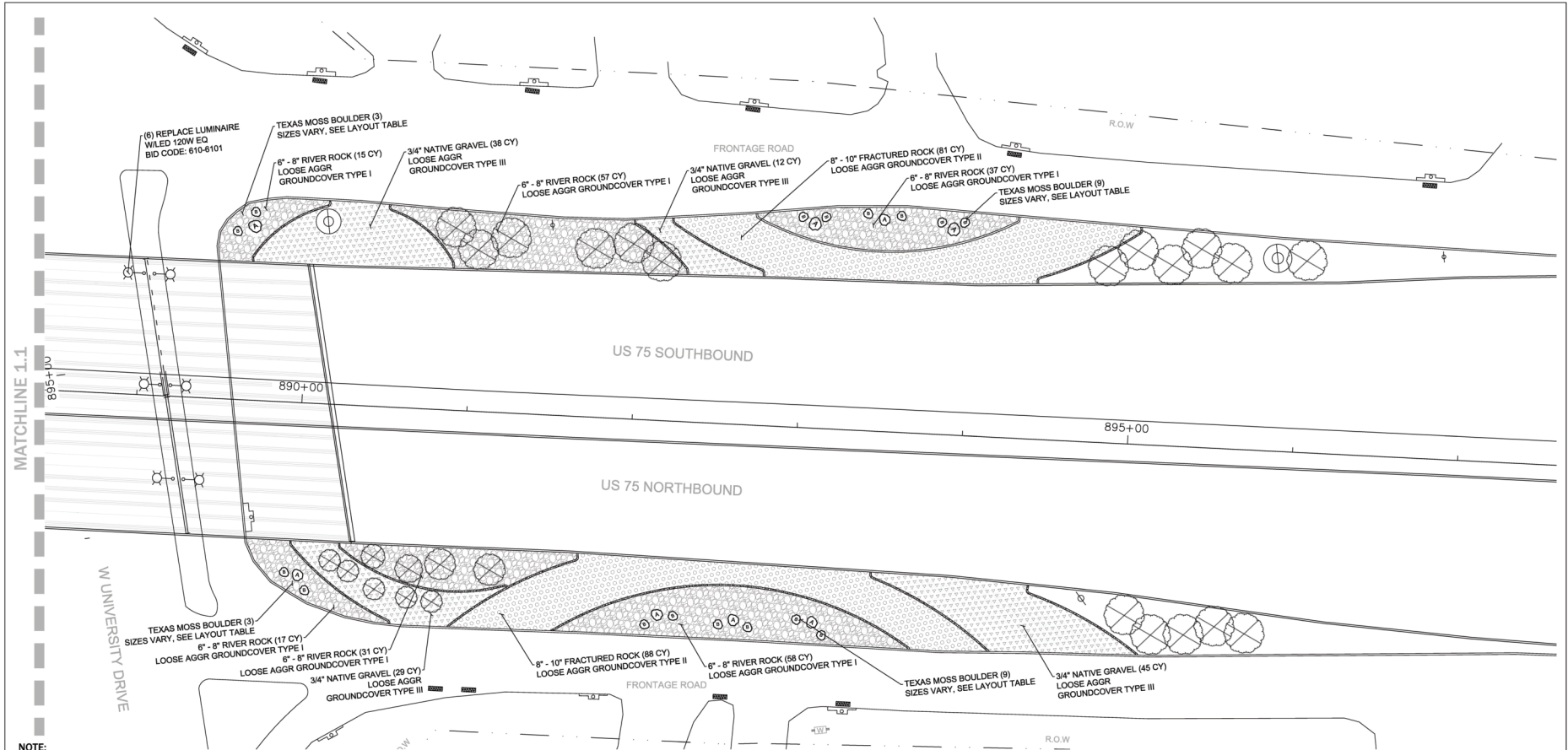
PROJECT DESCRIPTION: LANDSCAPING AND SCENIC ENHANCEMENTS

PROJECT LIMITS:

US 75 AT US 380 (WEST UNIVERSITY DRIVE)

