



**Agenda**  
**Prosper Town Council Meeting**  
Prosper Town Hall, Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, October 22, 2024  
**6:15 PM**

Welcome to the Prosper Town Council Meeting.

Citizens may watch the meeting live by using the following link: [www.prospertx.gov/livemeetings](http://www.prospertx.gov/livemeetings)

**Addressing the Town Council:**

Those wishing to address the Town Council must complete the Public Comment Request Form located on the Town's website or in the Council Chambers.

**If you are attending in person**, please submit this form to the Town Secretary or the person recording the minutes for the Board/Commission prior to the meeting. When called upon, please come to the podium, and state your name and address for the record.

**If you are watching online**, please submit this form to the Town Secretary prior to 4:00 p.m. on the day of the meeting in order for your comments to be read into the record. The Town assumes no responsibility for technical issues beyond our control.

In compliance with the Texas Open Meetings Act, the Town Council/Board/Commission may not deliberate or vote on any matter that does not appear on the agenda. The Council/Board/Commission, however, may provide statements of fact regarding the topic, request the topic be included as part of a future meeting, and/or refer the topic to Town staff for further assistance.

Citizens and other visitors attending Town Council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Town Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Town Council or while attending the meeting shall be removed from the room, if so directed by the Mayor or presiding officer, and the person shall be barred from further audience before the Town Council during that session. Disruption of a public meeting could constitute a violation of Section 42.05 of the Texas Penal Code.

**Call to Order/ Roll Call.**

**Invocation, Pledge of Allegiance and Pledge to the Texas Flag.**

**Announcements of recent and upcoming events.**

**CONSENT AGENDA:**

Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.

- 1.** Consider and act upon the minutes from the October 8, 2024, Town Council Work Session meeting. (MLS)
- 2.** Consider and act upon the minutes from the October 8, 2024, Town Council Regular meeting. (MLS)

- [3.](#) Consider and act upon a resolution adopting the Town of Prosper 2025 Legislative Agenda. (RB)
- [4.](#) Consider and act upon a resolution authorizing the Town Manager, and/or his/her designee, to apply for the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program and consider and act upon authorizing the Town Manager, and/or his/her designee, to accept the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program upon award. (DK)
- [5.](#) Consider and act upon a resolution authorizing the Town Manager, and/or his/her designee, to apply for the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program and consider and act upon authorizing the Town Manager, and/or his/her designee, to accept the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program upon award. (DK)
- [6.](#) Consider and act upon approving the purchase of mobile and portable radios through the Texas Department of Information Resources (DIR) Contract #22198-TX DIR TSO-4101 for \$91,626. (SB)
- [7.](#) Consider and act upon approving the purchase of two 2024 Ford F150 Trucks and one Ford F250 Truck for \$175,186 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No.210907. (SB)
- [8.](#) Consider and act upon approving the purchase of water meters from Core & Main for \$566,625 and authorizing the Town Manager to execute the same. (CJ)
- [9.](#) Consider and act upon approving the purchase of two (2) 2025 Ford F-450 Crew Cab trucks for \$172,071 for Public Works from Silsbee Ford utilizing The Interlocal Purchasing Systems (TIPS) Contract. (CJ)
- [10.](#) Consider and act upon approving the purchase of one 2025 Ford F250 Truck and one 2025 Ford F550 Truck with enclosed cab for \$178,294 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No. 210907. (DB)

### **CITIZEN COMMENTS**

The public is invited to address the Council on any topic. However, the Council is unable to discuss or take action on any topic not listed on this agenda. Please complete a "Public Comment Request Form" and present it to the Town Secretary prior to the meeting. Please limit your comments to three minutes. If multiple individuals wish to speak on a topic, they may yield their three minutes to one individual appointed to speak on their behalf. All individuals yielding their time must be present at the meeting, and the appointed individual will be limited to a total of 15 minutes.

### **REGULAR AGENDA:**

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. [If you wish to address the Council, please fill out a "Public Comment Request Form" and present it to the Town Secretary, preferably before the meeting begins.]

### **Items for Individual Consideration:**

- [11.](#) Conduct a public hearing and consider and act upon a request to amend Planned Development-59 on Twin Creeks Ranch, Phases 1-2, on 40.9± acres, to accommodate

the reconfiguration of the wall and the landscaping between the subdivision and Frontier Parkway. (ZONE-24-0011) (DH)

12. Consider and act upon approving a Guaranteed Maximum Price (GMP) Amendment between Pogue Construction Co., L.P., and the Town of Prosper, related to the Fire Station 4 project for \$11,610,004 with a total project cost not to exceed \$13,814,000. (SB)
13. Discuss and consider Town Council Subcommittee reports. (DFB)

**Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.**

**EXECUTIVE SESSION:**

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

*Section 551.087 – To discuss and consider economic development incentives and all matters incident and related thereto.*

*Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.*

*Section 551.074 – To discuss and consider personnel matters and all matters incident and related thereto.*

*Section 551.071 - To consult with the Town Attorney regarding legal issues associated with code enforcement activities and substandard structures, and all matters incident and related thereto.*

**Reconvene in Regular Session and take any action necessary as a result of the Closed Session.**

**Adjourn.**

**CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, October 18, 2024, and remained so posted at least 72 hours before said meeting was convened.

\_\_\_\_\_  
Michelle Lewis Sirianni, Town Secretary

\_\_\_\_\_  
Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

**NOTICE**

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

**NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:** The Prosper Town Council meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1073 at least 48 hours prior to the meeting time.



## MINUTES

Item 1.

**Prosper Town Council Work Session**  
Prosper Town Hall – Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, October 8, 2024

### **Call to Order/ Roll Call.**

The meeting was called to order at 5:00 p.m.

#### **Council Members Present:**

Mayor David F. Bristol  
Mayor Pro-Tem Marcus E. Ray  
Deputy Mayor Pro-Tem Amy Bartley  
Councilmember Craig Andres  
Councilmember Chris Kern  
Councilmember Jeff Hodges  
Councilmember Cameron Reeves

#### **Staff Members Present:**

Mario Canizares, Town Manager  
Terry Welch, Town Attorney  
Michelle Lewis Sirianni, Town Secretary  
Bob Scott, Deputy Town Manager  
Chuck Ewings, Assistant Town Manager  
Robyn Battle, Executive Director  
David Hoover, Development Services Director

### **EXECUTIVE SESSION:**

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

*Section 551.087 – To discuss and consider economic development incentives and all matters incident and related thereto.*

*Section 551.072 – To discuss and consider the purchase, exchange, lease, or value of real property for municipal purposes and all matters incident and related thereto.*

*Section 551.074 – To discuss and consider personnel matters and all matters incident and related thereto.*

*Section 551.071 - To receive legal advice from the Town Attorney regarding various planned development legal issues and all matters incident and related thereto.*

*Section 551.071 – Consultation with the Town Attorney to discuss legal issues associated with any agenda item.*

The Town Council recessed into Executive Session at 5:02 p.m.

### **Reconvene into Work Session.**

The Town Council reconvened into the Work Session at 6:16 p.m.

No action was taken.

**Adjourn.**

The meeting was adjourned at 6:16 p.m.

These minutes were approved on the 22<sup>nd</sup> day of October 2024.

**APPROVED:**

\_\_\_\_\_  
David F. Bristol, Mayor

**ATTEST:**

\_\_\_\_\_  
Michelle Lewis Sirianni, Town Secretary

DRAFT



**MINUTES**  
**Prosper Town Council Meeting**  
Prosper Town Hall, Council Chambers  
250 W. First Street, Prosper, Texas  
Tuesday, October 8, 2024

**Call to Order/ Roll Call.**

The meeting was called to order at 6:17 p.m.

**Council Members Present:**

Mayor David F. Bristol  
Mayor Pro-Tem Marcus E. Ray  
Deputy Mayor Pro-Tem Amy Bartley  
Councilmember Craig Andres  
Councilmember Chris Kern  
Councilmember Jeff Hodges  
Councilmember Cameron Reeves

**Staff Members Present:**

Mario Canizares, Town Manager  
Terry Welch, Town Attorney  
Michelle Lewis Sirianni, Town Secretary  
Bob Scott, Deputy Town Manager  
Chuck Ewings, Assistant Town Manager  
Robyn Battle, Executive Director  
Chris Landrum, Finance Director  
Whitney Rehm, Budget Officer & Grants Administrator  
David Hoover, Development Services Director  
Hulon Webb, Engineering Director  
Pete Anaya, Assistant Engineering Director – Capital Projects  
Muya Mwangi, Help Desk Technician I  
Dan Baker, Parks & Recreation Director  
Carrie Jones, Public Works Director  
Todd Rice, Communications Director  
Doug Kowalski, Police Chief  
Scott Brewer, Assistant Police Chief  
Aidan Daily, Police Crime Analyst  
Stuart Blasingame, Fire Chief

**Invocation, Pledge of Allegiance and Pledge to the Texas Flag.**

Bob Scott, Deputy Town Manager led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

**Announcements of recent and upcoming events.**

Councilmember Reeves made the following announcements:

Thank you to everyone who joined us for “Celebrate Prosper” this past Saturday. A special thank you to the Parks and Recreation Department, our volunteers, and all those who were involved in making it a great event.

Join fellow active adults 55+ to meet and greet Mayor Bristol at the annual Mayor's luncheon on Wednesday, October 16 from 11 a.m. to 1 p.m. at the Church of Jesus Christ of Latter-Day Saints located at 970 N. Coit Road. Reserve your seat by contacting the Parks and Recreation Department at 972-569-1064.

Join the Prosper Community Library on Monday, October 28 from 6:00 to 7:00 p.m. for a Trick or Treat event designed especially for children with special needs and their families. Staff will provide non-food items on both floors of the library. Wheelchairs are welcome with the use of the elevator and costumes are not mandatory. The event is open to all ages.

Join the Town for its annual Arbor Day Celebration on Friday, November 1 at 5:00 p.m. at Frontier Park. The Parks Operations staff will demonstrate proper planting techniques and the care and feeding of plants. Thank you to Day Star Landscapes for sponsoring this year's event.

Registration is now open for the annual Prosper Veterans Day Honor Run. Join us on Saturday, November 9, as we salute the men and women who have served in our nation's military. This year the event has been extended to include a 5K, a 10K, and a fun run. Events are open to runners and walkers of all ages. All proceeds benefit the Prosper Veterans Memorial at Frontier Park. Register today by visiting [prospertx.gov/veteransday5k](http://prospertx.gov/veteransday5k).

### **CONSENT AGENDA:**

Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda at the request of Council Members or staff.

1. **Consider and act upon the minutes from the September 24, 2024, Town Council Regular meeting. (MLS)**
2. **Consider and act upon authorizing the Town Manager to execute an agreement with Medical City of Plano for Medical Control and Continuing Education Services for \$86,625. (SB)**
3. **Consider and act upon approving the purchase of pharmaceuticals and emergency medical supplies from Bound Tree Medical, LLC, at the unit prices bid through a City of Richardson contract in an amount not to exceed \$125,000. (SB)**
4. **Consider and act upon approving funding for expenses of scheduled and unscheduled maintenance and repairs by Siddons-Martin Emergency Group, LLC for the Fire Department apparatus including fire engines and aerial trucks in an amount not to exceed \$150,000. (SB)**
5. **Consider and act upon approving the purchase of uniforms and equipment from Galls, LLC through the North Texas Share First Responder Uniforms Contract #2021-073 in an amount not to exceed \$90,000. (SB)**
6. **Consider and act upon approving the purchase of one (1) new Caterpillar Inc. model: 303.5 compact construction mini-excavator (mini-ex) for the Stormwater Division of Public Works for \$73,644. (CJ)**
7. **Consider and act upon authorizing the Town Manager to execute documents for the emergency repair of the signalized intersection at Frontier Parkway and Dallas North Tollway for \$63,200. (CJ)**



8. Consider and act upon Ordinance 2024-65 establishing a no-parking zone on Chaucer Drive from First Street to Clearwater Drive and Winsor Drive from First Street to Clearwater Drive. (HW)
9. Consider and act upon authorizing the Town Manager to execute a Construction Agreement awarding CSP No. 2024-32-B to WG Engineering & Construction, LLC, related to the Traffic Signal at Gee Road and Acacia Parkway project, for \$454,478. (PA)
10. Consider and act upon Resolution 2024-66 authorizing the Town Manager to execute a Local On-System Improvement Project Agreement between the Texas Department of Transportation (TxDOT), and the Town of Prosper, Texas, related to the design and construction of the FM 1385 at Magnolia traffic signal, in the amount of \$440,004. (HW)
11. Consider and act upon authorizing the Town Manager to execute a License, Maintenance & Hold Harmless Agreement between The Tavern on Broadway, LLC, and the Town of Prosper relative to Silo Park Addition, Block A, Lot 3. (DH)

Mayor Bristol requested to pull item 9.

Mayor Pro-Tem Ray requested to pull item 8.

Councilmember Hodges made a motion to approve consent agenda items 1 through 7, 10, and 11. Mayor Pro-Tem Ray seconded the motion. Motion carried unanimously.

*Councilmember Andres left the dais.*

Item 8, Mayor Pro-Tem Ray asked if Clearwater Way was considered as part of the no-parking zone. Mr. Webb noted the focus at this time is the entrances; however, if the issue shifts to this street, the HOA is prepared to gather the information needed from the residents to have the street added.

Item 9, Mayor Bristol asked about the process of the bid criteria including the differences in the timelines to complete the project from each bid received. Mr. Anaya commented on the bids the Town received based on the criteria set, and the ranking and evaluation matrix of each bid. Based on these criteria, the Town selected the company based on the number of days to complete the project.

Councilmember Reeves made a motion to approve items 8 and 9. Deputy Mayor Pro-Bartley seconded the motion. Motion carried unanimously.

*Councilmember Andres returned to the dais.*

## **CITIZEN COMMENTS**

Morrie Gamini with Roadway Solutions noted his opposition to agenda item 9 and requested the Town Council to reconsider. He commented that his company was the lowest bidder and was not contacted by the Town to consider or negotiate if the number of completion days could be altered.

Susan Periquet, 750 Foxfield Court, spoke concerning item 13. Her house backs up to the area where the Town is considering additional parking. She and a few of her neighbors have met with

staff regarding solutions to protect their view from their backyards. They would like to request additional trees, a berm, and/or a variance from the Town's ordinances to change their privacy fence.

**Items for Individual Consideration:**

- 12. Consider and act upon authorizing the Town Manager to execute Amendment #1 to a Letter Agreement between the Town of Prosper and Olsson Studio related to preparation of Construction Documents for the Downtown Monumentation Project for an amount not to exceed \$92,700. (RB)**

Ms. Battle introduced the item and Mr. Chris Calahan, Senior Landscape Architect, provided an overview of the proposed monumentation, which included seven lighted archway structures, locations, future monuments, and costs associated with the project. Ms. Battle noted the Downtown Advisory Committee is recommending a phasing plan and reaffirmed the recommendation to proceed with the preparation of construction documents after receiving the updated cost proposal. The estimated date of completion for the Construction documents is February 2025. Upon approval of this item, funding will need to be identified, and the Town will solicit bids from qualified vendors.

Deputy Mayor Pro-Tem Bartley asked if the construction documents would take into account future roadway widening projects in this area. Ms. Battle noted staff will work in coordination with Olsson Studio and the other designated architect when the road projects are being completed to ensure they are done in conjunction with one another.

Mayor Pro-Tem Ray made a motion to approve authorizing the Town Manager to execute Amendment #1 to a Letter Agreement between the Town of Prosper and Olsson Studio related to preparation of Construction Documents for the Downtown Monumentation Project for an amount not to exceed \$92,700. Councilmember Hodges seconded the motion. Motion carried unanimously.

Mayor Bristol moved item 14 before 13.

- 14. Discussion regarding the timing of a 2025 November Bond Election process. (RBS)**

Mr. Scott provided an overview and timing of a proposed 2025 Bond Election to ensure a thorough review and prioritization of projects before the deadline for calling the election.

- 13. Consider and act upon approving Change Order No. 1 for CSP No. 2023-34-B, (Lakewood Park Construction) to Ratliff Hardscape related to the construction of an additional 52-space parking lot including subbase materials, striping, signage, and an evergreen screen, Zap Stand pad and electrical service, and a four-foot fence extension with windscreen around four pickleball courts for \$411,819. (DB)**

Mr. Baker presented an overview of the components in the change order and the consideration of additional parking spaces on the south side of the existing lot. The parking lot expansion was presented to the CIP Subcommittee and the Parks and Recreation Board. Both recommended approval with the Park Board recommending additional conditions. Mr. Baker presented the concerns raised by the residents and noted their requests if the item should be approved by the Town Council.

The Town Council discussed the additional landscaping requested, the overall impact of its screening and location, and concerns about the overall number of parking spaces based on the park amenity uses.

Deputy Mayor Pro-Tem Bartley made a motion to approve as presented with the addition of the landscaping items recommended by the Parks and Recreation Board to include a living screen consisting of larger Nellie R Stevens hollies, allowing the grass south of the parking lot to be managed a a taller height, plant wildflowers, and allow the area to be mowed in a manner consistent with a natural area. Councilmember Reeves seconded the motion. Motion carried unanimously.

**15. Discuss and consider Town Council Subcommittee reports. (DFB)**

Legislative Subcommittee: Ms. Battle noted the committee has drafted a 2025 agenda with key areas of focus which will be presented to the Council at an upcoming meeting for approval.

Community Engagement Committee: Deputy Mayor Pro-Tem Bartley noted the committee is looking at the calendar of events and looking to combine, shuffle, and refine the list. Councilmember Hodges added the committee also is working on a historical marker project.

**Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.**

Deputy Mayor Pro-Tem Bartley requested the continuance of enforcement of the Town's policy on landscaping and replacement of dead materials.

**EXECUTIVE SESSION:**

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

*Section 551.087 – To discuss and consider economic development incentives and all matters incident and related thereto.*

*Section 551.072 – To discuss and consider the purchase, exchange, lease, or value of real property for municipal purposes and all matters incident and related thereto.*

*Section 551.074 – To discuss and consider personnel matters and all matters incident and related thereto.*

*Section 551.071 – To consult with the Town Attorney regarding legal issues associated with code enforcement activities and substandard structures, and all matters incident and related thereto.*

*Section 551.071 - To consult with the Town Attorney regarding BFS Real Estate LLC, et al., v. Town of Prosper, et al., pending in the 471st Judicial District Court of Collin County, Texas; discuss and consider legal issues regarding traffic ordinances; and all matters incident and related to the foregoing.*

The Town Council recessed into Executive Session at 7:32 p.m.

**Reconvene in Regular Session and take any action necessary as a result of the Closed Session.**

The Town Council reconvened into Regular Session at 8:55 p.m.

No action was taken.

**Adjourn.**

The meeting was adjourned at 8:55 p.m.

