



**24-1665**

**TITLE:** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with Cobb, Fendley & Associates, Inc. and Any Necessary Supplemental Agreements for ROW Acquisition Services Serving the SH 5 Utility Relocation - Phase II Project

**COUNCIL GOAL:** Operational Excellence  
(2B: Balance available resources to accommodate the growth and maintenance needs of the city)

**MEETING DATE:** June 18, 2024

**DEPARTMENT:** Development Services / Engineering

**CONTACT:** Gary Graham, PE, PTOE, Director of Engineering  
Todd Wright, Real Estate Acquisitions Administrator

**RECOMMENDED CITY COUNCIL ACTION:**

- Approval of Resolution.

**ITEM SUMMARY:**

- This Resolution authorizes the City Manager to execute a contract in the amount of \$376,200, as well as all necessary supplemental agreements thereto, with Cobb, Fendley & Associates, Inc. for ROW Acquisition Services serving the SH 5 Utility Relocation - Phase II (WA2266 and WW2266) Project, for a total aggregate contract amount, inclusive of any supplemental agreements, not to exceed \$451,440.

**BACKGROUND INFORMATION:**

- The design contract for the SH 5 Utility Relocations - Phase II (WA2266 and WW2266) project was awarded at the February 21, 2023 City Council meeting.
- The project consists of the relocation of water and sewer lines, located along State Highway 5 between Power House Street and State Highway 121, in advance of the widening of the roadway by TXDOT resulting in the need to acquire Permanent Water, Sewer and Temporary Construction Easements on

privately owned properties.

- Kimley-Horn and Associates, Inc. is currently under contract with the City for professional consulting engineering services related to the SH 5 Utility Relocations - Phase II (Power House Street to SH 121) Project (CIP Projects WA2266 and WW2266).
- Construction of roadway improvements by TxDOT is anticipated to begin in early 2026 and the City's relocation of utility mains is expected to be substantially completed prior to commencement of TxDOT construction.
- ROW Acquisition services will be required for the project to ensure the timely acquisition of easements necessary to the project. There are currently thirty-eight (38) properties identified as necessary to the project for easement acquisitions.
- Cobb, Fendley & Associates, Inc. submitted a response to RFQ 21-41 for On-Call Roadway Professional Services
- Cobb, Fendley & Associates, Inc. was requested to submit a proposal for the ROW Acquisition services based upon their experience and ability to devote the resources necessary to complete the acquisitions in advance of the construction of the project. Cobb, Fendley & Associates, Inc. has performed successfully in a similar capacity on numerous similar projects for other municipalities.
- Cobb, Fendley & Associates, Inc. has submitted a proposal for their professional services in the amount of \$376,200 - an average of approximately \$9,900 per acquisition which is within industry standards for similar type projects.
- The proposal includes everything necessary to acquire easements on up to 38 properties identified as necessary to the project for easement acquisitions. A contingency amount of \$75,240 has been provided in the contract in case of any unforeseen project needs related to the ROW Acquisition services.

#### **FINANCIAL SUMMARY:**

- The Resolution authorizes a professional services contract with Cobb, Fendley & Associates, Inc. for an amount not to exceed \$451,440. Professional Services under this contract will utilize the following projects and funding accounts:
  - Project WA2266 - Account 20 - Water (75.0%) - \$338,580.00.
  - Project WW2266 - Account 20 - Wastewater (25.0%) - \$112,860.00.
- With the approval of this item, \$16,497,670 will remain in Project WA2266.
- With the approval of this item, \$2,465,890 will remain in Project WW2266.

#### **BOARD OR COMMISSION RECOMMENDATION:**

- N/A

**SUPPORTING MATERIALS:**

[Resolution](#)

[Location Map](#)