



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
[www.cityofdenton.com](http://www.cityofdenton.com)

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Procurement  
**DCM:** David Gaines  
**DATE:** August 2, 2022

### **SUBJECT**

Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a Professional Services Agreement between the City of Denton and Freese and Nichols, Inc., amending the contract approved by Purchasing on October 8, 2021, in the not-to-exceed amount of \$47,850.00; said first amendment to provide additional on-call stormwater services for the Capital Projects/Engineering Department; providing for the expenditure of funds therefor; and providing an effective date (File 7599-002 – providing for an additional first amendment expenditure amount not-to-exceed \$93,000.00, with the total contract amount not-to-exceed \$140,850.00).

### **INFORMATION/BACKGROUND**

An on-call contract with Freese and Nichols was executed on 10/8/2021 to assist the City with issues requiring stormwater expertise after the departure of the City's Stormwater Engineer. The original contract was structured to not-to-exceed \$47,850. This contract is intended to provide various stormwater engineering support services to City departments until the Stormwater Engineer position is filled. The City has utilized this contract for routine items such as development review, review of Federal Emergency Management Agency (FEMA) submittals for floodplain revisions, operations and maintenance recommendations, etc.

This contract is also being used to assist on larger-scale projects, such as the Community Rating System (CRS) cycle verification visit. The CRS is a voluntary incentive program that recognizes and encourages community floodplain management practices that exceed the minimum requirements of the National Flood Insurance Program (NFIP). By participating in this program, the City is able to secure a percentage reduction in flood insurance premiums for residents. With the assistance of Freese and Nichols, the Capital Projects/Engineering Department is working to improve the City's CRS score and decrease flood insurance premiums for residents. These items have largely depleted the initial contract funding, and the City has not yet received any qualified applicants for the Stormwater Engineer position. This contract value now needs to be increased due to the Stormwater Engineer position remaining vacant longer than anticipated.

This first amendment will ensure that important projects such as the CRS continue to move forward and that the Capital Projects/Engineering Department will continue to be able to provide stormwater expertise when needed for the City. Capital Projects/Engineering requests to add an additional \$93,000 to the total contract amount. This amount is estimated to cover services through October 2023.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On October 8, 2021, Purchasing approved the Professional Services Agreement with Freese and Nichols, Inc., in the not-to-exceed amount of \$47,850.

On August 8, 2022, this item will go to the Public Utilities Board (PUB) for recommendation.

## **RECOMMENDATION**

Award Amendment No. 1 with Freese and Nichols, Inc., for additional on-call stormwater engineering services for the Capital Projects/Engineering Department, in a not-to-exceed amount of \$93,000, for a total amended contract amount of \$140,850.

## **PRINCIPAL PLACE OF BUSINESS**

Freese and Nichols, Inc.  
Fort Worth, TX

## **ESTIMATED SCHEDULE OF PROJECT**

This contract will provide on-call stormwater services until October 2023.

## **FISCAL INFORMATION**

These services will be funded from Flood Assessment account 840500.7879. Purchase Order #198022 will be revised in the amount of \$50,000. The total amount of this contract is \$140,850.

## **EXHIBITS**

Exhibit 1: Agenda Information Sheet  
Exhibit 2: Original Contract  
Exhibit 3: Ordinance and First Amendment

Respectfully submitted:  
Lori Hewell, 940-349-7100  
Purchasing Manager

For information concerning this acquisition, contact: Michael Linder, 940-349-8942.

Legal point of contact: Marcella Lunn at 940-349-8333.