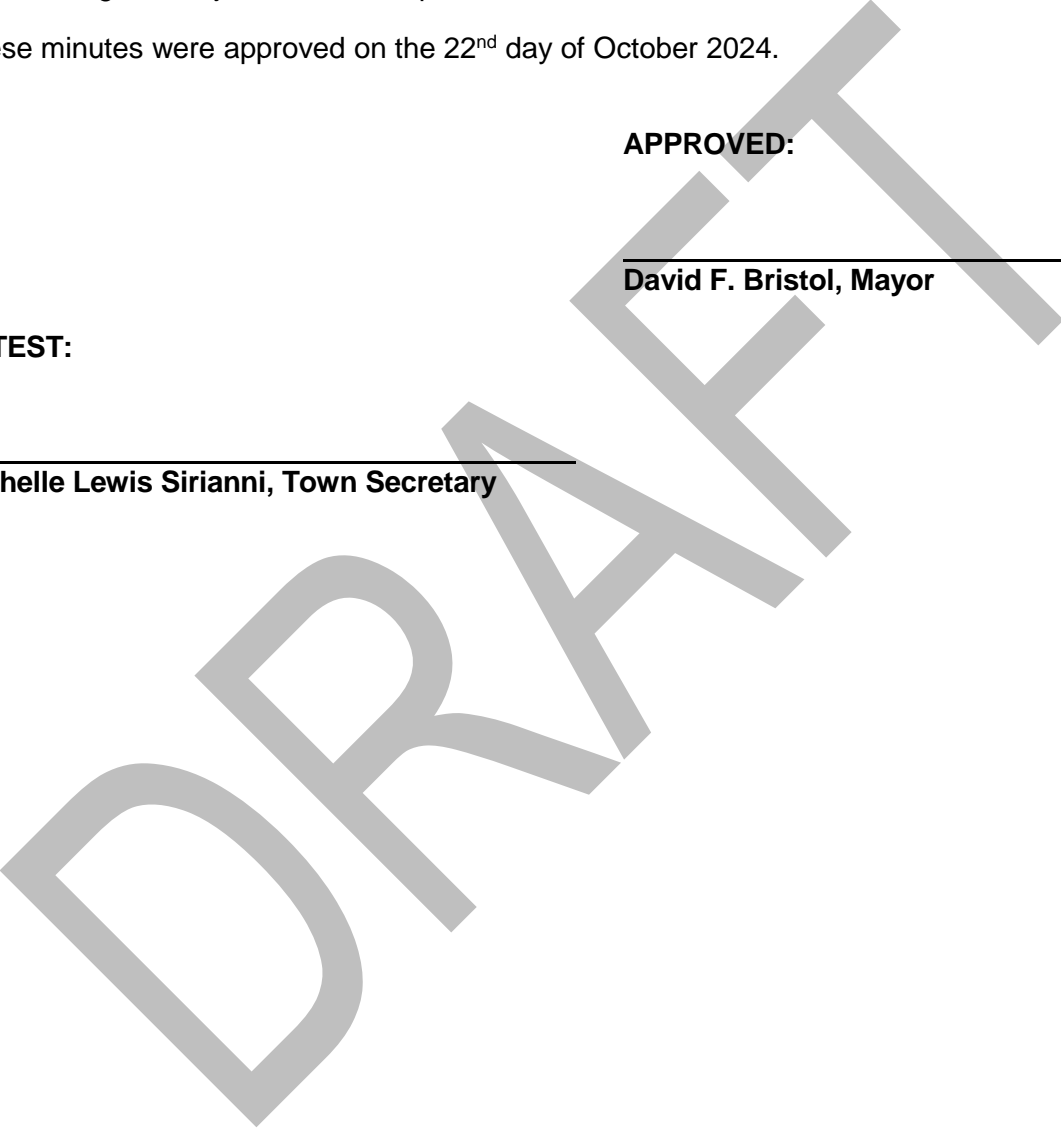
These minutes were approved on the 22<sup>nd</sup> day of October 2024.

**APPROVED:**

\_\_\_\_\_  
**David F. Bristol, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michelle Lewis Sirianni, Town Secretary**





## COMMUNICATIONS

**To: Mayor and Town Council**

**From: Robyn Battle, Executive Director**

**Through: Mario Canizares, Town Manager**

**Re: 2025 Legislative Agenda**

**Town Council Meeting – October 22, 2024**

**Strategic Visioning Priority: 4. Provide Excellent Municipal Services**

**Agenda Item:**

Consider and act upon a resolution adopting the Town of Prosper 2025 Legislative Agenda.

**Description of Agenda Item:**

With the 89<sup>th</sup> Texas legislative session approaching in early 2025, the Town has an opportunity to define for our legislative delegation the topics and initiatives that are most important to Prosper. The proposed Legislative Agenda includes issues that have been previously identified by the Town Council as top priorities for the Town and includes recommendations from Town staff. The Legislative Agenda is comprised of two sections. The Legislative Philosophy explains the overall purpose and guiding principles of the document. The Legislative Priorities section establishes the Town's position on key legislative issues. The draft Legislative Agenda was presented to the Council Legislative Subcommittee for discussion on October 8, 2023.

The Legislative Agenda is to be used to clearly explain the Town's position on critical issues with the legislative delegation and others. It is intended to provide guidance to the Town's legislators on how they can best represent Town of Prosper residents and stakeholders in the upcoming legislative session.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has previously approved the attached resolution as to form and legality.

**Attached Documents:**

1. Resolution
2. 2025 Legislative Agenda

**Town Staff Recommendation:**

Town Staff recommends the Council approve a resolution adopting the Town of Prosper 2025 Legislative Agenda.

**Proposed Motion:**

I move to approve a resolution adopting the Town of Prosper 2025 Legislative Agenda.

Item 3.

## TOWN OF PROSPER, TEXAS

## RESOLUTION NO. 2024-\_\_

**A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, APPROVING THE TOWN'S LEGISLATIVE AGENDA FOR THE 89<sup>TH</sup> TEXAS LEGISLATIVE SESSION; AUTHORIZING CERTAIN PERSONS TO REPRESENT AND COMMUNICATE THE TOWN'S LEGISLATIVE INTERESTS; AUTHORIZING THE MAYOR AND TOWN MANAGER TO SIGN ALL LETTERS, PETITIONS, AND/OR OTHER DOCUMENTS ON BEHALF OF THE TOWN TO PROMOTE THE TOWN'S LEGISLATIVE AGENDA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the 89<sup>th</sup> Texas Legislature convenes in January 2025; and

**WHEREAS**, the Texas Legislature and its administrative agencies will consider many measures and actions that may affect the Town of Prosper, Texas; and

**WHEREAS**, Town staff has prepared and recommends approval of the Town of Prosper 2025 Legislative Agenda, attached hereto as Exhibit "A"; and

**WHEREAS**, the Town Council finds that the 2025 Legislative Agenda represents the issues and priorities that are in the best interest of the Town and its citizens, should be adopted, and should be forwarded to the Town's legislative delegation for consideration; and

**WHEREAS**, the Town Council is of the further opinion that the Mayor, the Town Manager and/or the Town Manager's designee should be authorized and directed to take action with regard to the 2025 Legislative Agenda as outlined below.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:**

**SECTION 1**

The Town of Prosper 2025 Legislative Agenda, attached hereto as Exhibit "A," is hereby adopted and approved.

**SECTION 2**

The Mayor, the Town Manager, and/or the Town Manager's designee are authorized to communicate the items included in the Town's Legislative Agenda to members of the Texas Legislature, in general, and/or to the appropriate legislative committees, committee members, and other persons or groups that may influence the 89<sup>th</sup> Legislative Session.

**SECTION 3**

For those items designated as "support," the Mayor, the Town Manager and/or the Town Manager's designee are directed to actively pursue passage of the appropriate legislation if it is introduced by some other entity. Efforts to obtain passage of the legislation may include drafting

appropriate legislation, seeking a legislative sponsor, and actively pursuing passage of such legislation by providing testimony and through other means.

**SECTION 4**

For those items designated as “oppose,” the Mayor, Town Manager, and/or the Town Manager’s designee are directed to oppose the passage of any such legislation.

**SECTION 5**

The Mayor and the Town Manager are specifically authorized to sign any and all letters, petitions, and/or other documents on behalf of the Town in order to promote the Town’s 2025 Legislative Agenda.

**SECTION 6**

When testimony before various committees is needed to support or oppose a bill, the Mayor, the Town Council Members, the Town Manager, or the Town Manager’s designee are authorized to testify so long as the testimony is consistent with the approved 2025 Legislative Agenda.

**SECTION 7**

This Resolution shall become effective from and after its passage.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS THE 22<sup>ND</sup> DAY OF OCTOBER, 2024.**

**APPROVED:**

\_\_\_\_\_  
**David F. Bristol, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michelle Lewis Sirianni, Town Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Terrence S. Welch, Town Attorney**



## **TOWN OF PROSPER 2025 LEGISLATIVE AGENDA**

### **LEGISLATIVE PHILOSOPHY**

The following Legislative Agenda represents the Town of Prosper's legislative priorities for the 89<sup>th</sup> Texas Legislative Session and establishes the Town's position on key legislative issues. The Town of Prosper is committed to providing efficient and effective municipal government services to its residents, businesses, visitors, and community stakeholders.

Municipalities represent the level of government that is closest to the people, and local officials are best equipped to determine the unique needs of their communities. Town of Prosper residents desire and expect exceptional municipal services. They want a high quality of life that is delivered through a beautiful and functional parks system, a variety of cultural amenities, exceptional public safety services, well-maintained roads, and outstanding Town facilities.

The Prosper Town Council has established the following Strategic Visioning Priorities to guide Prosper's growth into the future:

1. Acceleration of Infrastructure
2. Development of Downtown as a destination
3. Ensuring the Town's commercial corridors are ready for development
4. Continue to provide excellent municipal services
5. Work toward a growing and diversified tax base

The Town will support legislation that aligns with these priorities, protects home rule authority, advances the principles of local decision-making, and enhances the health, safety and welfare of its residents in the spirit of self-governance. Conversely, the Town will oppose legislation that preempts or erodes municipal authority on local matters or impedes the Town's ability to allocate resources to locally-determined projects and services.

Throughout this document, it is understood that a position statement supporting a legislative action also establishes opposition to legislative measures that would have the opposite effect.

### **LEGISLATIVE PRIORITIES**

#### **TRANSPORTATION AND INFRASTRUCTURE**

- Support legislation that provides funding for local transportation and infrastructure projects.
- Support legislation that provides funding to maintain and rehabilitate existing and aging infrastructure.
- Support legislation that promotes innovative financing tools and greater flexibility in the funding of the construction, rehabilitation, and maintenance of local transportation and infrastructure projects.
- Support legislation that promotes pay-as-you-go financing for capital projects.

## LAND DEVELOPMENT

- Support legislation that makes beneficial amendments to H.B. 2439 from the 86<sup>th</sup> legislative session (the building materials bill), which excessively prohibits the Town from regulating building products, materials, or methods used in the construction of residential and commercial structures.
- Support legislation that seeks to limit state intrusion in the land development process by making beneficial amendments to H.B. 3167 from the 86<sup>th</sup> legislative session regarding subdivision platting procedures (the 30-day shot clock bill).
- Oppose legislation that preempts or erodes municipal authority related to land use and zoning, short-term rentals, local amendments to building codes, local building permit fees, accessory dwelling units, lot size, and eminent domain.

## ECONOMIC DEVELOPMENT

- Support legislation that preserves all economic development programs and tools currently available under state law.
- Support legislation and programs that help municipalities attract and retain new and existing businesses.
- Support legislation that promotes new and innovative financing tools that would leverage state funds to create jobs.
- Support legislation that would maintain funding for grants and programs that improve workforce training.

## PUBLIC SAFETY

- Support legislation that strengthens the integrity, effectiveness, and transparency of local law enforcement.
- Support legislation that preserves qualified immunity for public safety personnel acting within the bounds of departmental policies and procedures in the performance of their official duties.
- Support legislation that clarifies the roles of state, county and municipal governments in emergency management, and their respective authority, powers, and duties during a local state of disaster.

## FISCAL MANAGEMENT

- Support legislation and administrative rules that provide for the fair and equitable distribution of local sales tax revenue.
- Support legislation that would preserve the Town's use of certificates of obligation (COs) to fund necessary capital projects, and for the debt from COs to continue to be funded from the Town's interest and sinking (I&S) tax rate.

- Oppose legislation that would erode the Town's ability to control, manage, and collect reasonable compensation for the use of municipal rights-of-way.
- Oppose legislation that imposes additional revenue caps or tax caps of any kind that restrict the Town's capacity to generate the revenue needed to provide the high level of municipal services expected by Town of Prosper residents.
- Oppose legislation that would erode local taxing authority, including measures that would restrict the use of existing revenue streams or substantially erode the tax base.
- Oppose legislation that reduces the ability of municipalities to provide economic and efficient methods of financing local purchases and projects, including limiting the Town of Prosper's ability to control and manage its debt.

### **BROADBAND ACCESS**

- Support legislation that treats broadband service as any other critical utility infrastructure to ensure consistent and sustainable availability and affordability for residents and businesses.
- Support legislation to incentivize and recognize the importance of broadband service and the application of technology solutions through grants, awards, and other means.
- Support legislation that develops plans and revenue sources needed for greater broadband connectivity to enhance public access to education, healthcare, employment, information, and services.

### **WATER RESOURCES**

- Support legislation that provides ample funding for developing affordable and reliable water resources across North Texas.
- Support legislation that provides funding for the construction, maintenance, and rehabilitation of new and aging water utility infrastructure.
- Support legislation that accelerates the permitting process for development of new water resources in North Texas, preserves water storage options, and advances viable projects in the statewide water plan.

### **RECREATIONAL AND CULTURAL RESOURCES**

- Support amendments to the hotel occupancy tax statute that allows the use of hotel occupancy tax (HOT) revenue for park and recreation infrastructure projects.
- Support legislation and programs that directly benefit public library services that support workforce, cultural, and educational programs.
- Oppose legislation that preempts or would otherwise erode municipal authority related to municipal parkland dedication ordinances and park improvement fees.

**OPEN GOVERNMENT**

- Support legislation that would allow required legal notices to be published on a municipality's website rather than requiring publication in an official newspaper.
- Support legislation that simplifies the budget and tax rate notification and adoption process with the goal of improving transparency.
- Support legislation that promotes increased flexibility to the Texas Open Meetings Act to allow for the expanded use of teleconference and videoconference technology in public meetings.

**ELECTIONS**

- Oppose legislation that eliminates the May or November uniform election dates.
- Oppose legislation that requires candidates for a Town office to declare party affiliation in order to run for office.

**PREEMPTION OF LOCAL AUTHORITY**

- Support legislation that preserves local authority for property taxation, budgeting, permitting, and zoning decisions.
- Oppose legislation that limits or prohibits the Town's current authority to use municipal funds to advocate or hire representatives to communicate with legislators or effectively participate in the legislative process on matters of public interest or pay dues to organizations or entities that advocate on the Town's behalf.
- Oppose legislation that provides for state preemption of municipal authority and/or creates unfunded mandates at the local level.



## POLICE DEPARTMENT

**To:** Mayor and Town Council

**From:** Whitney Rehm, Budget Officer & Grants Administrator

**Through:** Mario Canizares, Town Manager  
Doug Kowalski, Chief of Police

**Re:** FY2025 Rifle-Resistant Body Armor Grant Program

Town Council Meeting – October 22, 2024

**Strategic Visioning Priority: 4. Provide Excellent Municipal Services**

### **Agenda Item:**

Consider and act upon a resolution authorizing the Town Manager, and/or his designee, to apply for the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program and consider and act upon authorizing the Town Manager, and/or his/her designee, to accept the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program upon award, and to take any and all actions relating thereto. (DK)

### **Description of Agenda Item:**

The Office of the Governors' FY2025 Rifle-Resistant Body Armor Grant Program has awarded the Town of Prosper in the amount of \$14,858.44. This amount was administratively lowered by the OOG from the original request of \$46,500. This grant will provide funding for 120 rifle plates that work in conjunction with our law enforcement officers' vests and will ensure that the officers have added protection when conducting law enforcement operations, as these plates will stop rifle projectiles. Expenses related to this grant were requested and approved in the Town's FY25 budget, and the funding will partially offset those expenses.

This grant is funded at 100%. The Town of Prosper will be responsible to initially fund all expenses out of General Fund, and the State will reimburse the Town of Prosper.

### **Budget Impact:**

The total requested amount for this item is \$14,858.44, which will be paid out of the appropriate Police Department Expense accounts. This funding will partially offset the purchase as approved in the Town's FY25 Adopted Budget, in the amount of \$33,019.

A future budget amendment will be requested to account for the grant income for this project.

### **Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality.

**Attached Documents:**

1. Funding Announcement
2. Resolution

**Town Staff Recommendation:**

Town Staff recommends the Town Council approve a resolution authorizing the Town Manager, and/or his designee, to apply for the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program and consider and act upon authorizing the Town Manager, and/or his/her designee, to accept the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program upon award, and to take any and all actions relating thereto.

**Proposed Motion:**

I move to accept a resolution authorizing the Town Manager, and/or his designee, to apply for the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program and consider and act upon authorizing the Town Manager, and/or his/her designee, to accept the Office of the Governor, FY2025 Rifle-Resistant Body Armor Grant Program upon award, and to take any and all actions relating thereto.

Name:

# Rifle-Resistant Body Armor Grant Program, FY2025

Available

12/11/2023

Due Date

02/08/2024

## Purpose:

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The purpose of this announcement is to solicit applications from law enforcement agencies to equip peace officers with rifle-resistant body armor.

## Available Funding:

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State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 26 for Trusteed Programs within the Office of the Governor.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. The Public Safety Office (PSO) expects to make available \$1M for FY2025.

## Eligible Organizations:

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Applications may be submitted by the Texas Department of Public Safety, units of local government and educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure; including municipalities, counties, independent school districts, universities, federally recognized Native American tribes, community colleges, and hospital districts.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

## Application Process:

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Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.

## Key Dates:

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Action	Date	Item 4.
Funding Anouncement Release	12/11/2023	
Online System Opening Date	12/11/2023	
Final Date to Submit and Certify an Application	02/08/2024 at 5:00PM CST	
Earliest Project Start Date	09/01/2024	

## Project Period:

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Projects must begin on or after 09/01/2024 and may not exceed a 12 month project period.

## Funding Levels

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Minimum: None

Maximum: None

Match Requirement: None

## Standards

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Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards ([TxGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

## Eligible Activities and Costs

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Funds may be used for obtaining body armor compliant with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) type III (rifles) or type IV (armor piercing rifle) body armor; including bullet-resistant vests, ballistic plates, and plate carriers.

Due to the limited availability of funds, applicants are encouraged to consider the reasonable cost of their request. PSO will evaluate applications based on number of frontline peace officers and the average cost per vest.

## Program-Specific Requirements

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**Eligible officers to equip.** Grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) directly employed by a law enforcement agency operated by the applicant. Funds may not be used to equip officers employed by other agencies that are not eligible to apply. PSO may prioritize the equipping of certain types of officers or applicants if the total requested funds exceed the funds appropriated by the Legislature.

**Required Agency Policies.** As required by Chapter 772.0075, Texas Government Code, an eligible



organization may apply for grant funds only after its law enforcement agency adopts a policy addressing the:

- 1) Deployment and allocation of vests or plates to its officers; and
- 2) Usage of vests or plates by its officers.

PSO requires that the policy on usage of vests or plates include mandatory training on the proper care, fitting, inspection, use, storage, and maintenance of the armor. PSO also requires that the policy specify that body armor may not be left in patrol vehicles when an officer is not on duty to minimize the heat damage to the armor.

In crafting these policies, applicants should be aware that the inspection, storage, and replacement of body armor were identified as potential points of failure in body armor use by the Police Executive Research Forum. See ["A Practitioner's Guide To the 2011 National Body Armor Survey of Law Enforcement Officers"](#) for more information.

**Personally Fitted Vest Requirement.** All body armor vests purchased with grant funds must be personally fitted for individual officers, including vests specifically fitted to individual female law enforcement officers. "Personally fitted" does not require armor be individually manufactured based on the measurements of a specific wearer, but rather that it provide the best possible fit and coverage, through a combination of:

- 1) Correctly-sized panels and carrier, determined through appropriate measurement; and
- 2) Properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features.

The American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor ([Active Standard ASTM E3003](#)). The [Personal Armor Fit Assessment checklist](#), is excerpted from ASTM E3003.

## Eligibility Requirements

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1. Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Governments](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources [Statewide Cybersecurity Awareness Training](#) page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. This disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been

subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

4. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2025 or the end of the grant period, whichever is later.

5. Each non-profit 501(c)(3) organization must certify that it does not have, and will continue not to have any policy, procedure, or agreement (written or unwritten) that in any way encourages, induces, entices, or aids any violations of immigration laws. Additionally, the organization certifies that it does not have in effect, purport to have in effect, and is not subject to or bound by any rule, policy, or practice (written or unwritten) that would: (1) encourage the concealment,

harboring, or shielding from detection of fugitives from justice or aliens who illegally came to, entered, or remained in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, the organization certifies that it will not adopt, enforce, or endorse a policy which prohibits or materially limits the enforcement of immigration laws, and will not, as demonstrated by pattern or practice, prohibit or materially limit the enforcement of immigration laws.