US 75 AT VIRGINIA PARKWAY

ATTACHMENT A



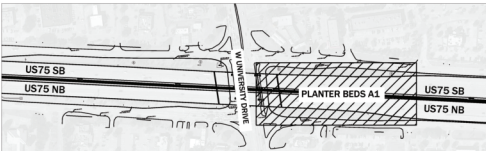
NOTE:
EXISTING CONCRETE LANDSCAPE EDGE TO BE PROTECTED IN PLACE UNLESS OTHERWISE NOTED ON PLANS

CONTRACTOR IS RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND UTILITY BOXES ON SITE

IF LANDSCAPE MATERIAL LAYOUT IS IN CONFLICT WITH EXISTING UTILITIES THEN THE CONTRACTOR IS RESPONSIBLE FOR MOVING LANDSCAPE MATERIAL LAYOUT TO GO AROUND UTILITIES

REPLACE 6 EXISTING HPS UNDERPASS LUMINAIRES AT VIRGINIA PARKWAY AND US 75 WITH 150W EQ LED LUMINAIRES ON THE MPL KEY MAP

SCALE: 1" = 60'

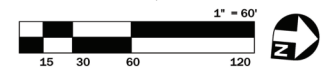


LANDSCAPE LAYOUT LEGEND

BID ITEM	KEY	QTY	NAME	NOTES/DESCRIPTION
1005-6001		215 CY	RIVER ROCK	6" - 8", FOR FILTER FABRIC SEE DETAIL L.2
1005-6002		169 CY	FRACTURED ROCK	8" - 10", FOR FILTER FABRIC SEE DETAIL L.2
1005-6003		124 CY	NATIVE GRAVEL	3/4" NATIVE TEXAS EARTH TONE RIVER ROCK GRAVEL FOR FILTER FABRIC SEE DETAIL L.2
1002-6002		8 EA	TEXAS MOSS BOULDER	36" DARK BROWN, LIGHT BROWN SHADES
1002-6003		16 EA	TEXAS MOSS BOULDER	24" DARK BROWN, LIGHT BROWN SHADES

LEGEND

KEY	DESCRIPTION
	EXISTING CONCRETE LANDSCAPE EDGE
	EXISTING TREES TO BE PROTECTED IN PLACE
	EXISTING SIGNAGE
	EXISTING LIGHT POLE
	DRAIN INLET
	MANHOLE
	LUMINAIRE TO BE REPLACED



