



# City of Mesquite, Texas

## Text File

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### Title

Authorize the City Manager to finalize and execute Amendment No. 3 with Freese and Nichols, Inc., for additional design and preparation of construction documents for the Palos Verdes Dam Modifications project in the amount of \$36,293.00.

### Body

City Council approved the original contract for the modifications to the Palos Verdes Lake and Dam in the amount of \$61,500.00 on October 4, 2010. Contract Amendment No. 1 for additional downstream drainage and site improvements was approved by City Council in the amount of \$74,300.00 on September 8, 2015. The City Manager approved Amendment No. 2 for the development of an accounting plan for the water rights permits applications, as required by the Texas Commission on Environmental Quality (TCEQ), in the amount of \$17,000.00 on May 11, 2016. Since approval of Amendment No. 2, the City of Dallas protested the City of Mesquite's draft water right permits for City Lake and Lake Palos Verdes. Freese and Nichols, Inc., in conjunction with the City of Mesquite, coordinated and negotiated with the City of Dallas, revised the draft water rights permit applications and accounting plan and submitted them to the City of Dallas for review. On Tuesday, September 4, 2018, the City of Dallas concurred with the adjustments to allow submission of the finalized accounting plan and memorandum to TCEQ.

In addition to the submission of the finalized accounting plan and memo, this amendment will provide for additional compensation for the following items added to the project scope of the original design contract:

- Preparation of a 30 percent Plan Submittal
- Additional Design for a Modular Block Wall
- ADA Investigations for Parking Lot Improvements
- Fee Adjustment per Section 4.7 "Delay" in the Original Contract

### Financial Implications

This project will be funded with 4B and Drainage Utility District (DUD) funds.

### Recommended/Desired Action

Staff recommends approval of Amendment No. 3 with Freese and Nichols, Inc.

### Drafter

Curtis J. Cassidy, P.E.

**Head of Department**

Matthew Holzapfel, P.E.