Each non-profit organization must download, complete and then upload into eGrants the [CEO/NGO Certifications and Assurances Form\[A3\]](#) certifying compliance with federal and state immigration enforcement requirements.

6. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency (to get registered in the SAM database and request an UEI number, go to <https://sam.gov/>).

Failure to comply with program or eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

## Prohibitions

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Grant funds may not be used to support the unallowable costs listed in the **Guide to Grants** or any of the following unallowable costs:

1. Any costs ancillary to the purchase of eligible body armor, such as policy development, training costs, and staff; and
2. Any other prohibition imposed by federal, state or local law or regulation.

## Selection Process

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**Application Screening:** The Office of the Governor will screen all applications to ensure that they meet the requirements included in the funding announcement.

**Peer/Merit Review:** The Office of the Governor will review applications to understand the overall demand for the program and for significant variations in costs per item. After this review, the Office of the Governor will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair-share cuts may allow for broader distribution and a higher number of projects while still remaining effective.

**Final Decisions:** The Office of the Governor will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, or state government priorities and strategies, legislative directives, need, geographic distribution, balance of focuses and approaches, or other relevant factors.

The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor

Item 4.

may revise projects to address a more limited focus.

## Contact Information

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For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Total Funds

**\$1 Million**

## TOWN OF PROSPER, TEXAS

## RESOLUTION NO. 2024-XX

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AUTHORIZING THE TOWN TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR THE FY2025 RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM, GRANT NUMBER 4979701; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Prosper finds it in the best interests of the citizens of the Town of Prosper ("Town") that the Town submit a grant application for the FY2025 Rifle-Resistant Body Armor Grant Program to be funded by the Office of the Governor's Criminal Justice Division for the 2025 fiscal year; and

**WHEREAS**, the Town agrees to provide applicable matching funds for said project as required by the Office of the Governor's Criminal Justice Division grant application; and

**WHEREAS**, the Town agrees that in the event of the loss or misuse of the funds Office of the Governor, the Town assures that the funds will be returned to the Office of the Governor in full; and

**WHEREAS**, the Town designates the Budget Officer & Grants Administrator as the grantee's authorized official and the authorized official is hereby authorized to apply for, accept, reject, alter, or terminate the grant on behalf of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:**

**SECTION 1**

The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

**SECTION 2**

The Town Council of the Town of Prosper does hereby approve the submission of the grant application for the FY2025 Rifle-Resistant Body Armor Grant Program to the Office of the Governor.

**SECTION 3**

This Resolution shall be effective from and after its passage by the Town Council.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS THE 22<sup>ND</sup> DAY OF OCTOBER, 2024.**

\_\_\_\_\_  
**David F. Bristol, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michelle Lewis Sirianni, Town Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Terrence S. Welch, Town Attorney**



## POLICE DEPARTMENT

**To: Mayor and Town Council**

**From: Whitney Rehm, Budget Officer & Grants Administrator**

**Through: Mario Canizares, Town Manager  
Doug Kowalski, Chief of Police**

**Re: FY2025 Criminal Justice Division Program for the Victim Assistance,  
General Direct Services Grant Program**

**Town Council Meeting – October 22, 2024**

**Strategic Visioning Priority: 4. Provide Excellent Municipal Services**

**Agenda Item:**

Consider and act upon a resolution authorizing the Town Manager, and/or his designee, to apply for the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program and consider and act upon authorizing the Town Manager, and/or his designee, to accept the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program upon award, and to take any and all actions relating thereto. (DK)

**Description of Agenda Item:**

The Office of the Governors' FY2025 Victim Assistance, General Direct Services Grant Program has awarded the Town of Prosper in the amount of \$70,000. This grant was initially awarded in FY24, and will support the position for one year, with eligibility under current guidelines for renewal in year three (3).

This grant is funded at 80%. The Town of Prosper will be responsible to initially fund all expenses out of General Fund, and the State will reimburse the Town of Prosper.

**Budget Impact:**

The total requested amount for this item is \$87,500, which will be paid out of the appropriate Police Department Personnel Expense accounts. All expenses associated with this grant were approved in the FY2025 Adopted Budget.

A future budget amendment will be requested to account for the grant income for this project.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality.

**Attached Documents:**

1. Funding Announcement
2. Resolution

**Town Staff Recommendation:**

Town Staff recommends the Town Council approve a resolution authorizing the Town Manager, and/or his designee, to apply for the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program and consider and act upon authorizing the Town Manager, and/or his designee, to accept the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program upon award, and to take any and all actions relating thereto.

**Proposed Motion:**

I move to accept a resolution authorizing the Town Manager, and/or his designee, to apply for the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program and consider and act upon authorizing the Town Manager, and/or his designee, to accept the Office of the Governor, FY2025 Criminal Justice Division Program for Victim Assistance, General Direct Services Grant Program upon award, and to take any and all actions relating thereto.



Name:

# General Victim Assistance Grant Program, FY2025

Available

12/11/2023

Due Date

02/08/2024

## Purpose:

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The purpose of this program is to provide services and assistance directly to victims of crime to speed their recovery and aid them through the criminal justice process.

Services may include the following:

- Responding to the emotional and physical needs of crime victims;
- Assisting victims in stabilizing their lives after a victimization;
- Assisting victims to understand and participate in the criminal justice system; and
- Providing victims with safety and security.

This solicitation is for programs seeking to provide general victim services to broad categories of victim populations that may include victims of commercial sexual exploitation or trafficking, including long-term residential (shelter) for children and transition-age youth.

Information about other related funding opportunities is provided below and on the *Funding Opportunities* tab of the eGrants homepage:

- **Community Based Services for Commercially Sexually Exploited Youth, FY2025.** Projects to support community-based programs for children and transition-aged youth (non-CSEY Advocate programs).
- **Specialized Advocacy for Commercially Sexually Exploited Youth, FY2025.** Projects to support advocacy services for children and transition-aged youth within the CSEY Advocacy model.

Agencies applying for funds to support a CASA or Children's Advocacy Center program must apply through either Texas CASA, Inc. or Children's Advocacy Centers of Texas.

**PLEASE NOTE, BEGINNING THIS FUNDING CYCLE, THERE IS A 20% MATCH REQUIREMENT.**

## Available Funding:

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Funding is authorized for these projects under the following sources:

- Victims of Crime Act of 1984 (VOCA) as amended and codified in 34 U.S.C. §20103. VOCA funds are made available through a Congressional appropriation to the U.S. Department of Justice, Office for Victims of Crime.
- Section 9901 of the American Rescue Plan Act (ARPA), Pub. L. No. 117-2, which amends Title VI of the Social Security Act by adding sections 602 to establish the Coronavirus State Fiscal Recovery Fund.
- State funds are authorized under SB30, Section 2.26 passed during the 88<sup>th</sup> Regular Session for Trusteed Programs within the Office of the Governor.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

## Eligible Organizations:

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Applications may be submitted by state agencies, public and private non-profit institutions of higher education, independent school districts, Native American tribes, councils of governments, non-profit corporations (including hospitals and faith-based organizations) and units of local government, which are defined as a non-statewide governmental body with the authority to establish a budget and impose taxes (includes hospital districts). Other local governmental agencies should apply through an associated unit of local government.

## Application Process:

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Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.

### 1. For eligible local and regional projects:

- Applicants must contact their applicable regional council of governments (COG) regarding their application.
- Each of Texas' 24 COGs holds its own application planning workshops, workgroups, and/or subcommittees and facilitates application prioritization for certain programs within its region. Failure to comply with regional requirements imposed by the COG may render an application ineligible.

### 2. State agencies, and other organizations proposing projects with a statewide impact, may submit applications directly to PSO.

Applicants are required to submit fully developed and detailed grant budgets at the time of application, PSO will not accept placeholder applications and/or budget line items in lieu of a well written and detailed grant application.

Non-profit applicants are limited to a single application per agency, and all other eligible organizations are limited to one application per unit, district or division.

### Key Dates:

Action	Date
Funding Anouncement Release	12/11/2023
Online System Opening Date	12/11/2023
Final Date to Submit and Certify an Application	02/08/2024 at 5:00PM CST
Earliest Project Start Date	10/01/2023

### Project Period:

Projects **may not exceed 12 months** and must begin on or after 10/01/2024 and expire on or before 9/30/2025.

### Funding Levels

Minimum: \$10,000

Maximum: No Maximum

### Match Requirement: 20% of the total project

**The match requirement can be met through cash or in-kind contributions.**

Note: Applicants are strongly cautioned to only apply for the amount of funding they can responsibly expend in the grant period. PSO will be tracking expenditure rates throughout the life of the grants and may take action to avoid large de-obligations at the end of grant periods.

### Standards

- Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards ([TxGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

## Eligible Activities and Costs

The following list of eligible activities and costs apply generally to all projects under this announcement.

### Crisis Services

- Services that respond to immediate needs (other than medical care), emotional, psychological, and physical health and safety including:
  - Crisis intervention services;
  - Accompanying victims to hospitals for medical examinations;
  - Hotline counseling;
  - Safety planning;
  - Emergency food, clothing, and transportation;
  - Window, door, or lock replacement or repair, and other repairs necessary to ensure a victim's safety;
  - Costs of the following, on an emergency basis (i.e., when the State's compensation program, the victim's health insurance plan, Medicaid, or other health care funding source, is not reasonably expected to be available quickly enough to meet the emergency needs of a victim (typically within 48 hours of the crime): Non-prescription and prescription medicine, prophylactic or other treatment to prevent HIV/AIDS infection or other infectious disease, durable medical equipment (such as wheel-chairs, crutches, hearing aids, eyeglasses), and other healthcare items; in all cases the grant must be considered the option of last resort; and
  - Emergency legal assistance, such as for filing for restraining or protective orders, and obtaining emergency custody orders and visitation rights;
- Personal advocacy and emotional support including:
  - Working with a victim to assess the impact of the crime;
  - Identification of victim's needs;
  - Case management;
  - Management of practical problems created by the victimization;
  - Identification of resources available to the victim;
  - Provision of information, referrals, advocacy, and follow-up contact for continued services, as needed;
  - Traditional, cultural, and/or alternative therapy/healing (e.g., art therapy, yoga – with appropriate training, certification, or licensure);
  - Transportation of victims to receive services and to participate in criminal justice proceedings; and
  - Public awareness and education presentations (including the development of presentation materials, brochures, newspaper notices, and public service announcements) in schools, community centers, and other public forums that are

designed to inform crime victims of specific rights and services and provide them with (or refer them to) services and assistance, this activity will only be funded in conjunction with programs providing direct services.

Item 5.

### **Forensic Interviews (with the following parameters):**

- Results of the interview will be used not only for law enforcement and prosecution purposes, but also for identification of needs such as social services, personal advocacy, case management, substance abuse treatment, and mental health services;
- Interviews are conducted in the context of a multi-disciplinary investigation and diagnostic team, or in a specialized setting such as a child advocacy center; and
- The interviewer is trained to conduct forensic interviews appropriate to the developmental age and abilities of children, or the developmental, cognitive, and physical or communication disabilities presented by adults.

### **Legal Advocacy**

- Facilitating participation in criminal justice and other public proceedings arising from the crime, including:
  - Advocacy on behalf of a victim;
  - Accompanying a victim to offices and court<sup>1</sup>;
  - Transportation, meals, and lodging to allow a victim who is not a witness to participate in a proceeding;
  - Interpreting for a non-witness victim who is deaf or hard of hearing, or with limited English proficiency;
  - Providing child care and respite care to enable a victim who is a caregiver to attend activities related to the proceeding;
  - Notification to victims regarding key proceeding dates (e.g., trial dates, case disposition, incarceration, and parole hearings);
  - Assistance with Victim Impact Statements;
  - Assistance in recovering property that was retained as evidence; and
  - Assistance with restitution advocacy on behalf of crime victims.
- Legal assistance services (including those provided on an emergency basis), where reasonable and where the need for such services arises as a direct result of the victimization, including:
  - Those (other than criminal defense) that help victims assert their rights as victims in a criminal proceeding directly related to the victimization, or otherwise protect their safety, privacy, or other interests as victims in such a proceeding; and
  - Those actions (other than tort actions) that, in the civil context, are reasonably necessary as a direct result of the victimization.

### **Multi-Disciplinary Teams and Case Coordination**

- Representatives of several agencies meet regularly to discuss common cases and share information to enhance investigation, prosecution, and victim restoration. Cases are followed through in this manner to closure. Participating agencies may include Child Protective Service, law enforcement, prosecutors' offices, Sexual Assault Nurse Examiners or other medical personnel, mental health professionals, etc.

### **Peer Support Groups**

- Peer-support, including activities that provide opportunities for victims to meet other victims, share experiences, and provide self-help, information, and emotional support.

### **Professional Therapy and Counseling**

- Mental health counseling and care, including, but not limited to, out-patient therapy/counseling provided by a person who meets professional standards to provide these services in the jurisdiction in which the care is administered.

### **Protective Order Assistance:**

- Legal representation provided by program staff and/or staff attorneys to obtain protective orders and assistance;
- May be provided by law enforcement personnel, prosecution staff or other service providers; and
- Services may be available at non-traditional locations and times.

### **Shelter Programs**

- Providing a safe place for victims/survivors and their children;
- Short-term (up to 45 days) in-home care and supervision services for children and adults who remain in their own homes when the offender/caregiver is removed; and
- Short-term (up to 45 days) nursing-home, adult foster care, or group-home placement for adults for whom no other safe, short-term residence is available;

### **Victim-Offender Meetings**

- Meetings between the survivor and the offender who perpetrated the crime against the survivor. At a minimum, grantees must consider:
  - The safety and security of the survivor;
  - The benefit of therapeutic value to the survivor;
  - The procedures for ensuring that participation of the survivor and offender are voluntary and that everyone understands the nature of any meeting or other activity;
  - The provision of appropriate support and accompaniment for the survivor;
  - Appropriate debriefing opportunities for the survivor after a meeting;
  - The credentials of the facilitators; and

- The opportunity for a survivor to withdraw from the process at any time.

## Transitional Housing

- Travel, rental assistance, security deposits, utilities, and other costs incidental to relocation of survivors into transitional housing, as well as voluntary support services such as childcare and counseling. Provision of this service is limited to 18 months in duration per client and must require active participation in program services designed to enable self-sufficiency of the client. PSO should be considered the payee of last resort for this service. To be eligible, this service must be included in the original application budget prioritized by the local Council of Government's Criminal Justice Advisory Committee.

## Victim Notification Systems

Agencies seeking grant funding to implement crime victim notification systems are encouraged to include the following features:

- Automatically, and without the requirement to download a software application to opt-in to notifications, notify a victim or relative of a deceased victim by e-mail or text message of all the following regarding a victim's case:
  - The date on which the incident report is created;
  - The case number;
  - The names of investigators who are assigned to the case;
  - The date an arrest is made;
  - The date an affidavit alleging probable cause is presented to the attorney representing the state;
  - The date the defendant is arraigned under Chapter 26, Code of Criminal Procedure;
  - Whether the case has been dismissed by the attorney representing the state; and
  - Any other information relevant to the case;
- Interface with the law enforcement agency's system of records;
- Provide configurable triggers to directly send messages;
- Provide the capability:
  - To attach informational brochures or other electronic attachments to the messages;
  - For a person to check the case status;
  - To transmit notifications in English or Spanish; and
  - To respond to questions via artificial intelligence;
- Monitor the number and types of messages sent and enable a user to visualize that data; and
- Provide a survey tool so the law enforcement agency can solicit feedback on victims services.

Note related to hospital accompaniment with sexual assault survivors: In accordance with Art. 56A.351, Texas Code of Criminal Procedure, a victim shall be offered the opportunity to have a sexual assault program advocate available during a sexual assault forensic exam. Sec. 420.051,

Texas Government Code defines a sexual assault program advocate as an individual who has completed a sexual assault training program certified by the attorney general and is an employee or volunteer of a sexual assault program.

## Program-Specific Requirements

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All projects under this funding announcement must meet the following requirements:

**Cultural competency:** Applicants must be culturally competent when providing services to victims. Victim service providers must have the ability to blend cultural knowledge and sensitivity with victim restoration skills for a more effective and culturally appropriate recovery process. Cultural competency occurs when: (1) cultural knowledge, awareness and sensitivity are integrated into action and policy; (2) the service is relevant to the needs of the community and provided by trained staff, board members, and management; and (3) an advocate or organization recognizes each client is different with different needs, feelings, ideas and barriers.

**Victim services assessment survey:** All recipients of funding under this announcement may be required to participate in a victim services assessment during their grant period, as directed by PSO.

### Special requirements for vehicle purchases:

Only non-profits will be eligible to purchase vehicles under this funding announcement. The vehicles must be for the purpose of transporting victims to receive various services.

## Eligibility Requirements

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1. Entities receiving grant funds must demonstrate a record of effective services to victims of crime and support from sources other than the Crime Victims Fund; or substantial support from sources other than the Crime Victims Fund.

- A program has demonstrated a record of effective direct services and support when, for example, it demonstrates the support and approval of its direct services by the community, its history of providing direct services in a cost-effective manner, and the breadth or depth of its financial support from sources other than the Crime Victims Fund.
- A program has substantial financial support from sources other than the Crime Victims Fund when at least twenty-five percent of the program's funding in the year of, or the year preceding the award comes from such sources.



2. Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Governments](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources [Statewide Cybersecurity Awareness Training](#) page.

3. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. This disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

4. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

5. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from

justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2025 or the end of the grant period, whichever is later.

6. Each non-profit 501(c)(3) organization must certify that it does not have, and will continue not to have any policy, procedure, or agreement (written or unwritten) that in any way encourages, induces, entices, or aids any violations of immigration laws. Additionally, the organization certifies that it does not have in effect, purport to have in effect, and is not subject to or bound by any rule, policy, or practice (written or unwritten) that would: (1) encourage the concealment, harboring, or shielding from detection of fugitives from justice or aliens who illegally came to, entered, or remained in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, the organization certifies that it will not adopt, enforce, or endorse a policy which prohibits or materially limits the enforcement of immigration laws, and will not, as demonstrated by pattern or practice, prohibit or materially limit the enforcement of immigration laws.

Each non-profit organization must download, complete and then upload into eGrants the [CEO/NGO Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements.

7. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency (to get registered in the SAM database and request an UEI number, go to <https://sam.gov/>).

Failure to comply with program or eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

## Prohibitions

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Grant funds may not be used to support the unallowable costs listed in the **Guide to Grants** or any of the following unallowable costs:

1. Lobbying or advocacy activities with respect to legislation or to administrative changes to regulations or administrative policy (cf. 18 U.S.C. 1913), whether conducted directly or indirectly;

2. The active investigation and prosecution of criminal activity, except for the provision of victim assistance services (e.g., emotional support, advocacy, and legal services) to crime victims, under 28 CFR § 94.119, during such investigation and prosecution;
3. Any activities related to fundraising;
4. Capital improvements; property losses and expenses; real estate purchases; mortgage payments; remodeling; and construction;
5. Reimbursement of crime victims for expenses incurred as a result of a crime;
6. Salaries, benefits, fees, furniture, equipment, and other expenses of executive directors, board members, and other administrators (except as specifically allowed);
7. Counseling or treatment for substance abuse (general counseling that includes a component addressing substance abuse is eligible);
8. Victim-offender meetings that serve to replace (or as a part of) criminal justice proceedings;
9. Medical training;
10. Medical care or expenses (except as specifically allowed);
11. Forensic medical evidence collection to include the salary, overtime or on-call cost of SANE Nurses;
12. Cash payments to victims, gift cards, or fuel vouchers;
13. Creation of a voucher program where victims are directly given vouchers for such services as housing or counseling;
14. Transportation, lodging, per diem or any related costs for third-party participants to attend a training, when grant funds are used to develop and conduct training;
15. Leasing of vehicles;
16. Training of external partners or the community;
17. Program income;
18. Research and studies;
19. Activities that may compromise victim safety;
20. Entertainment, including amusement, diversion, social activities, field trips, excursions and any associated costs (i.e. tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities) unless there is a clear programmatic purpose and the costs are approved in advance by PSO; and
21. Nonessential maintenance on buildings, lawn care, and landscaping; and
22. Any other prohibition imposed by federal, state or local law or regulation.