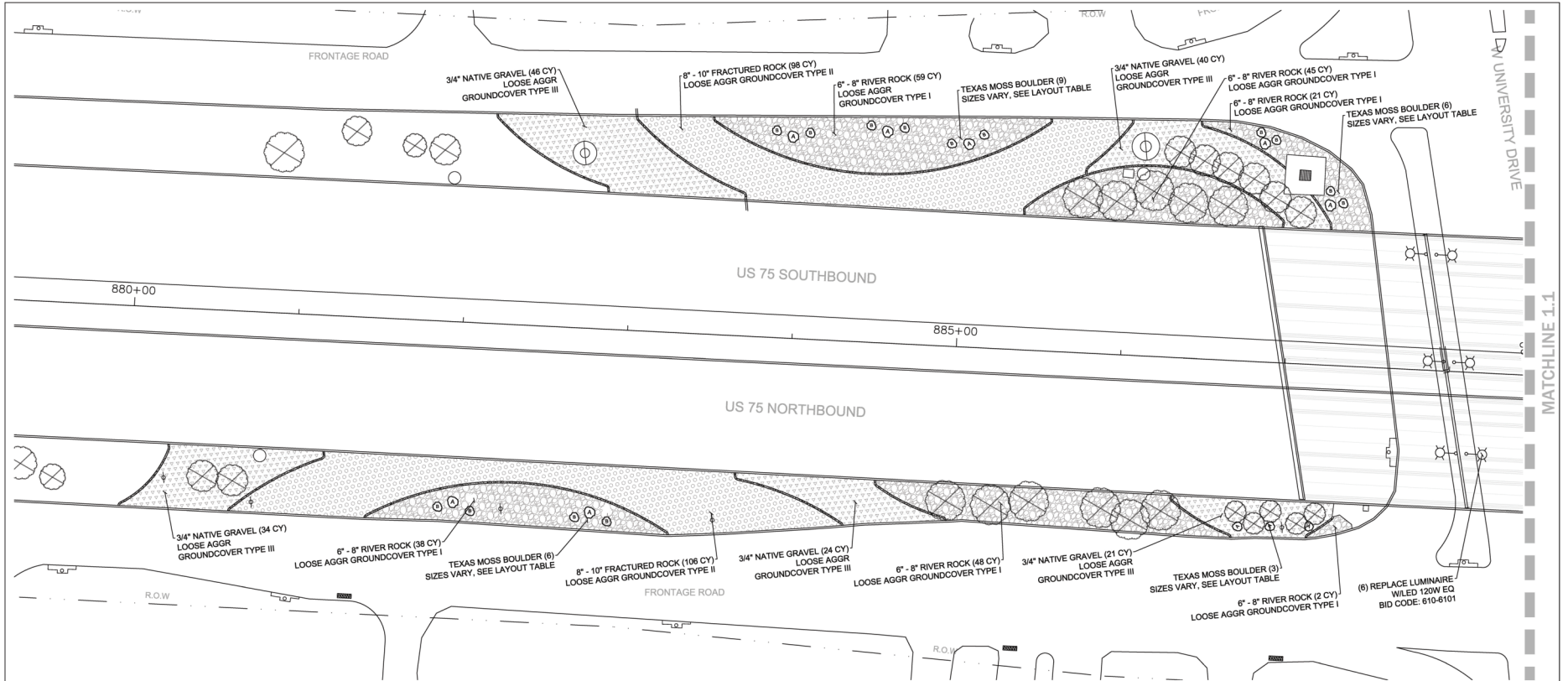
Texas Department of Transportation
© 2022

LANDSCAPE LAYOUT PLANTER BED A1

SCALE: 1" = 60'				1 OF 3
DESIGN	FED. RD. DIVING.	PROJECT NO.	HIGHWAY NO.	
AV	6	(SEE TITLE SHEET)	US 75	
GRAPHICS	STATE	DISTRICT	COUNTY	SHEET NO.
AV	TEXAS	DALLAS	COLLIN	31
CHECK	CONTROL	SECTION	JOB	
	0047	14	087	

Signature of Registrant & Date

ATTACHMENT A



NOTE:

EXISTING CONCRETE LANDSCAPE EDGE TO BE PROTECTED IN PLACE UNLESS OTHERWISE NOTED ON PLANS

CONTRACTOR IS RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND UTILITY BOXES ON SITE

IF LANDSCAPE MATERIAL LAYOUT IS IN CONFLICT WITH EXISTING UTILITIES THEN THE CONTRACTOR IS RESPONSIBLE FOR MOVING LANDSCAPE MATERIAL LAYOUT TO GO AROUND UTILITIES

REPLACE 6 EXISTING HPS UNDERPASS LUMINAIRES AT VIRGINIA PARKWAY AND US 75 WITH 150W EQ LED LUMINAIRES ON THE MPL

LANDSCAPE LAYOUT LEGEND

BID ITEM	KEY	QTY	NAME	NOTES/DESCRIPTION
1005-6001		213 CY	RIVER ROCK	6" - 8", FOR FILTER FABRIC SEE DETAIL L.2
1005-6002		304 CY	FRACTURED ROCK	8" - 10", FOR FILTER FABRIC SEE DETAIL L.2
1005-6003		165 CY	NATIVE GRAVEL	3/4" NATIVE TEXAS EARTH TONE RIVER ROCK GRAVEL, FOR FILTER FABRIC SEE DETAIL L.2
1002-6002	(A)	10 EA	TEXAS MOSS BOULDER	36" DARK BROWN, LIGHT BROWN SHADES
1002-6003	(B)	14 EA	TEXAS MOSS BOULDER	24" DARK BROWN, LIGHT BROWN SHADES