## Selection Process

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**Application Screening:** The Office of the Governor will screen all applications to ensure that they meet the requirements included in the funding announcement.

**Merit Review – Local Projects:** Projects with a local impact will be reviewed by a panel appointed by the local Council of Governments using their own criteria. The merit review panels will assess

the applications for quality and rank by priority, and then report their findings to the Office of the Governor. Applicants must contact their applicable regional Council of Governments (COG). Each of Texas' 24 COGs holds its own application planning workshops, workgroups, and/or subcommittees and facilitates application prioritization for certain programs within its region. Failure to comply with regional requirements imposed by the COG may render an application ineligible.

**Merit Review – Statewide Projects:** The Office of the Governor will review applications to understand the overall demand for the program and for significant variations in costs per item. After this review, the Office of the Governor will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair-share cuts may allow for broader distribution and a higher number of projects while still remaining effective.

**Final Decisions – All Projects:** The Office of the Governor will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, PSO or state government priorities and strategies, legislative directives, need, geographic distribution, or other relevant factors.

PSO may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, PSO may revise projects to address a more limited focus.

## Contact Information

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For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Total Funds  
**\$TBD**

## TOWN OF PROSPER, TEXAS

## RESOLUTION NO. 2024-XX

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AUTHORIZING THE TOWN TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR THE 2025 CRIMINAL JUSTICE DIVISION PROGRAM FOR VICTIM ASSISTANCE, GENERAL DIRECT SERVICES GRANT PROGRAM (VOCA), GRANT NUMBER 4709302; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Prosper finds it in the best interests of the citizens of the Town of Prosper ("Town") that the Town submit a grant application for Victim Assistance, General Direct Services Grant Program (VOCA) to be funded by the Office of the Governor's Criminal Justice Division for the 2025 fiscal year; and

**WHEREAS**, the Town agrees to provide applicable matching funds for said project as required by the Office of the Governor's Criminal Justice Division grant application; and

**WHEREAS**, the Town agrees that in the event of the loss or misuse of the funds Office of the Governor, the Town assures that the funds will be returned to the Office of the Governor in full; and

**WHEREAS**, the Town designates the Budget Officer & Grants Administrator as the grantee's authorized official and the authorized official is hereby authorized to apply for, accept, reject, alter, or terminate the grant on behalf of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:**

**SECTION 1**

The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

**SECTION 2**

The Town Council of the Town of Prosper does hereby approve the submission of the grant application for the Victim Assistance, General Direct Services Grant Program (VOCA) to the Office of the Governor.

**SECTION 3**

This Resolution shall be effective from and after its passage by the Town Council.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 22<sup>ND</sup> DAY OF OCTOBER, 2024.

\_\_\_\_\_  
David F. Bristol, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Terrence S. Welch, Town Attorney



## FIRE DEPARTMENT

**To: Mayor and Town Council**

**From: Stuart Blasingame, Fire Chief**

**Through: Mario Canizares, Town Manager**

**Re: Motorola Replacement Radio Purchase**

**Town Council Meeting – October 22, 2024**

**Strategic Visioning Priority: 4. Provide Excellent Municipal Services**

### **Agenda Item:**

Consider and act upon approving the purchase of mobile and portable radios through the Texas Department of Information Resources (DIR) Contract #22198-TX DIR TSO-4101 for \$91,626.

### **Description of Agenda Item:**

This purchase is to replace fire department legacy radios identified by Motorola as being at the end of their service life. Motorola has issued a Lifecycle Support Notice indicating they will stop supporting certain portable and mobile radio models after December 31, 2023. These radios are critical for public safety communications, and their replacement will be phased in over the next four years.

### **Budget Impact:**

The cost to replace the radios is \$91,625.35 and was budgeted in the FY24/25 budget. This item will be funded from account 13030010-61400.

### **Attached Documents:**

1. Motorola Radio Quote

### **Town Staff Recommendation:**

Staff recommends the Town Council approve the purchase of mobile and portable radios through the Texas Department of Information Resources (DIR) Contract #22198-TX DIR TSO-4101 for \$91,626.

### **Proposed Motion:**

I move to approve the purchase of mobile and portable radios through the Texas Department of Information Resources (DIR) Contract #22198-TX DIR TSO-4101 for \$91,626.



## Town of Prosper Fire Rescue

APX 6000XE, APX 6500

10/03/2024



10/03/2024

Town of Prosper Fire Rescue  
1500 E FIRST ST  
PROSPER, TX 75078

RE: Motorola Quote for APX 6000XE, APX 6500

Dear Randall Gurney,

Motorola Solutions is pleased to present Town of Prosper Fire Rescue with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide Town of Prosper Fire Rescue with the best products and services available in the communications industry. Please direct any questions to Heath Quinnelly at [heathquinnelly@callmc.com](mailto:heathquinnelly@callmc.com).

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

Heath Quinnelly  
Account Executive

Motorola Solutions Manufacturer's Representative

Billing Address:  
PROSPER, TOWN OF  
1500 E FIRST ST  
PROSPER, TX 75078  
US

Quote Date:10/03/2024  
Expiration Date:10/23/2024  
Quote Created By:  
Heath Quinnelly  
Account Executive  
heathquinnelly@callmc.com  
214-280-1819

End Customer:  
Town of Prosper Fire Rescue  
Randall Gurney  
rgurney@prospertx.gov  
972-347-2424

Contract: 22918 - TX DIR TSO-4101

- 9 APX 6000 XE
  - green housing
- 13 spare batteries
- 12 Remote Speaker Mics
- 4 APX 6500
- E5 Remote Control Head

Line #	Item Number	APC	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 6000 Series		APX6000 XE				
1	H98UCF9PW6BN	0481	APX6000 700/800 MODEL 2.5 PORTABLE	9	\$8,725.00	\$6,418.93	\$57,770.37
1a	H869BZ	0481	ENH: MULTIKEY	9			
1b	G996AU	0481	ADD: PROGRAMMING OVER P25 (OTAP)	9			
1c	Q361AR	0481	ADD: P25 9600 BAUD TRUNKING	9			
1d	QA02006AA	0481	ENH: APX6000XE RUGGED RADIO	9			
1e	Q58AL	0185	ADD: 3Y ESSENTIAL SERVICE	9			
1f	QA00580AC	0481	ADD: TDMA OPERATION	9			
1g	QA09008AA	0481	ADD: GROUP SERVICES	9			
1h	QA03399AA	0481	ADD: ENHANCED DATA APX	9			



Line #	Item Number	APC	Description	Qty	List Price	Sale Price	Ext. Sale Price
1i	H38BT	0481	ADD: SMARTZONE OPERATION	9			
1j	QA09113AB	0481	ADD: BASELINE RELEASE SW	9			
1k	QA01427AB	0481	ALT: IMPACT GREEN HOUSING	9			
1l	Q806BM	0481	ADD: ASTRO DIGITAL CAI OPERATION	9			
1m	Q629AK	0481	ENH: AES ENCRYPTION AND ADP	9			
2	PMNN4547A	0453	BATT IMPRES 2 LIION TIA4950 R IP68 3100T	13	\$213.15	\$159.86	\$2,078.18
3	PMMN4107C	0372	AUDIO ACCESSORY- REMOTE SPEAKER MICROPHONE,XE500 REMOTE SPKR MIC WITHOUT CHANNEL KNOB, HIGH IMPACT GREEN	12	\$594.00	\$445.50	\$5,346.00
	APX™ 6500 / Enh Series		ENHANCEDAPX6500				
4	M25URS9PW1BN	0527	APX6500 ENHANCED 7/800 MHZ MOBILE	4	\$8,945.12	\$6,607.70	\$26,430.80
4a	GA09008AA	0527	ADD: GROUP SERVICES	4			
4b	G831AD	0527	ADD: SPKR 15W WATER RESISTANT	4			
4c	G996AS	0527	ENH: OVER THE AIR PROVISIONING	4			
4d	GA00580AA	0527	ADD: TDMA OPERATION	4			
4e	G51AU	0527	ENH: SMARTZONE OPERATION APX6500	4			
4f	G67DT	0527	ADD: REMOTE MOUNT E5 APXM	4			
4g	G78AT	0185	ENH: 3 YEAR ESSENTIAL SVC	4			
4h	G892AB	0527	ENH:HAND MIC,GCAI WTR RESISTANT APX	4			
4i	GA01606AA	0527	ADD: NO BLUETOOTH/ WIFI/GPS ANTENNA NEEDED	4			
4j	G843AH	0527	ADD: AES ENCRYPTION AND ADP	4			
4k	G444AH	0527	ADD: APX CONTROL HEAD SOFTWARE	4			



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 - #: 36-1115800

Line #	Item Number	APC	Description	Qty	List Price	Sale Price	Ext. Sale Price
4l	QA03399AA	0527	ADD: ENHANCED DATA APX	4			
4m	G806BL	0527	ENH: ASTRO DIGITAL CAI OP APX	4			
4n	GA01670AA	0527	ADD: APX E5 CONTROL HEAD	4			
4o	QA09113AB	0527	ADD: BASELINE RELEASE SW	4			
4p	W969BG	0527	ENH: MULTIKEY OPERATION	4			
4q	G174AD	0527	ADD: ANT 3DB LOW- PROFILE 762-870	4			
4r	G361AH	0527	ENH: P25 TRUNKING SOFTWARE APX	4			

**Grand Total**
**\$91,625.35(USD)**
**Notes:**

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.





<b>Purchase Order Checklist</b>	
<b>Marked as PO/ Contract/ Notice to Proceed on Company Letterhead (PO will not be processed without this)</b>	
<b>PO Number/ Contract Number</b>	
<b>PO Date</b>	
<b>Vendor = Motorola Solutions, Inc.</b>	
<b>Payment (Billing) Terms/ State Contract Number</b>	
<b>Bill-To Name on PO must be equal to the <i>Legal</i> Bill-To Name</b>	
<b>Bill-To Address</b>	
<b>Ship-To Address (If we are shipping to a MR location, it must be documented on PO)</b>	
<b>Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO )</b>	
<b>PO Amount must be equal to or greater than Order Total</b>	
<b>Non-Editable Format (Word/ Excel templates cannot be accepted)</b>	
<b>Bill To Contact Name &amp; Phone # and EMAIL for customer accounts payable dept</b>	
<b>Ship To Contact Name &amp; Phone #</b>	
<b>Tax Exemption Status</b>	
<b>Signatures (As required)</b>	



## FIRE DEPARTMENT

**To: Mayor and Town Council**

**From: Stuart Blasingame, Fire Chief**

**Through: Mario Canizares, Town Manager**

**Re: Subject: Purchase of FD Vehicles from Silsbee Ford**

**Town Council Meeting – October 22, 2024**

**Strategic Visioning Priority: 4. Provide Excellent Municipal Services**

### **Agenda Item:**

Consider and act upon approving the purchase of two 2024 Ford F150 Trucks and one Ford F250 Truck for \$175,186 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No.210907.

### **Description of Agenda Item:**

This purchase includes two F150 pickup trucks at \$54,204.00 each: one for a Fire Inspector/Investigator, as approved in the FY25 budget, and one VERT replacement for a 2017 F150 used by the Fire Marshal's Office. Additionally, it includes one F250 for \$66,337.50 as a VERT replacement for a 2017 F250 used by FD Operations.

### **Budget Impact:**

VERT replacements for the F150 (\$54,204) and F250 (\$66,337.50) will be funded through the FY25 budget, account 61030300-61450. The second F150 (\$54,204), approved in the FY25 budget, will be funded by account 13031010-61450.

### **Attached Documents:**

1. Quote – Silsbee Ford F150 (New Personnel, Fire Inspector)
2. Quote – Silsbee Ford F150 (VERT Replacement)
3. Quote – Silsbee Ford F250 (VERT Replacement)
4. TIPS Contract 210907 - Automobiles

### **Town Staff Recommendation:**

Town Staff recommends the Town Council approve the purchase of two 2024 Ford F150 Pick-up Trucks and one Ford F250 for \$175,186 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No.210907.

### **Proposed Motion:**

I move to approve the purchase of two 2024 Ford F150 Trucks and one Ford F250 Truck for \$175,186 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No.210907.



**PRODUCT PRICING SUMMARY**  
**TIPS USA 210907 AUTOMOBILES**  
**VENDOR- Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656**

End User: CITY OF PROSPER Prepared by: RICHARD HYDER  
 Contact: SEAN MCCAFFREY 972.347.2424 Phone: 409.300.1385  
 Email: smccraffrey@prospertx.org Email: RHYDER.COWBOYFLEET@GMAIL.COM  
 Product Description: FORD F150 RESPONDER PICKUP Date: October 11, 2024

A. Bid Item: 59 A. Base Price: \$ **50,875.00**

**B. Factory Options**

Code	Description	Bid Price	Code	Description	Bid Price
WIP	2025 F150 CREW RESPONDER 4X4 5.5' BEI	\$ 2,095.00		ELECTRONIC SHIFT ON THE FLY	\$ -
E4	EXTERIOR VERMILLION RED	\$ -		SKID PLATE	\$ -
PB	INTERIOR 40/BLANK/40 SEATING	\$ -		BLUETOOTH	\$ -
99G	3.5L V6 ECOBOOST	\$ -		3.55 ELECTRONIC LOCKING AXLE	\$ -
	POWER EQUIPMENT GROUP	\$ -	18B	RUNNING BOARDS	\$ 255.00
	CRUISE	\$ -	64H	ALUMINUM WHEELS	\$ 485.00
67P	REMOTE KEYLESS ENTRY W/ 4 FOBS	\$ 350.00			
	REAR VIEW CAMERA	\$ -			

Total of B. Published Options: \$ **3,185.00**

Published Option Discount (5%) \$ **(159.25)**

**C. Unpublished Options**

Description	Bid Price	Options	Bid Price
		FIRE FLEET ADDITION	

Total of C. Unpublished Options: \$ -

D. Floor Plan Interest (for in-stock and/or equipped vehicles): \$ -

E. Lot Insurance (for in-stock and/or equipped vehicles): \$ -

F. Contract Price Adjustment: \$ -

G. Additional Delivery Charge: 299 miles \$ **523.25**

H. Subtotal: \$ **54,424.00**

I. Quantity Ordered 1 x H = \$ **54,424.00**

J. Trade in: \$ -

K. Total Purchase Price \$ **54,424.**



**PRODUCT PRICING SUMMARY**  
**TIPS USA 210907 AUTOMOBILES**  
**VENDOR- Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656**

**End User:** CITY OF PROSPER **Prepared by:** RICHARD HYDER  
**Contact:** SEAN MCCAFFREY 972.347.2424 **Phone:** 409.300.1385  
**Email:** smccraffrey@prospertx.org **Email:** RHYDER.COWBOYFLEET@GMAIL.COM  
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99G	3.5L V6 ECOBOOST	\$ -		3.55 ELECTRONIC LOCKING AXLE	\$ -
	POWER EQUIPMENT GROUP	\$ -	18B	RUNNING BOARDS	\$ 255.00
	CRUISE	\$ -	64H	ALUMINUM WHEELS	\$ 485.00
67P	REMOTE KEYLESS ENTRY W/ 4 FOBS	\$ 350.00			
	REAR VIEW CAMERA	\$ -			

Total of B. Published Options: \$ **3,185.00**

Published Option Discount (5%) \$ **(159.25)**

**C. Unpublished Options**

Description	Bid Price	Options	Bid Price
		FIRE VERF 3502	

Total of C. Unpublished Options: \$ -

D. Floor Plan Interest (for in-stock and/or equipped vehicles): \$ -

E. Lot Insurance (for in-stock and/or equipped vehicles): \$ -

F. Contract Price Adjustment: \$ -

G. Additional Delivery Charge: 299 miles \$ **523.25**

H. Subtotal: \$ **54,424.00**

I. Quantity Ordered 1 x H = \$ **54,424.00**

J. Trade in: \$ -

K. Total Purchase Price \$ **54,424.**





**PRODUCT PRICING SUMMARY**  
**TIPS USA 210907 AUTOMOBILES**  
 VENDOR- Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656

End User: TOWN OF PROSPER Prepared by: RICHARD HYDER  
 Contact: STEPHANIE MAYS 972.569.1028 Phone: 409.300.1385  
 Email: SMAYS@PROSPERTX.GOV Email: RHYDER.COWBOYFLEET@GMAIL.COM  
 Product Description: FORD F250 CREW CAB PICKUP Date: October 11, 2024

A. Bid Item: 34 A. Base Price: \$ **49,555.00**

**B. Factory Options**

Code	Description	Bid Price	Code	Description	Bid Price
W2B	2025 F250 CREW CAB 4X4 6.75' BED	\$ 5,095.00	X3H	3.31 ELECTRONIC LOCKING AXLE	\$ 420.00
99T	6.7L V8 DIESEL	\$ 10,495.00	18B	PLATFORM RUNNING BOARDS	\$ 445.00
E4	EXTERIOR VERMILLION RED	\$ 660.00			
AS	INTERIOR GRAY VINYL 40/20/40	\$ -			
	POWER EQUIPMENT GROUP/CRUISE	\$ -			
	REAR VIEW CAMERA	\$ -			
	TRAILER TOWING PKG	\$ -			
	TRAILER BRAKE CONTROLLER	\$ -			

Total of B. Published Options: \$ **17,115.00**

Published Option Discount (5%) \$ **(855.75)**

**C. Unpublished Options**

Description	Bid Price	Options	Bid Price
		REFERENCE 3115 FIRE	

Total of C. Unpublished Options: \$ -

D. Floor Plan Interest (for in-stock and/or equipped vehicles): \$ -

E. Lot Insurance (for in-stock and/or equipped vehicles): \$ -

F. Contract Price Adjustment: \_\_\_\_\_ \$ -

G. Additional Delivery Charge: 299 miles \$ **523.25**


H. Subtotal: \$ **66,337.50**

I. Quantity Ordered 1 x H = \$ **66,337.50**

J. Trade in: \_\_\_\_\_ \$ -

K. Total Purchase Price \$ **66,337.**

## Awarded Vendors for Contract 210907 (Automobiles)

- [BOSWELL ELLIFF FORD LT BOSWELL LLC](#)
- [E and J Auto Sales Inc](#)
- [Silsbee Fleet \(4 locations\) 1.Silsbee Ford 2.Silsbee Toyota 3.Lake Country Chevrolet 4.Donalson CDJR, LLC](#) 



EMAIL PO & VENDOR QUOTE TO: TIPSPO@TIPS-USA.COM  
PO MUST REFERENCE VENDOR TIPS CONTRACT NUMBER  
ATTACH PO AS A PDF - ONLY ONE PO (WITH QUOTE) PER ATTACHMENT.

**Notice:**

Many Vendors utilize specific warranties, subscription agreements, license agreements, EULA's, etc. ("Supplemental Agreements") when you purchase specific goods or services from that Vendor. Since the Supplemental Agreements do not necessarily apply to every Member, every jurisdiction, or every purchase, TIPS does NOT now negotiate the terms of those agreements on Members' behalf. If you are required to sign such a supplementary agreement by the TIPS Vendor, TIPS strongly encourages Members not to proceed with a purchase until they have carefully reviewed and negotiated all applicable Supplemental Agreements. TIPS recommends you work with your entity's legal counsel to ensure compliance with the legal requirements of your entity and your jurisdiction.

[TIPS Purchase Order Procedure here](#)

- OVERVIEW
- DUE DILIGENCE
- CONTACTS
- PRINT PROFILE



VENDOR **Silsbee Fleet (4 locations) 1.Silsbee Ford 2.Silsbee Toyota 3.Lake Country Chevrolet 4.Donelson CDJR, LLC**

1211 US HIGHWAY 96 N. SILSBEE TEXAS,77656

WEBSITE [silsbeefleet.com](http://silsbeefleet.com)

SERVICE/PRODUCTS DESCRIPTION **SILSBEE FLEET (SILSBEE TOYOTA)**

CONTRACT: **210907** Automobiles

End Date: Nov-30-2024 EDGAR COMPLIANCE: [View Doc.](#)



## PUBLIC WORKS

**To:** Mayor and Town Council

**From:** Carrie Jones, Director of Public Works

**Through:** Mario Canizares, Town Manager  
Chuck Ewings, Assistant Town Manager

**Re:** Purchase of Water Meters

**Town Council Meeting – October 22, 2024**

**Strategic Visioning Priority: 4. Provide Excellent Municipal Services**

**Agenda Item:**

Consider and act upon approving the purchase of water meters from Core & Main for \$566,625 and authorizing the Town Manager to execute the same.

**Description of Agenda Item:**

As part of the FY2025 budget process, Public Works requested a non-discretionary package to begin an annual water meter replacement program. The water system currently has approximately 14,000 water meters with approximately 25% of the meters being over 10 years old. As water meters age they lose accuracy which may not be noticed since they have not fully failed. In preparation for the funding request, staff tested a small sample of the meters that are over 10 years old and received a 95% failure rate out of the 32 meters that were tested. Each meter is tested in three environments, high flow, medium flow, and low flow. If the meter fails any of the three flow tests, it is considered a failed meter.

To more accurately track the water that is being used, Staff is implementing a water meter replacement program to ensure that meters are replaced every 10-15 years. Prior to replacing meters, staff will continue to test a sample of the year to determine if the meters are at the state of failure.

Staff's goal for the first year of the water meter replacement program is to focus on meters that are 10-15 years old, switching them to an ultra-sonic water meter, which is more accurate and has a longer life span than the currently used water meters. Based on the budgeted amount, staff will be able to replace approximately 2,500 meters, reducing the number of meters over 10 years old to approximately 7% of the meters in the system.

This will be an ongoing program in future years, based on funding availability.

**Budget Impact:**

The purchase of additional water meters to begin the water meter replacement program was approved as part of a decision package through the FY25 budget process. The total amount will be charged to 70050520-52400 (Meter Purchases).

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality.

**Attached Documents:**

1. Core & Main Quote
2. Sole Source Letter

**Town Staff Recommendation:**

Town Staff recommends the approval of the purchase of water meters from Core & Main for \$566,625 and authorizing the Town Manager to execute the same.

**Proposed Motion:**

I move to approve the purchase of water meters from Core & Main for \$566,625 and authorize the Town Manager to execute the same.



Item 8.

### Bid Proposal for PROSPER-METER QUOTE 10/1/24

**TOWN OF PROSPER**

**Job Location:** Prosper, TX  
**Bid Date:** 10/01/2024 01:00 am  
**Core & Main Bid #:** 3787149

**Core & Main**  
4650 Hwy 377  
Krugerville, TX 76227  
**Phone:** 9403659117  
**Fax:** 9403659240

Seq#	Qty	Part Number	Description	Units	Price	Ext Price
10	1025	NS	EU1B1G1B1ASA50 5/8X3/4 MACH10	EA	165.00	169,125.00
20	1500	NS	EU1FG1B1ASA50 1 MACH10	EA	265.00	397,500.00
					<b>Sub Total</b>	<b>566,625.00</b>
					<b>Tax</b>	0.00
					<b>Total</b>	<b>566,625.00</b>

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>



September 6, 2024

To Whom It May Concern:

I am writing this letter to confirm that Core and Main is the sole authorized distributor for Neptune Technology Group in the State of Texas.

Core and Main handles our full line of Neptune Meters, Radio Frequency Meter Reading Systems, and parts. Their local salesperson for the Dallas / Fort Worth Metro area is John Thompson and he can be reached at (940) 391-3900.

If you have any question or need anything else, please give me a call at (281) 794-3133. We appreciate your business.

Sincerely,

A handwritten signature in black ink, appearing to read "Charlie Trimble". The signature is fluid and cursive.

Charlie Trimble  
Senior Territory Manager



## PUBLIC WORKS

**To: Mayor and Town Council**

**From: Carrie Jones, Director of Public Works**

**Through: Mario Canizares, Town Manager  
Chuck Ewings, Assistant Town Manager**

**Re: Purchase of two (2) crew cab trucks for Public Works**

**Town Council Meeting – October 22, 2024**

**Strategic Visioning Priority: 4. Provide Excellent Municipal Services**

**Agenda Item:**

Consider and act upon approving the purchase of two (2) 2025 Ford F-450 Crew Cab trucks for \$172,071 for Public Works from Silsbee Ford utilizing the Interlocal Purchasing Systems (TIPS) Contract.

**Description of Agenda Item:**

As part of the FY2025 budget process, two discretionary packages for Public Works were funded that included a new crew leader position for the water division and one for the stormwater division. As part of the request for these two new positions, two crew cab trucks were included. The truck for the water division crew leader is a 2025 Ford F-450 Crew Cab service body truck with a ladder rack totaling \$90,851.25. The truck for the stormwater division crew leader is a 2025 Ford F-450 Crew Cab service body truck totaling \$81,219.25.

Local governments are authorized by the Interlocal Cooperation Act, V.T.C.A. Government Code, Chapter 791, to enter into joint contracts and agreements for the performance of governmental functions and services, including administrative functions normally associated with the operation of government (such as purchasing necessary materials and equipment).

The Town of Prosper previously entered into an interlocal agreement with TIPS Contract 210907. Participation in the cooperative purchasing program allows our local government to purchase goods and services through the cooperative program while satisfying all competitive bidding requirements.

**Budget Impact:**

The purchase of the two (2) F-450 crew cab trucks was approved as part of discretionary packages in the FY25 budget. The water division truck, totaling \$90,851.25, will be charged to 70050520-61450 (Capital Expenditures – Vehicles). The stormwater division truck, totaling \$81,219.25, will be charged to 71050560-61450 (Capital Expenditures – Vehicles).



**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality.

**Attached Documents:**

1. Quote for Water Crew Cab Truck
2. Quote for Stormwater Crew Cab Truck
3. TIPS Contract 210907

**Town Staff Recommendation:**

Town Staff recommends the Town Council approve the purchase of two (2) 2025 Ford F-450 Crew Cab trucks for \$172,071 for Public Works from Silsbee Ford utilizing the Interlocal Purchasing Systems (TIPS) Contract.

**Proposed Motion:**

I move to approve the purchase of two (2) 2025 Ford F-450 Crew Cab trucks for \$172,071 for Public Works from Silsbee Ford utilizing the Interlocal Purchasing Systems (TIPS) Contract.



**PRODUCT PRICING SUMMARY**

**TIPS USA 210907 AUTOMOBILES**

**VENDOR- Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656**

**End User:** TOWN OF PROSPER

**Prepared by:** RICHARD HYDER

**Contact:** STEPHANIE MAYS 972.569.1028

**Phone:** 409.300.1385

**Email:** SMAYS@PROSPERTX.GOV

**Email:** RHYDER.COWBOYFLEET@GMAIL.COM

**Product Description:** FORD F450 CREW CAB CHASSIS

**Date:** October 2, 2024

**A. Bid Item:** 44

**A. Base Price:** \$ **55,795.00**

**B. Factory Options**

Code	Description	Bid Price	Code	Description	Bid Price
W4G	2025 F450 CREW CAB CHASSIS 60" CA	\$ 3,095.00		CRUISE	\$ -
Z1	EXTERIOR WHITE	\$ -	18B	PLATFORM RUNNING BOARDS	\$ 445.00
AS	INTERIOR GRAY VINYL	\$ -	872	REAR VIEW CAMERA KIT	\$ 415.00
99T	6.7L V8 DIESEL	\$ 10,495.00	76C	BACKUP ALARM	\$ 175.00
X4N	4.10 LIMITED SLIP AXLE	\$ 395.00			
	POWER EQUIPMENT GROUP	\$ -			
	VINYL FLOORING	\$ -			
	BLUETOOTH	\$ -			

**Total of B. Published Options:** \$ **15,020.00**

**Published Option Discount (5%):** \$ **(751.00)**

**C. Unpublished Options**

Description	Bid Price	Options	Bid Price
TRUX --9' BEDROCK FLATBED WITH CAB	\$ 10,632.00		
GUARD, 2 UNDERBODY MOUNT TOOLBOXES, RELOCATE FACTORY CAMERA, CLASS V HITCH			
		<b>PUBLIC WORKS DEPT</b>	

**Total of C. Unpublished Options:** \$ **10,632.00**

**D. Floor Plan Interest (for in-stock and/or equipped vehicles):**

\$ -

**E. Lot Insurance (for in-stock and/or equipped vehicles):**

\$ -

**F. Contract Price Adjustment:** \_\_\_\_\_

\$ -

**G. Additional Delivery Charge:** 299 miles

\$ **523.25**

**H. Subtotal:**

\$ **81,219.25**

**I. Quantity Ordered** 1 **x H =**

\$ **81,219.25**

**J. Trade in:** \_\_\_\_\_

\$ -

**K. Total Purchase Price**

\$ **81,219.25**



**PRODUCT PRICING SUMMARY**

**TIPS USA 210907 AUTOMOBILES**

**VENDOR- Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656**

**End User:** TOWN OF PROSPER

**Prepared by:** RICHARD HYDER

**Contact:** JAMES RODRIGUEZ 972.347.9969

**Phone:** 409.300.1385

**Email:** JRODRIGUEZ@PROSPERTX.GOV

**Email:** RHYDER.COWBOYFLEET@GMAIL.COM

**Product Description:** FORD F450 CREW CAB CHASSIS

**Date:** October 3, 2024

**A. Bid Item:** 44

**A. Base Price:** \$ **55,795.00**

**B. Factory Options**

Code	Description	Bid Price	Code	Description	Bid Price
W4G	2025 F450 CREW CAB CHASSIS 60" CA	\$ 3,095.00		CRUISE	\$ -
Z1	EXTERIOR WHITE	\$ -	18B	PLATFORM RUNNING BOARDS	\$ 445.00
AS	INTERIOR GRAY VINYL	\$ -	872	REAR VIEW CAMERA KIT	\$ 415.00
99T	6.7L V8 DIESEL	\$ 10,495.00	76C	BACKUP ALARM	\$ 175.00
X4N	4.10 LIMITED SLIP AXLE	\$ 395.00			
	POWER EQUIPMENT GROUP	\$ -			
	VINYL FLOORING	\$ -			
	BLUETOOTH	\$ -			

**Total of B. Published Options:** \$ **15,020.00**

**Published Option Discount (5%):** \$ **(751.00)**

**C. Unpublished Options**

Description	Bid Price	Options	Bid Price
TRUX 2582--READING SVC BODY, HEADACHE	\$ 20,264.00		
RACK, KARGO MASTER LADDER RACK, SPRAY IN BEDLINER, INSTALL FACTORY			
BACKUP CAMERA, CLASS V HITCH			

**Total of C. Unpublished Options:** \$ **20,264.00**

**D. Floor Plan Interest (for in-stock and/or equipped vehicles):**

\$ -

**E. Lot Insurance (for in-stock and/or equipped vehicles):**

\$ -

**F. Contract Price Adjustment:**

\$ -

**G. Additional Delivery Charge:** 299 miles

\$ **523.25**

**H. Subtotal:**

\$ **90,851.25**

**I. Quantity Ordered** 1 **x H =**

\$ **90,851.25**


**J. Trade in:**

\$ -

**K. Total Purchase Price**

\$ **90,851.**

## Awarded Vendors for Contract 210907 (Automobiles)

- [BOSWELL ELLIFF FORD LT BOSWELL LLC](#)
- [E and J Auto Sales Inc](#)
- [Silsbee Fleet \(4 locations\) 1.Silsbee Ford 2.Silsbee Toyota 3.Lake Country Chevrolet 4.Donalson CDJR, LLC](#) 



EMAIL PO & VENDOR QUOTE TO: TIPSPO@TIPS-USA.COM  
PO MUST REFERENCE VENDOR TIPS CONTRACT NUMBER  
ATTACH PO AS A PDF - ONLY ONE PO (WITH QUOTE) PER ATTACHMENT.

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[TIPS Purchase Order Procedure here](#)

- OVERVIEW
- DUE DILIGENCE
- CONTACTS
- PRINT PROFILE



VENDOR **Silsbee Fleet (4 locations) 1.Silsbee Ford 2.Silsbee Toyota 3.Lake Country Chevrolet 4.Donelson CDJR, LLC**

1211 US HIGHWAY 96 N. SILSBEE TEXAS,77656

WEBSITE [silsbeefleet.com](http://silsbeefleet.com)

SERVICE/PRODUCTS DESCRIPTION **SILSBEE FLEET (SILSBEE TOYOTA)**

CONTRACT: **210907** Automobiles

End Date: Nov-30-2024 EDGAR COMPLIANCE: [View Doc.](#)



## PARKS AND RECREATION

**To: Mayor and Town Council**

**From: Dan Baker, Parks and Recreation**

**Through: Mario Canizares, Town Manager**

**Re: Subject: Purchase of Parks Maintenance Vehicles from Silsbee Ford**

**Town Council Meeting – October 22, 2024**

**Strategic Visioning Priority: 4. Provide Excellent Municipal Services**

**Agenda Item:**

Consider and act upon approving the purchase of one 2025 Ford F250 Truck and one 2025 Ford F550 Truck with enclosed cab for a total price of \$178,294.00 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No. 210907.

**Description of Agenda Item:**

This purchase includes two VEF replacements for the FY25 budget year. A F250 pickup truck quoted at \$51,706.00 for the Parks Crew Leader and a 2025 F550 enclosed cab quoted at \$126,303.00 for the Landscape Maintenance Crew.

**Budget Impact:**

VERF replacements for the F250 (\$51,706) and F550 (\$126,303) will be funded through the FY25 budget, account 61060610-61450.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality.

**Attached Documents:**

1. Quote – Silsbee Ford F250 (VERF Replacement)
2. Quote – Silsbee Ford F550 (VERF Replacement)
3. TIPS Contract 210907 – Automobiles

**Town Staff Recommendation:**

Town Staff recommends approving the purchase of one 2025 Ford F250 and one 2025 Ford F550 with an enclosed cab for a total price of \$178,294.00 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No. 210907.

**Proposed Motion:**

I move to approve the purchase of one 2025 Ford F250 Truck and one 2025 Ford F550 Truck with enclosed cab for a total price of \$178,294.00 from Silsbee Ford, utilizing the Interlocal Purchasing System (TIPS) Contract No. 210907.



**PRODUCT PRICING SUMMARY**

**TIPS USA 210907 AUTOMOBILES**

**VENDOR- Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656**

**End User:** TOWN OF PROSPER

**Prepared by:** RICHARD HYDER

**Contact:** STEPHANIE MAYS 972.569.1028

**Phone:** 409.300.1385

**Email:** SMAYS@PROSPERTX.GOV

**Email:** RHYDER.COWBOYFLEET@GMAIL.COM

**Product Description:** FORD F250 SUPERCAB

**Date:** October 15, 2024

**A. Bid Item:** 33 **A. Base Price:** \$ **48,195.00**

**B. Factory Options**

Code	Description	Bid Price	Code	Description	Bid Price
X2A	2025 FORD F250 SUPERCAB 8' BED	\$ 2,395.00	X3E	3.73 ELECTRONIC LOCKING AXLE	\$ 430.00
99A	6.8L V8 GAS	\$ -	18B	PLATFORM RUNNING BOARDS	\$ 320.00
Z1	EXTERIOR WHITE	\$ -			
AS	INTERIOR VINYL 40/20/40	\$ -			
52B	TRAILER BRAKE CONTROLLER	\$ 300.00			
	POWER EQUIPMENT GROUP	\$ -			
	CRUISE	\$ -			
	REAR VIEW CAMERA	\$ -			

**Total of B. Published Options:** \$ **3,445.00**

**Published Option Discount (5%):** \$ **(172.25)**

**C. Unpublished Options**

Description	Bid Price	Options	Bid Price
		REFERENCE 6215 PARK OPERATIONS	

**Total of C. Unpublished Options:** \$ **-**

**D. Floor Plan Interest (for in-stock and/or equipped vehicles):** \$ **-**

**E. Lot Insurance (for in-stock and/or equipped vehicles):** \$ **-**

**F. Contract Price Adjustment:** \$ **-**

**G. Additional Delivery Charge:** 299 miles \$ **523.25**

**H. Subtotal:** \$ **51,991.00**

**I. Quantity Ordered** 1 **x H =** \$ **51,991.00**

**J. Trade in:** \$ **-**

**K. Total Purchase Price** \$ **51,991.**





**PRODUCT PRICING SUMMARY**

**TIPS USA 210907 AUTOMOBILES**

**VENDOR- Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656**

**End User:** TOWN OF PROSPER

**Prepared by:** RICHARD HYDER

**Contact:** RANDY BUECHMAN 972.569.1062

**Phone:** 409.300.1385

**Email:** [RBUECHMAN@PROSPERTX.GOV](mailto:RBUECHMAN@PROSPERTX.GOV)

**Email:** [RHYDER.COWBOYFLEET@GMAIL.COM](mailto:RHYDER.COWBOYFLEET@GMAIL.COM)

**Product Description:** FORD F550 SUPERCAB CHASSIS

**Date:** October 8, 2024

**A. Bid Item:** 47 **A. Base Price:** **\$ 55,975.00**

**B. Factory Options**

Code	Description	Bid Price	Code	Description	Bid Price
X5H	2025 F550 SUPER CAB CHASSIS 4X4 84" C	\$ 6,395.00	512	SPARE TIRE AND WHEEL	\$ 350.00
Z1	EXTERIOR WHITE	\$ -	18B	PLATFORM RUNNING BOARDS	\$ 445.00
AS	INTERIOR GRAY VINYL	\$ -	872	REAR VIEW CAMERA KIT	\$ 415.00
99T	6.7L V8 DIESEL	\$ 10,495.00	76C	BACKUP ALARM	\$ 175.00
	LIMITED SLIP AXLE	\$ 395.00		19500 GVWR	\$ 1,155.00
	POWER EQUIPMENT GROUP	\$ -			
	VINYL FLOORING	\$ -			
	BLUETOOTH	\$ -			

**Total of B. Published Options:** **\$ 19,825.00**

**Published Option Discount (5%)** **\$ (991.25)**

**C. Unpublished Options**

Description	Bid Price	Options	Bid Price
TRUX 2589--ARBORTECH SPL-Z1 SLIDING ROOF	\$ 50,971.00		
CHIP BOX W/ CUTOUT, INTERIOR LADDER BOX			
W/ PRUNER SHELF, SIDE TAILGATE, PINTLE HOOK			
AMBER STROBE, TOOLBOX, RELOCATE FACTORY			
CAMERA			

**Total of C. Unpublished Options:** **\$ 50,971.00**

**D. Floor Plan Interest (for in-stock and/or equipped vehicles):** **\$ -**

**E. Lot Insurance (for in-stock and/or equipped vehicles):** **\$ -**

**F. Contract Price Adjustment:** **\$ -**

**G. Additional Delivery Charge:** 299 miles **\$ 523.25**


**H. Subtotal:** **\$ 126,303.00**

**I. Quantity Ordered** 1 **x H =** **\$ 126,303.00**

**J. Trade in:** **\$ -**

**K. Total Purchase Price** **\$ 126,303.**

## Awarded Vendors for Contract 210907 (Automobiles)

- [BOSWELL ELLIFF FORD LT BOSWELL LLC](#)
- [E and J Auto Sales Inc](#)
- [Silsbee Fleet \(4 locations\) 1.Silsbee Ford 2.Silsbee Toyota 3.Lake Country Chevrolet 4.Donalson CDJR, LLC](#) 



EMAIL PO & VENDOR QUOTE TO: TIPSPO@TIPS-USA.COM  
PO MUST REFERENCE VENDOR TIPS CONTRACT NUMBER  
ATTACH PO AS A PDF - ONLY ONE PO (WITH QUOTE) PER ATTACHMENT.