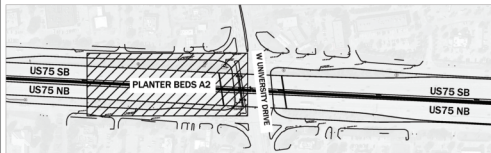
LEGEND

KEY	DESCRIPTION
	EXISTING CONCRETE LANDSCAPE EDGE
	EXISTING TREES TO BE PROTECTED IN PLACE
	EXISTING SIGNAGE
	EXISTING LIGHT POLE
	DRAIN INLET
	MANHOLE
	LUMINAIRE TO BE REPLACED



KEY MAP

SCALE: 1" = 600'



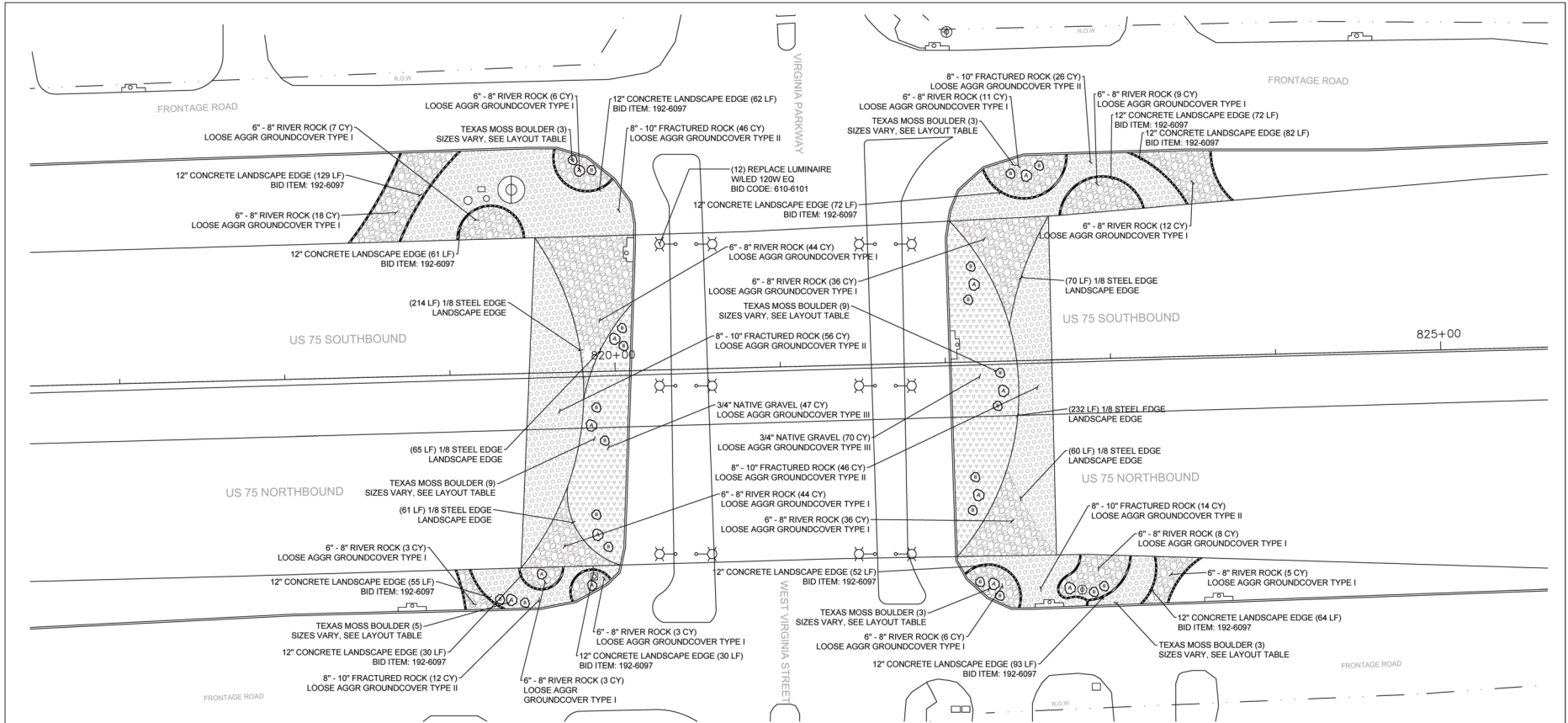
Signature of Registrant _____ P.L.A. & Date _____