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[TIPS Purchase Order Procedure here](#)

- OVERVIEW
- DUE DILIGENCE
- CONTACTS
- PRINT PROFILE



VENDOR **Silsbee Fleet (4 locations) 1.Silsbee Ford 2.Silsbee Toyota 3.Lake Country Chevrolet 4.Donelson CDJR, LLC**

1211 US HIGHWAY 96 N. SILSBEE TEXAS,77656

WEBSITE [silsbeefleet.com](http://silsbeefleet.com)

SERVICE/PRODUCTS DESCRIPTION SILSBEE FLEET (SILSBEE TOYOTA)

CONTRACT: **210907** Automobiles

End Date: Nov-30-2024 EDGAR COMPLIANCE: [View Doc.](#)



## PLANNING

**To: Mayor and Town Council**

**From: David Hoover, AICP, Director of Development Services**

**Through: Mario Canizares, Town Manager  
Chuck Ewings, Assistant Town Manager**

**Re: Amendment to Planned Development-59 for Screening Wall Location**

**Town Council Meeting – October 22, 2024**

**Strategic Visioning Priority: 4. Provide Excellent Municipal Services**

**Agenda Item:**

Conduct a Public Hearing and consider and act upon a request to amend Planned Development-59 on Twin Creeks Ranch, Phases 1-2, on 40.9± acres, to accommodate the reconfiguration of the wall and the landscaping between the subdivision and Frontier Parkway. (ZONE-24-0011)

**Future Land Use Plan:**

The Future Land Use Plan recommends the Low Density Residential. The proposed zoning request conforms to the Future Land Use Plan.

**Zoning:**

The property is zoned Planned Development-59.

**Thoroughfare Plan:**

This property has direct access to Frontier Parkway.

**Parks Master Plan:**

The Parks Master Plan does not indicate a park is needed on the subject property.

**Budget Impact:**

There is no budgetary impact affiliated with this item.

**Legal Obligations and Review:**

Notification was provided as required by the Zoning Ordinance and state law. Staff has received one response in opposition to the proposed zoning request to date.

**Attached Documents:**

1. Aerial & Zoning Maps
2. Exhibit A-1 – Written Metes and Bounds
3. Exhibit A-2 – Boundary Exhibit
4. Exhibit B – Letter of Intent
5. Exhibit C – Development Standards

6. Exhibit D – Conceptual Plan
7. Exhibit E – Development Schedule
8. Exhibit F – Elevations
9. Exhibit G – Landscape Plan

**Description of Agenda Item:**

The purpose of this request is to amend Planned Development-59 to allow for an existing screening wall to remain in place due to the taking of land for additional right-of-way. Residential developments are required to have both landscape buffers and screening walls adjacent to major and minor thoroughfares. Per the Town's Zoning Ordinance, landscape buffers are required to be in front of screening walls to enhance the aesthetic appeal of the development from the public right-of-way and to reduce noise. The developer for Twin Creeks constructed the screening wall anticipating that the required landscaping would be between the wall and Frontier Parkway. If the taking of land for additional right-of-way hadn't occurred, the screening wall would be in the correct location. However, the taking resulted in the elimination of the required landscape area between the screening wall and Frontier Parkway. Due to the screening wall being 85 percent complete, the developer is requesting to amend the Planned Development to allow it to remain in its current location.

**Mitigation:**

The developer has proposed several options to mitigate the screening wall being in front of the required landscaping.

- Landscaping to soften the masonry portion of the screening wall.
- A berm with additional landscaping behind the screening wall.
- Both the required wall and landscaping are being provided.

**Maintenance:**

The Twin Creek Homeowner's Association will be responsible for the maintenance of the screening wall and landscaping.

**Town Staff Recommendation:**

Town Staff recommends approval of the request to amend Planned Development-59 on Twin Creeks Ranch, Phases 1-2, on 40.9± acres, to accommodate the reconfiguration of the wall and the landscaping between the subdivision and Frontier Parkway.

**Planning & Zoning Recommendation:**

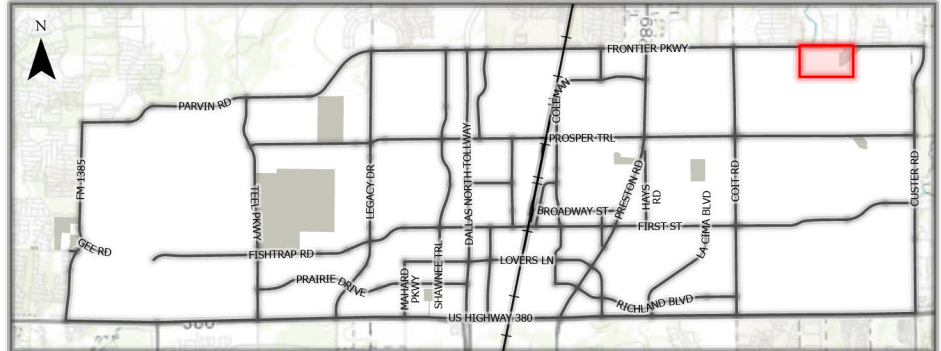
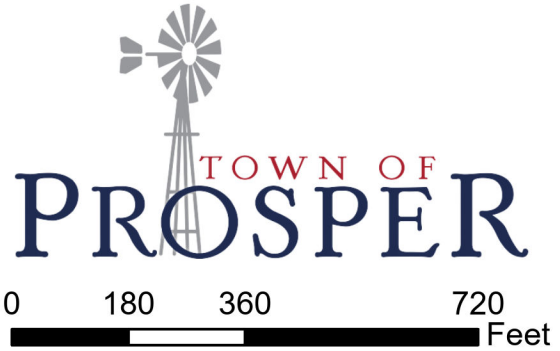
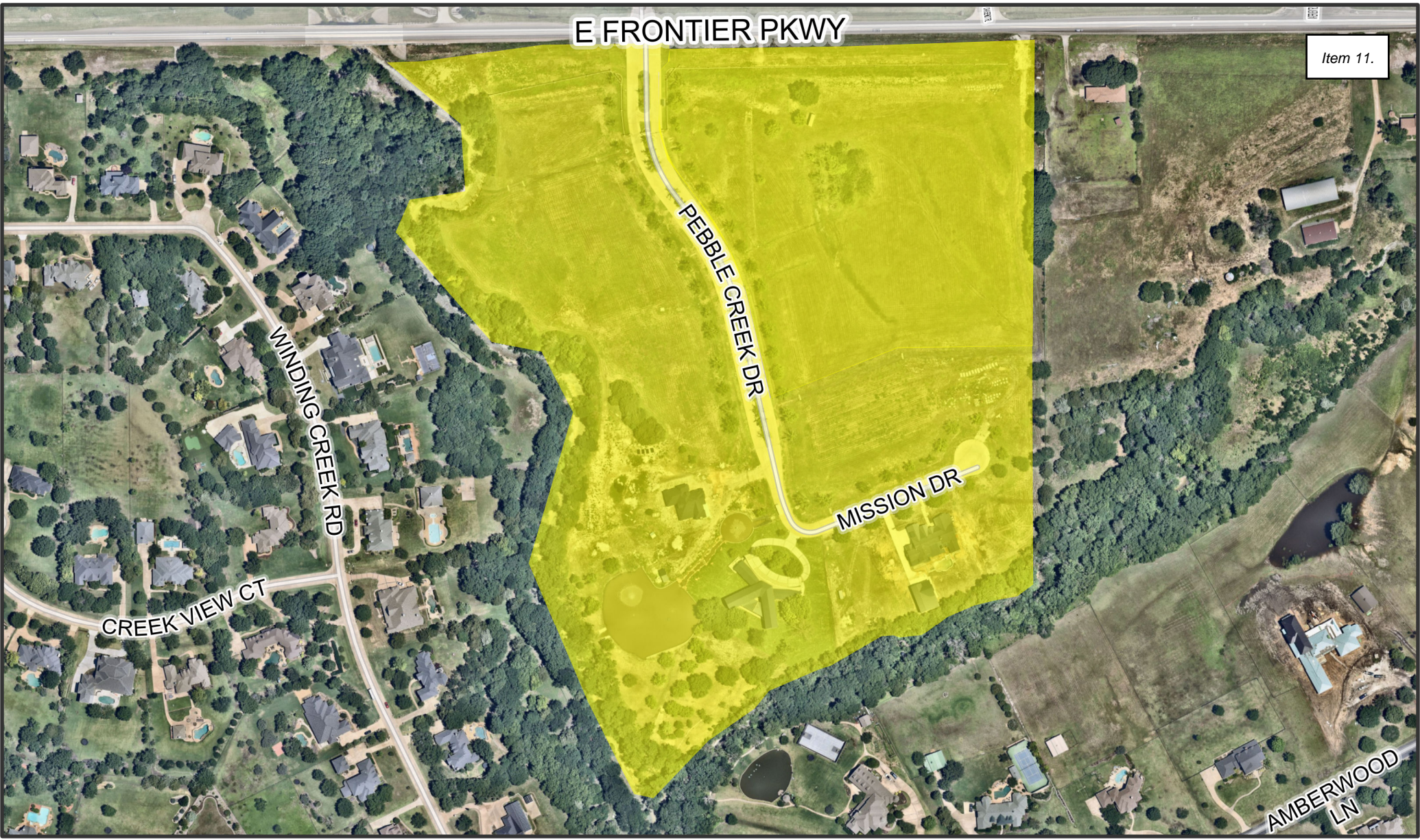
The Planning & Zoning Commission unanimously recommended approval of this item by a vote of 7-0 at their meeting on October 1, 2024.

**Proposed Motion:**

I move to approve/deny the request to amend Planned Development-59 on Twin Creeks Ranch, Phases 1-2, on 40.9± acres, to accommodate the reconfiguration of the wall and the landscaping between the subdivision and Frontier Parkway.

E FRONTIER PKWY

Item 11.



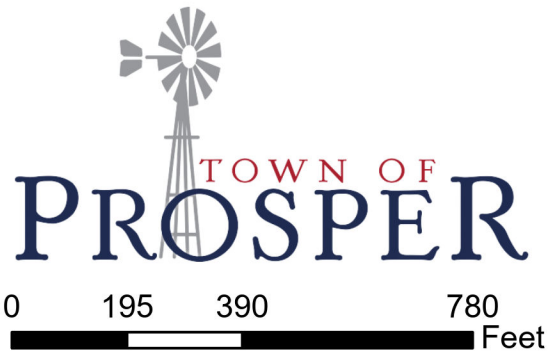
This map for illustration purposes only

ZONE-24-0011

Twin Creeks Ranch

Page 78

Planned Development



**ZONE-24-0011**

Twin Creeks Ranch

Planned Development

This map for illustration purposes only

**Exhibit A-1 – Metes and Bounds**

LEGAL DESCRIPTION

WHEREAS, TWIN CREEKS PROSPER, LLC., CHRISTOPHER & SARAH HEASLIP & DILLON LIVING TRUST are the owners of a tract of land situated in the W.T. Horn Survey, Abstract No. 376 and the W.T Horn Survey, Abstract No. 419, being all of a 37.069 acre tract, as described in Doc. No. 20200427000603670, in the Deed Records of Collin County, Texas, being more particularly described as follows:

COMMENCING, at a 5/8 inch iron rod found at the northeast corner of said 37.069 acre tract and being in the south line of F.M. 1461 (Variable R.O.W.);

THENCE, South 00°13'55" East, along the east line of said 37.069 acre tract, for a distance of 690.26 feet, to a 1#2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc." at the POINT OF BEGINNING;

THENCE, South 00°13'55" East, continuing along said east line, for a distance of 536.96 feet, to a point in a creek;

THENCE, along said creek for the following fifteen (15) calls:

- South 53°14'00" West, for a distance of 44.60 feet;
- South 79°46'30" West, for a distance of 50.68 feet;
- South 76°03'52" West, for a distance of 48.43 feet;
- South 66°43'35" West, for a distance of 65.94 feet;
- South 52°56'05" West, for a distance of 56.06 feet;
- South 59°44'12" West, for a distance of 16.26 feet;
- South 83°48'03" West, for a distance of 48.69 feet;
- North 72°39'13" West, for a distance of 15.86 feet;
- South 85°35'54" West, for a distance of 25.86 feet;
- South 59°49'09" West, for a distance of 132.04 feet;
- South 72°43'45" West, for a distance of 26.54 feet;
- South 66°51'25" West, for a distance of 123.30 feet;
- South 39°13'28" West, for a distance of 51.61 feet;
- South 55°10'20" West, for a distance of 126.64 feet;

South 43°49'50" West, for a distance of 179.49 feet, being the most westerly corner of Lot 25R, Block A out of Amberwood Farms Phase Two, an addition to the Town of Prosper, as described in Doc. No. 2012-267 in said Plat Records and being in the north line of Lot 24R, Block A out of Amberwood Farms Phase Two, an addition to the Town of Prosper, as described in Vol. M, Pg. 3 in said Plat Records, and being in the south line of said 37.069 acre tract;

North 77°38'52" West, along the north line of said Lot 24R, Block A and the south line of said 37.069



acre tract, for a distance of 44.37 feet at the southwest corner of said 37.069 acre tract and the most westerly northwest corner of said Lot 24R, Block A same being in the east line of Gentle Creek Estates Phase I, an addition to the Town of Prosper, as described in Vol. M, Pg. 24 in the Plat Records of Collin County, Texas also being the intersection of another creek;

THENCE, North 26°37'34" West, along the east line of said Gentle Creek Estates Phase I and with said creek same being the west line of said 37.069 acre tract, for a distance of 230.46 feet;

THENCE, continuing along said east and west lines and with said creek for the following five (5) calls:  
North 23°03'52" West, for a distance of 342.00 feet;  
North 16°23'43" East, for a distance of 353.50 feet;  
North 27°22'48" West, for a distance of 153.30 feet;  
North 78°54'50" West, for a distance of 114.55 feet;  
North 41°12'49" West, for a distance of 94.08 feet;

THENCE, North 64°23'48" East, departing said creek and said lines, for a distance of 496.02 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 36°49'03" West, for a distance of 65.32 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 350.00 feet, a central angle of 36°05'08";

THENCE, along said curve to the right for an arc distance of 220.43 feet (Chord Bearing North 18°46'29" West - 216.81 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency;

THENCE, North 00°43'55" West, for a distance of 54.47 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 47°58'44" West, for a distance of 34.05 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 00°43'55" West, for a distance of 49.91 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", in the north line of said 37.069 acre tract and the south line of said F.M. 1461;

THENCE, North 89°16'05" East, along the north line of said 37.069 acre tract and the south line of said F.M. 1461, for a distance of 150.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 00°43'55" East, departing said north and south lines, for a distance of 40.23 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 44°16'05" West, for a distance of 35.36 feet, to a 1/2 inch iron rod set with a yellow

cap stamped "Corwin Eng. Inc.";

THENCE, South  $00^{\circ}43'55''$  East, for a distance of 87.74 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the left, having a radius of 250.00 feet, a central angle of  $35^{\circ}05'08''$ ;

THENCE, along said curve to the left for an arc distance of 157.45 feet (Chord Bearing South  $18^{\circ}46'29''$  East - 154.86 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc." at the point of tangency;

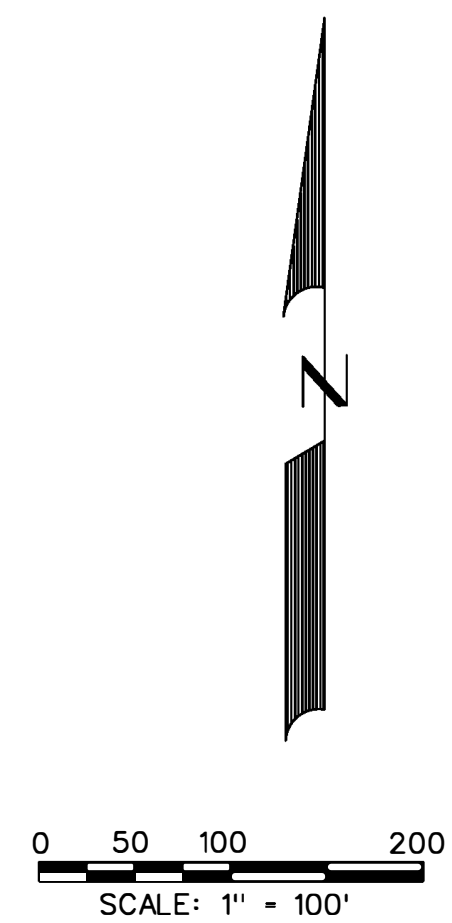
THENCE, South  $36^{\circ}49'03''$  East, for a distance of 91.35 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 535.00 feet, a central angle of  $23^{\circ}50'44''$ ;

THENCE, along said curve to the right for an arc distance of 222.66 feet (Chord Bearing South  $24^{\circ}53'41''$  East - 221.05 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency;

THENCE, South  $12^{\circ}58'19''$  East, for a distance of 231.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

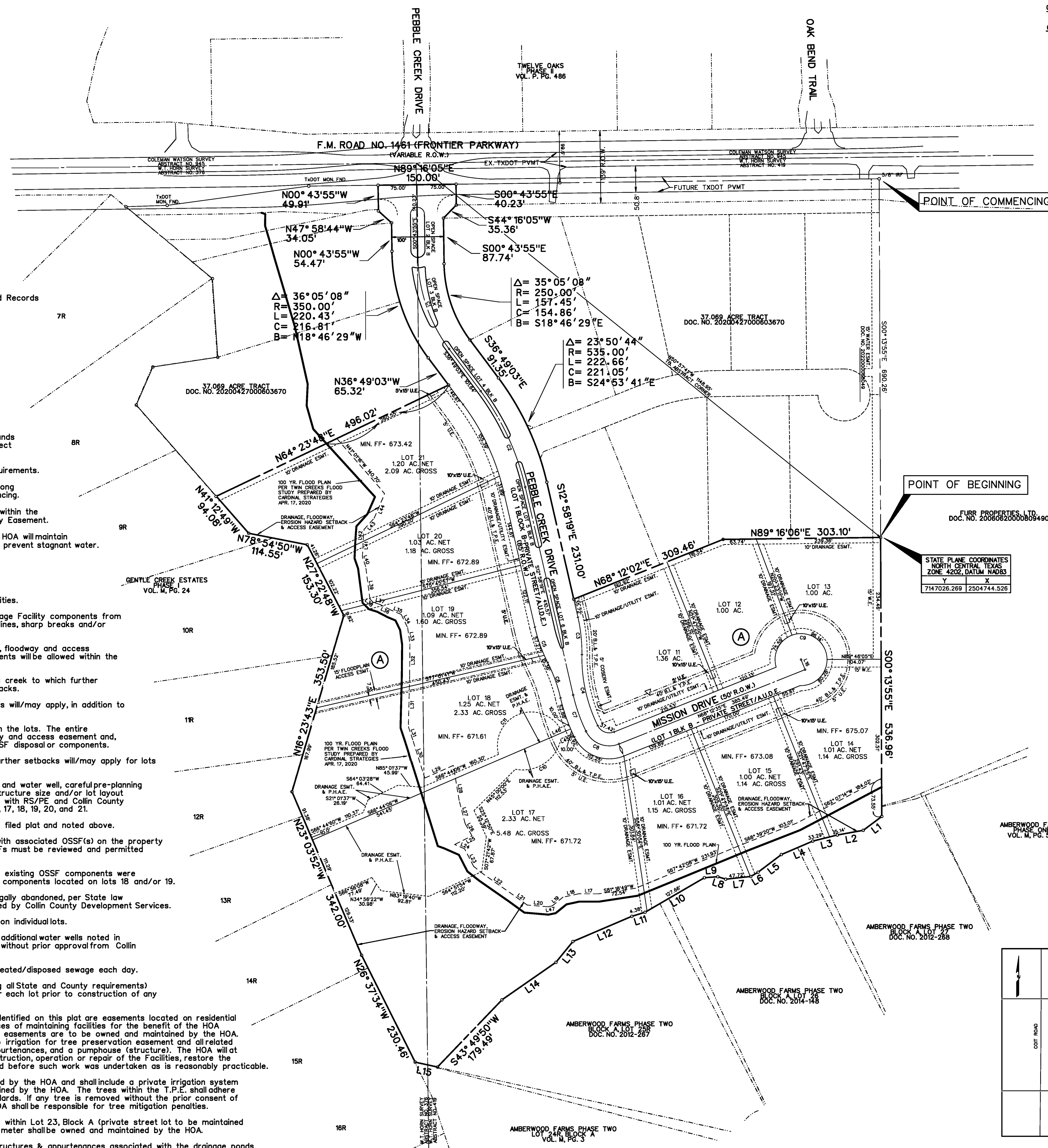
THENCE, North  $68^{\circ}12'02''$  East, for a distance of 309.46 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North  $89^{\circ}16'06''$  East, for a distance of 303.10 feet, to the POINT OF BEGINNING and containing 22.345 acres of land.



NOTES:

- Bearings are referenced to a 37.069 acre tract, as described in Doc No. 20200427000603670, in the Deed Records of Collin County, Texas.
- LEGEND
  - B.L. - Building Line
  - T.P.E. - Tree Preservation Easement
  - W.E. - Water Easement
  - U.E. - Utility Easement
  - A.U.D.E. - Access, Utility, Drainage Easement
  - D.E. - Drainage Easement
  - H.O.A. - Homeowners Association
  - A.U.D.E. - Access, Utility, Drainage Easement
  - P.H.A.E. - Private Homeowner's Association Easement
  - ↓ - Street Name Change
  - △ - Indicates front yard
- "Notice: Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utility and building permits".
- All development will comply with Town of Prosper PD-59 requirements.
- All lots with fencing backing or siding to open space lots along Frontier Parkway are required to have ornamental metal fencing.
- No structure including fencing, pools or similar are allowed within the erosion hazard setback easement or Drainage and Floodway Easement.
- Ponds, walls, spillways, etc. shall be maintained by the HOA. HOA will maintain a constant water level in the ponds with proper aeration to prevent stagnant water.
- OSSF notes:
  - All lots must utilize alternative type On-Site Sewage Facilities.
  - Must maintain state-mandated setback of all On-Site Sewage Facility components from any/all easements and drainage areas, water distribution lines, sharp breaks and/or creeks/rivers/ponds, etc. (Per State regulations).
  - Lots 14, 15, 16, 17, 18, 19, 20, and 21 all contain a drainage, floodway and access easement to which setbacks will apply. No OSSF components will be allowed within the easement.
  - Lots 14, 15, 16, 17, 18, 19, 20, and 21 are all bordered by a creek to which further setback will/may apply, in addition to the easement setbacks.
  - Lots 17 and 18 contain a pond to which further setbacks will/may apply, in addition to the easement setbacks.
  - Lots 14, 15, 16, 17, 18, 19, 20, and 21 all have flood plain on the lots. The entire flood plain area on each lot is under a drainage, floodway and access easement and, therefore, the flood plain area is not to be used for OSSF disposal or components.
  - Lot 17 and 18 contains an existing water well to which further setbacks will/may apply for lots 17 and 18.
  - Due to setbacks required for the easement, creek pond and water well, careful pre-planning will be required on lots 14, 15, 16, 17, 18, 19, 20, and 21. Structure size and/or lot layout may be limited due to setbacks. A pre-planning meeting with RS/P&E and Collin County Development Services is recommended for lots 14, 15, 16, 17, 18, 19, 20, and 21.
  - There are no easements other than those shown on the filed plat and noted above.
  - There were no permitted/approved existing structures with associated OSSF(s) on the property at the time of approval. Any existing structures or OSSFs must be reviewed and permitted by Collin County Development Services prior to any use.
  - There was a structure/dwelling removed from lot 19. No existing OSSF components were located. It is possible that there could be existing OSSF components located on lots 18 and/or 19.
  - If existing tanks are located on any lot, they must be legally abandoned, per State law (TAC 30, Chapter 285.36), and the abandonment inspected by Collin County Development Services.
  - Tree removal and/or grading for OSSF may be required on individual lots.
  - Other than an existing water well on lot 17, there are no additional water wells noted in this subdivision and no additional water wells are allowed without prior approval from Collin County Development Services.
  - Each lot is limited to a maximum of 5,000 gallons of treated/discharged sewage each day.
  - Individual site evaluations and OSSF design plans (meeting all State and County requirements) must be submitted to and approved by Collin County for each lot prior to construction of any OSSF system.
- The Private Homeowner's Association Easement (P.H.A.E.) identified on this plat are easements located on residential lots dedicated to the Homeowner's Association for purposes of maintaining facilities for the benefit of the HOA and not individual residential lots. The facilities within these easements are to be owned and maintained by the HOA. Facilities allowed within these easements are restricted to irrigation for tree preservation easement and all related appurtenances, a water well, a pond pump and related appurtenances, and a pump house (structure). The HOA will at all times after doing any work in connection with the construction, operation or repair of the Facilities, restore the surface to as close as the condition in which it was found before such work was undertaken as is reasonably practicable.
- The Tree Preservation Easement (T.P.E.) shall be maintained by the HOA and shall include a private irrigation system across residential lots that shall also be owned and maintained by the HOA. The trees within the T.P.E. shall adhere to all tree mitigation conditions per Town of Prosper standards. If any tree is removed without the prior consent of the Town's Parks and Recreation Dept, the Twin Creek HOA shall be responsible for tree mitigation penalties.
- Electrical meter to serve HOA improvements shall be placed within Lot 23, Block A (private street lot to be maintained by HOA) for purpose of entry gate facilities. The electrical meter shall be owned and maintained by the HOA.
- The retaining walls, fencing and all other permitted pond structures & appurtenances associated with the drainage ponds located on lots 17 and 18, Block A and located within a P.H.A.E. are to be owned and maintained by the HOA.

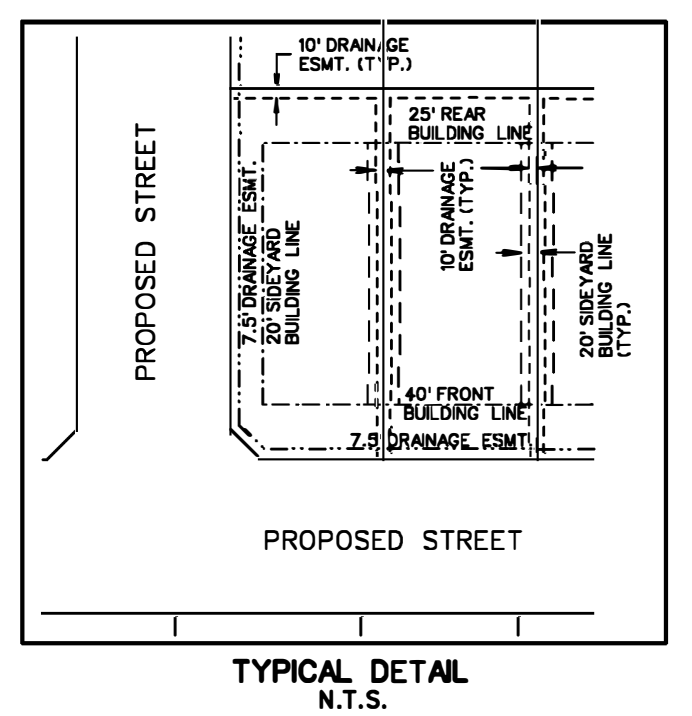
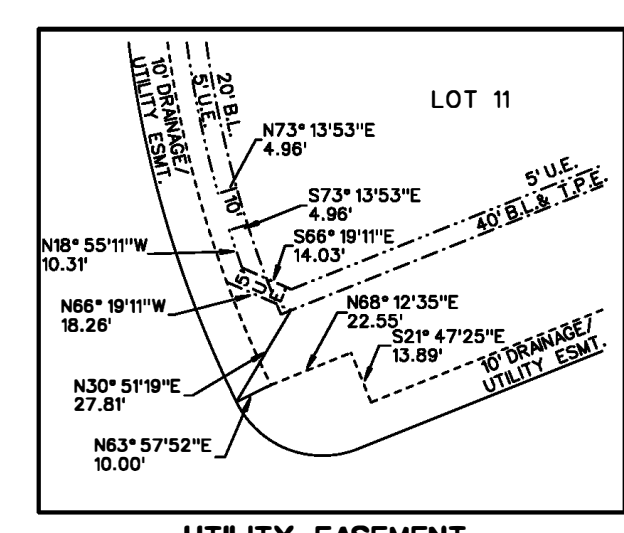
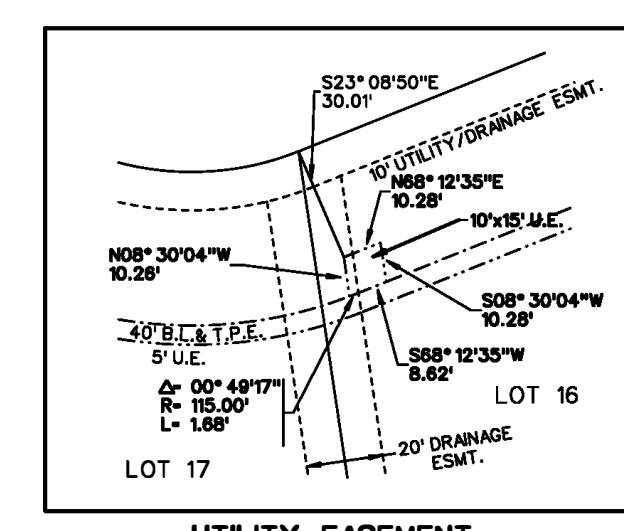


CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING
1.	36°05'08"	300.00'	188.94'	185.84'	S18°46'29"E
2.	23°50'44"	492.50'	204.97'	203.49'	S24°53'41"E
3.	13°52'20"	300.00'	72.63'	72.46'	S06°02'09"E
4.	26°56'09"	300.00'	141.04'	139.74'	S12°34'04"E
5.	13°52'20"	300.00'	72.63'	72.46'	S19°54'29"E
6.	13°52'20"	300.00'	72.63'	72.46'	S19°54'29"E
7.	13°03'49"	325.00'	74.10'	73.94'	S19°30'14"E
8.	85°45'16"	50.00'	50.00'	74.83'	S68°54'46"E
9.	71°13'05"	50.00'	252.01'	58.23'	S52°36'54"E
10.	89°18'50"	75.00'	116.91'	105.43'	S56°17'10"W
11.	162°57'29"	65.00'	184.87'	128.57'	S66°44'06"W

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	S 53°14'00" W	44.60'
2.	S 79°46'30" W	50.68'
3.	S 76°03'52" W	48.43'
4.	S 66°43'35" W	65.94'
5.	S 52°56'05" W	56.06'
6.	S 59°44'12" W	16.26'
7.	S 83°48'03" W	48.69'
8.	N 72°39'13" W	15.86'
9.	S 85°35'54" W	25.86'
10.	S 59°49'09" W	132.04'
11.	S 55°10'20" W	126.64'
12.	S 66°51'25" W	123.30'
13.	S 39°13'28" W	51.61'
14.	S 55°10'20" W	126.64'
15.	N 77°38'52" W	44.37'
16.	S 21°47'25" E	20.83'
17.	N 89°46'25" W	37.91'
18.	S 71°58'29" W	30.82'
19.	S 50°47'57" W	26.80'
20.	N 85°11'04" W	40.11'
21.	N 54°08'30" W	32.87'
22.	N 55°05'17" W	65.03'
23.	N 27°11'18" W	37.84'
24.	N 66°18'34" W	20.98'
25.	N 63°51'06" E	36.22'
26.	N 29°25'39" W	27.06'
27.	N 14°27'34" W	46.02'
28.	N 09°52'00" W	68.29'
29.	S 68°07'28" W	24.06'
30.	N 17°27'50" W	74.34'
31.	N 18°16'38" W	29.49'
32.	N 03°30'24" W	37.32'
33.	N 07°58'11" W	31.62'
34.	N 25°50'23" W	28.50'
35.	N 67°13'03" W	21.15'
36.	N 62°47'02" W	24.06'
37.	N 72°53'50" W	13.71'
38.	N 45°00'00" W	8.75'
39.	N 07°21'53" W	49.75'
40.	N 19°12'46" W	19.36'
41.	N 02°41'02" E	34.84'
42.	N 04°17'21" W	18.43'
43.	N 41°59'14" E	29.19'
44.	N 23°35'13" E	51.52'
45.	S 66°44'06" W	24.75'
46.	S 66°44'06" W	18.40'
47.	S 78°59'57" W	8.34'



POINT OF BEGINNING

FURR PROPERTIES LTD. DOC. NO. 20060620000809490

STATE PLANE COORDINATES  
NORTH CENTRAL TEXAS  
ZONE 4202 DATUM NAD83

Y	X
7147026.269	2504744.528

NOTE: THE PURPOSE OF THIS AMENDING PLAT IS TO ADD THE MISSING BOUNDARY DIMENSION ON LOT 17.

EXHIBIT A-2  
CASE NO. D22-0073  
AMENDING PLAT  
TWIN CREEKS RANCH  
PHASE I

11 TOTAL SINGLE FAMILY LOTS  
1 PRIVATE STREET LOT  
22.345 TOTAL ACRES  
2.874 TOTAL R.O.W. DEDICATION

OUT OF THE  
W.T. HORN SURVEY, ABSTRACT NO. 376  
W.T. HORN SURVEY, ABSTRACT NO. 419

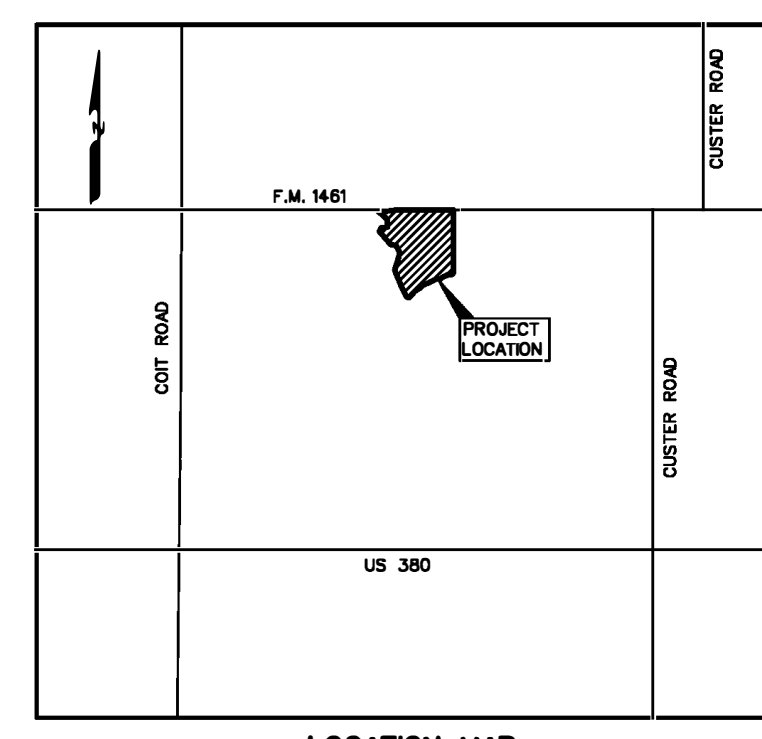
IN THE  
TOWN OF PROSPER  
COLLIN COUNTY, TEXAS  
OWNERS

CHRISTOPHER & SARAH HEASLIP  
1740 PARKWOOD DRIVE  
PROSPER, TEXAS 75078

DILLON LIVING TRUST  
3412 TWIN LAKES DRIVE  
PROSPER, TEXAS 75078

TWIN CREEKS PROSPER, LLC.  
12400 PRESTON RD., STE. 100  
FRISCO, TEXAS 75033

PREPARED BY  
CORWIN ENGINEERING, INC.  
200 W. BELMONT, SUITE E  
ALLEN, TEXAS 75013  
972-396-1200  
WARREN CORWIN



**Exhibit B – Statement of Intent and Purpose**

**Purpose**

Twin Creeks Prosper, LLC is submitting an application for a PD Amendment regarding the location of the screen wall at its location at 1120 E. Frontier Parkway, Prosper, TX 75078.

**Justification**

The screen wall was located on the TXDOT ROW instead of on private property on the southern edge of the Landscape Buffer. The screen wall is ~1,500’ long and is ~85% complete. In meetings with the Town of Prosper it was indicated that it may be possible to get a PD Amendment that would allow the screen wall to remain in place.

The Town of Prosper, in its ordinance, desires to create landscape buffers in front of screen walls to enhance visual appeal and reduce road noise for residents. Twin Creeks Prosper, LLC, believes that despite the incorrect location of the screen wall, that the goals for both visual appeal and noise reduction can be achieved by placing landscaping to cover the masonry portion of the wall and provide a berm with additional landscaping behind the wall within the landscape buffer.

The table below lists distances from currently existing screen walls or private fences to the existing road edge along FM 1461 between Preston Rd and N. Custer Rd (column a). In front of Twin Creeks, the expanded road edge will extend 50’ beyond the current road edge (column b) according to existing TXDOT plans (see Exhibit D). The distance from the expanded road edge to the screen wall in front of Twin Creeks will be 20’-30’ (column c). The distances shown for other developments are indicative and assume the same 50’ expansion from the existing road edge to the new road edge.

Subdivisions Between Preston and Custer on FM 1461	Distance from Existing Roadway Edge To				Distance from New Road Edge to Wall/Fence c
	Existing Wall/Fence a	New Road Edge*			
		b	=	c	
Frontier Estates	91'	-	50'	=	41'
Highland Meadows	60'	-	50'	=	10'
Gentle Creek Estates	93'	-	50'	=	43'
Amberwood Farms	58'	-	50'	=	08'
Twin Creeks Ranch East	70'	-	50'	=	20'
Twin Creeks Ranch West	80'	-	50'	=	30'

\*From Corwin Engineering using TXDOT information (see Exhibit D)

Twin Creeks Prosper, LLC believes concerns regarding visual uniformity between Preston Road and N. Custer Road on FM 1461 post expansion are mitigated by the following:

- After the TXDOT expansion it seems there will be significant variability in setbacks to screen walls and private fences along FM 1461 between Preston Road and N. Custer Road.

- Twin Creeks Ranch is not contiguous on the road frontage of FM 1461 with any existing developments.
- Leaving Twin Creeks Prosper's screen wall in its existing location, with the proposed landscaping plan, will not create unpleasing visual or functional differences.

**Site Plan Request**

- The acreage of the subject property is 39.593 acres.
- The location of the property is: tract of land situated in the W.T. Horn Survey, Abstract No. 379, and the W.T. Horn Survey, Abstract No. 419, being all of a 39.593-acre tract, as described in Doc. No. 20200427000603670, in the Deed Records of Collin County, Texas. The plat in Exhibit A-1 and Metes and Bounds in Exhibit A-2.

**ZONE-24-0011**  
**Exhibit "C"**  
**Development Standards**

This tract shall develop under the regulations of Ordinance No. 12-35 (Planned Development-59) as it exists or may be amended with the following amendments:

1.0 Landscaping

1.1 The landscaping requirements within this Planned Development District are represented in Exhibit D and as follows:

- The required landscape buffer is permitted to be behind the screening wall adjacent to Frontier Parkway.
- Landscaping will be provided along the masonry portion of the screening wall facing Frontier Parkway.
- A berm with additional landscaping will be provided behind the screening wall.