Texas Department of Transportation © 2022

**LANDSCAPE LAYOUT
PLANTER BED A2**

SCALE: 1" = 60'		PROJECT NO.		2 OF 3
DESIGN AV	FED. RD. DIV. NO. 6	(SEE TITLE SHEET)		HIGHWAY NO. US 75
GRAPHICS AV	STATE	DISTRICT	COUNTY	SHEET NO.
CHECK	TEXAS	DALLAS	COLLIN	32
CHECK	CONTROL	SECTION	JOB	
	0047	14	087	

ATTACHMENT A



NOTE:

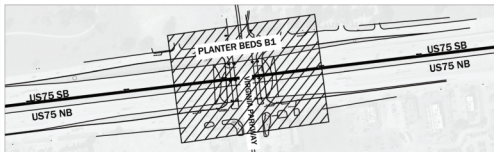
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CONTRACTOR IS RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND UTILITY BOXES ON SITE

IF LANDSCAPE MATERIAL LAYOUT IS IN CONFLICT WITH EXISTING UTILITIES THEN THE CONTRACTOR IS RESPONSIBLE FOR MOVING LANDSCAPE MATERIAL LAYOUT TO GO AROUND UTILITIES

REPLACE 12 EXISTING HPS UNDERPASS LUMINAIRES AT VIRGINIA PARKWAY AND US 75 WITH 150W EQ LED LUMINAIRES ON THE MPL

KEY MAP



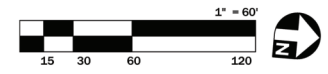
SCALE: 1" = 60'

LANDSCAPE LAYOUT LEGEND

BID ITEM	KEY	QTY	NAME	NOTES/DESCRIPTION
1005-6004		261 CY	RIVER ROCK	6" - 8", FOR FILTER FABRIC SEE DETAIL L.2
1005-6002		200 CY	FRACTURED ROCK	8" - 10", FOR FILTER FABRIC SEE DETAIL L.2
1005-6003		117 CY	NATIVE GRAVEL	3/4" NATIVE TEXAS EARTH TONE RIVER ROCK GRAVEL FOR FILTER FABRIC SEE DETAIL L.2
192-6097		802 LF	12" CONCRETE LANDSCAPE EDGE	12" WIDTH, #3 REBAR, SEE DETAIL L.1
192-6015		702 LF	1/8" STEEL EDGING	LANDSCAPE EDGE, SEE DETAIL L.2
1002-6002		13 EA	TEXAS MOSS BOULDER	36" DARK BROWN, LIGHT BROWN SHADES
1002-6003		22 EA	TEXAS MOSS BOULDER	24" DARK BROWN, LIGHT BROWN SHADES

LEGEND

KEY	DESCRIPTION
	EXISTING CONCRETE LANDSCAPE EDGE
	EXISTING TREES TO BE PROTECTED IN PLACE
	EXISTING SIGNAGE
	EXISTING LIGHT POLE
	DRAIN INLET
	MANHOLE
	LUMINAIRE TO BE REPLACED



Texas Department of Transportation © 2022

**LANDSCAPE LAYOUT
PLANTER BED B1**

SCALE: 1" = 60'				3 OF 3
DESIGN AV	FED. RD. DIV. NO. 6	PROJECT NO. (SEE TITLE SHEET)	HIGHWAY NO. US 75	
GRAPHICS AV	STATE	DISTRICT COUNTY	SHEET NO.	
CHECK	TEXAS	DALLAS COLLIN		33
CHECK	CONTROL SECTION	JOB		
	0047	14 087		

Signature of Registrant & Date