2.0 Maintenance

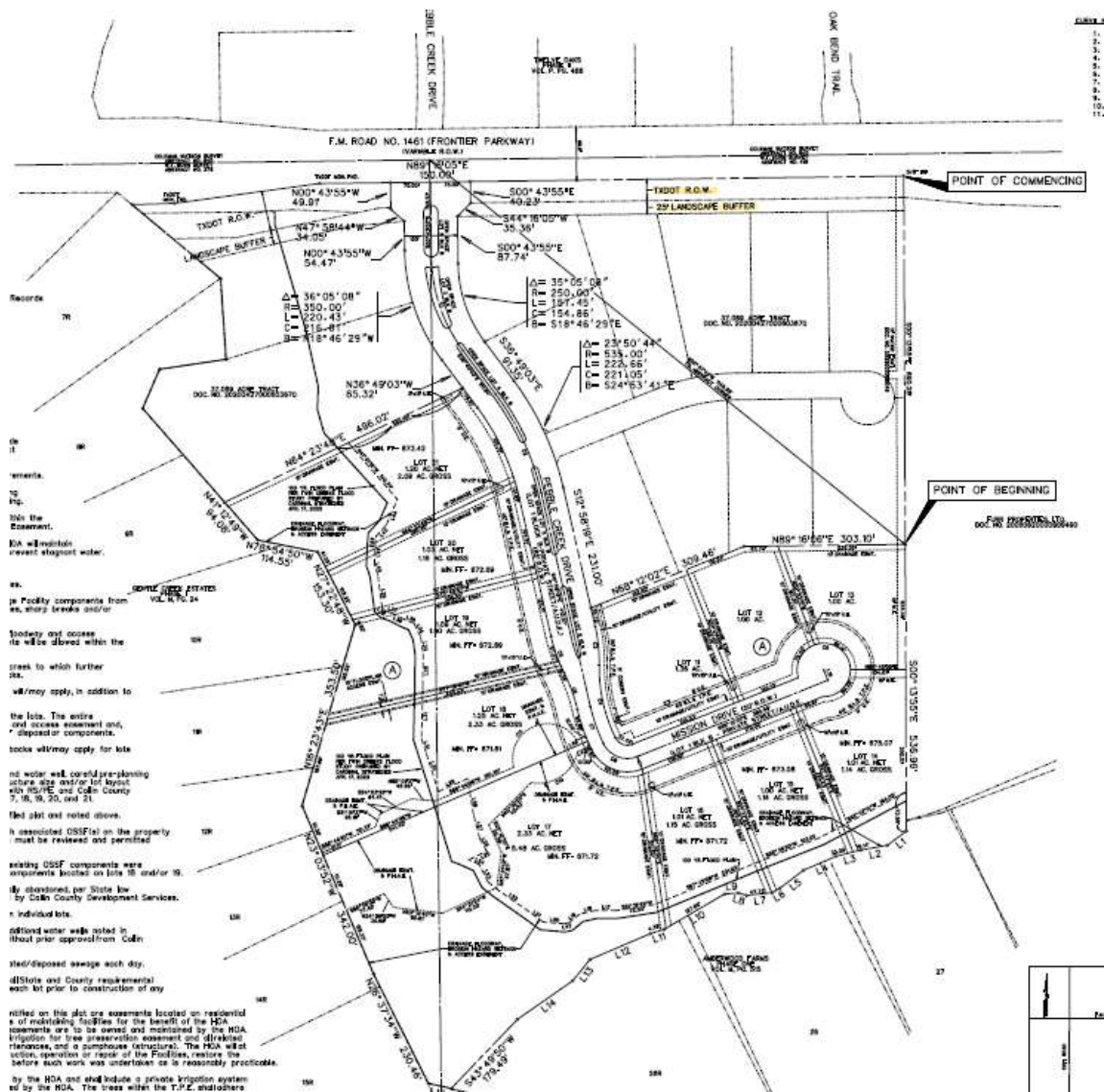
2.1 The maintenance standards within this Planned Development District are as follows:

- The Homeowner's Association for the subdivision will be responsible for the maintenance of the landscaping and screening wall.

**Exhibit D – Conceptual Plan**

Twin Creeks Prosper, LLC submits the following conceptual plan in support of its PD Amendment Application.

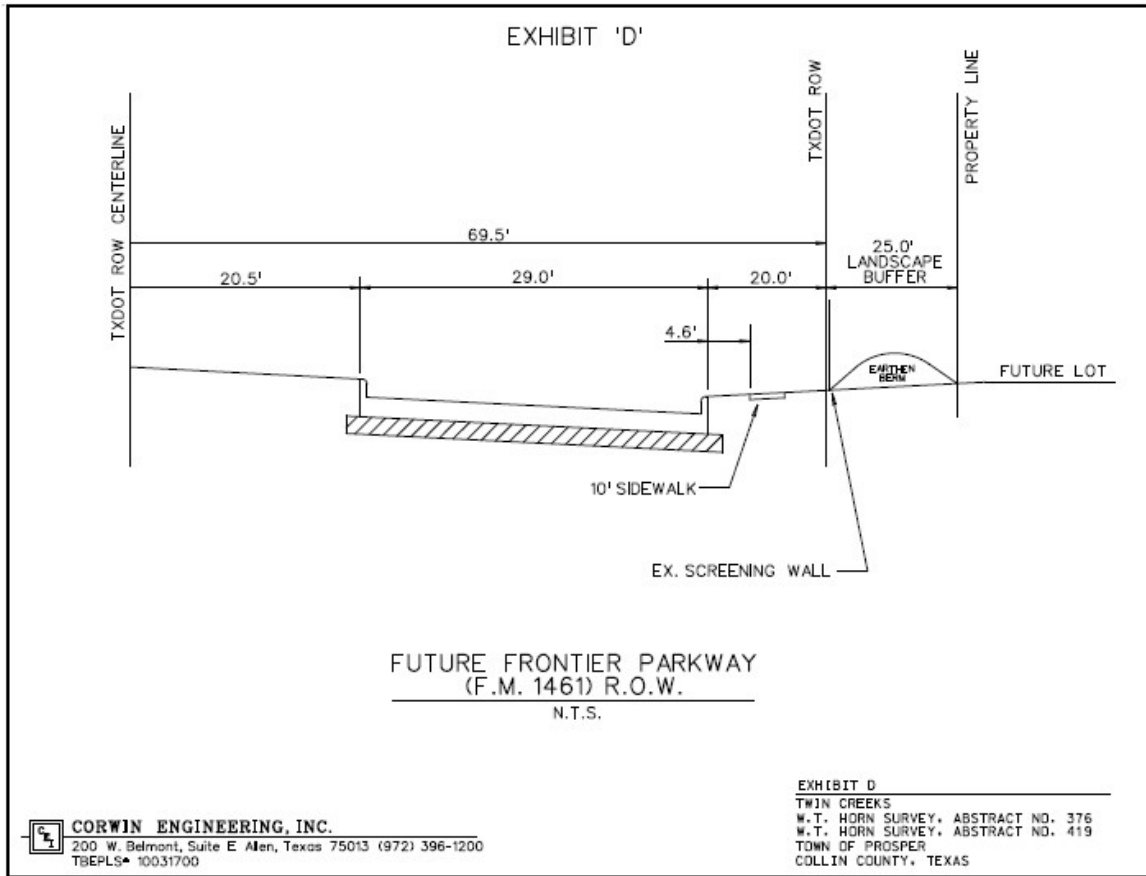
The screen wall is currently placed just outside the TXDOT ROW. Twin Creeks Prosper, LLC proposes leaving the screen wall in its current location with a landscaped hedge within the TXDOT ROW which will be installed and maintained by Twin Creeks Ranch Residential Community, Inc (HOA). A section of the plat with the TXDOT ROW and the Landscape Buffer highlighted as well as a proposed cross section of the current road, TXDOT ROW, location of the screen wall, and landscape buffer is shown below.



TXDOT has indicated a willingness to work with the Town of Prosper to allow for landscaping immediately in front of the screen wall withing the ROW. Twin Creeks Prosper will provide funds in escrow to underwrite the cost of placing the landscaping and will be responsible for upkeep.

The area between the screen wall and the berm in the Landscape Buffer will drain via weep holes already existing in the screen wall.

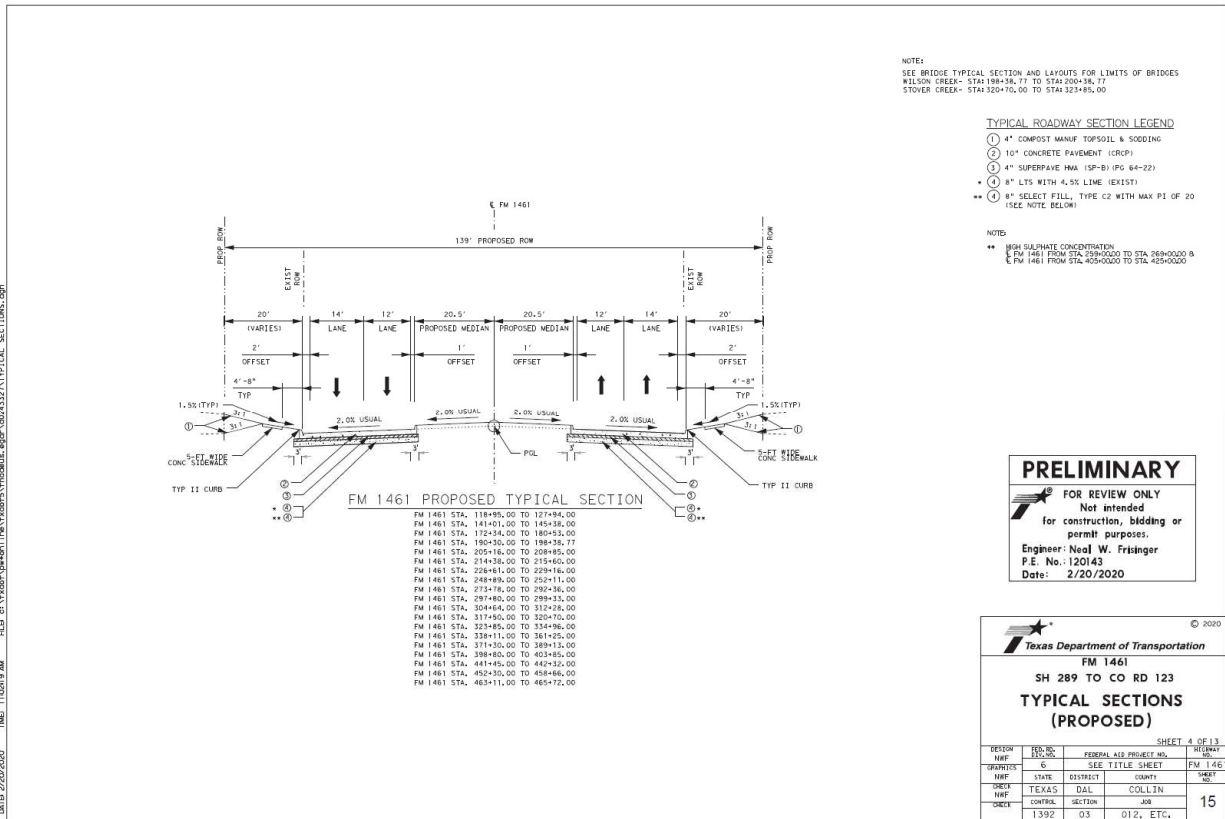
The berm will be maintained by the HOA and the HOA will have access.



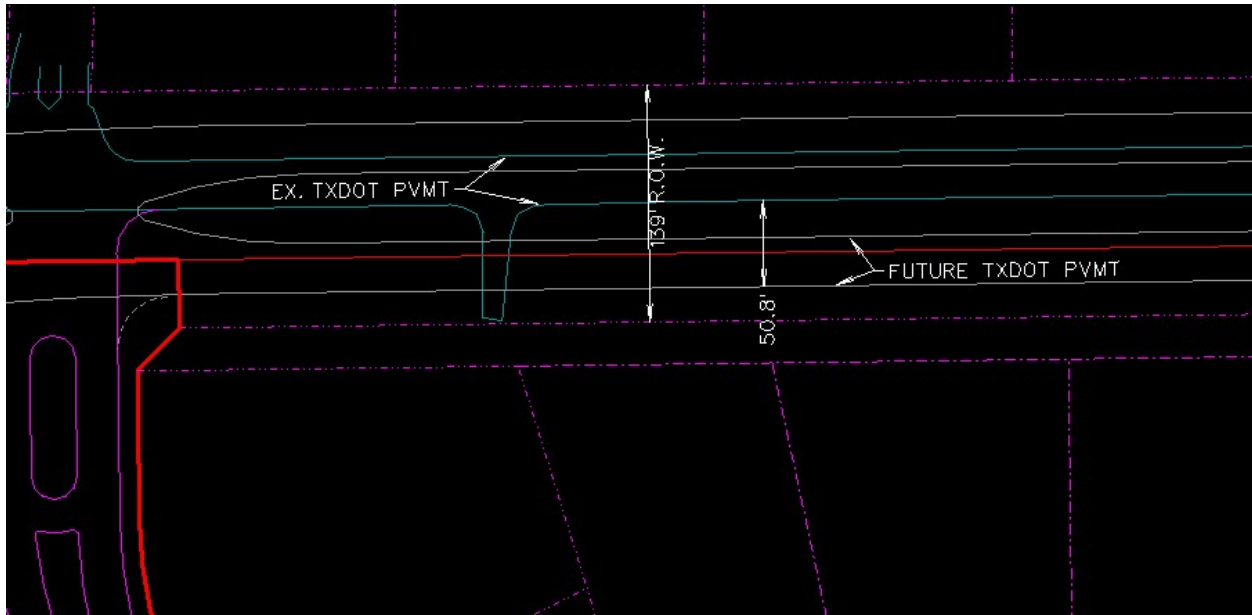
Above is the cross section from the TXDOT plans for the section of the expanded roadway in front of Twin Creeks.

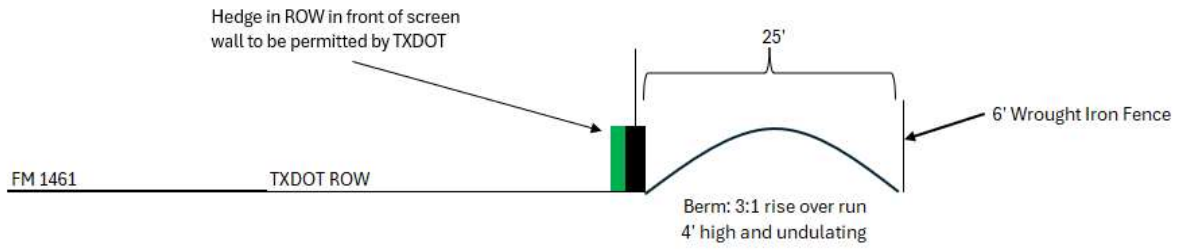


Full TXDOT crosssection.



Below is a screenshot from the TXDOT plans for the future roadway in front of Twin Creeks showing the distance from the existing roadway edge to the future roadway edge.





### **Exhibit E – Development Schedule**

Assuming the PD Amendment is approved, and the screen wall remains in its current location, the following Development Schedule is contemplated.

#### **3 Months Post Approval**

Twin Creeks Prosper, LLC will complete the screen wall (construction of the screen wall was halted due to concern over the location).

#### **Widening of FM 1461 Complete – Apply for and Secure TXDOT Landscaping Permit**

When the widening of FM 1461 is complete, Twin Creeks Ranch Residential Community, Inc (HOA), will work with the Town of Prosper to apply for and secure a permit from TXDOT to enable the placement of the landscape hedge in front of the screen wall within the TXDOT ROW. The timing of the permit application will be dependent on the completion of FM 1461.

#### **Widening of FM 1461 Complete – Installation of Permitted Landscaping**

Permits issued by TXDOT require that work begin within 6 months of the permit issue date, with no requirement date for completion. Once the widening of FM 1461 is complete, and a permit secured, Twin Creeks Ranch Residential Community, Inc. (HOA), will install the landscaping within two months of the permit issue date.

**Exhibit F – Elevations**

Below are two renderings of what the finished result will be. One is an elevation, and the other is a bird’s eye view showing the landscape buffer behind the wall with berm and landscaping to help with noise reduction.



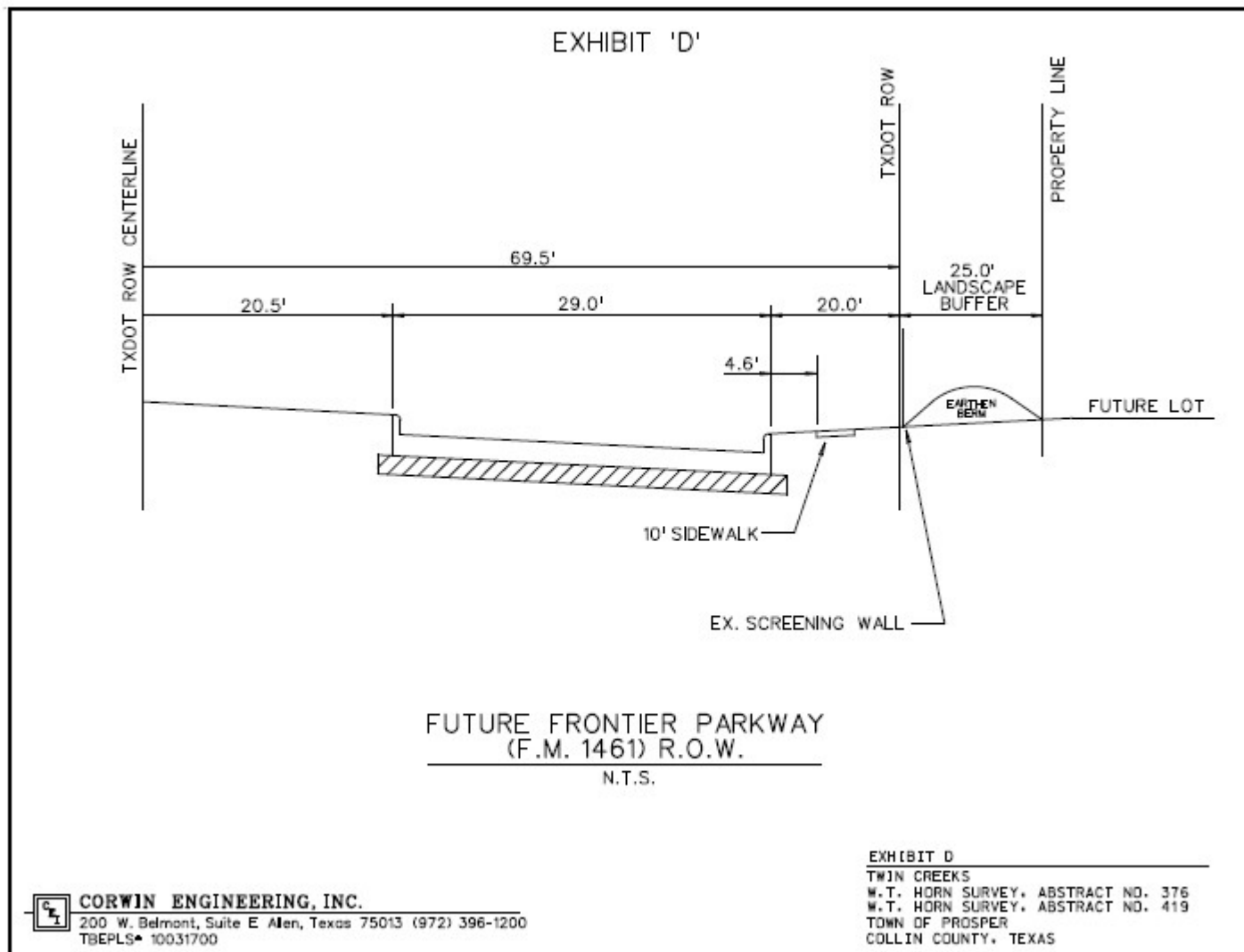


**Exhibit G – Landscape Plan**

Below are two renderings of what the finished result will be. One is an elevation, and the other is a bird’s eye view showing the landscape buffer behind the wall with berm and landscaping to help with noise reduction.











## FIRE DEPARTMENT

**To: Mayor and Town Council**

**From: Stuart Blasingame, Fire Chief**

**Through: Mario Canizares, Town Manager**

**Re: Subject: Fire Station No. 4 GMP**

**Town Council Meeting – October 22, 2024**

**Strategic Visioning Priority: 4. Provide Excellent Municipal Services**

### **Agenda Item:**

Consider and act upon approving a Guaranteed Maximum Price (GMP) Amendment between Pogue Construction Co., L.P., and the Town of Prosper, related to the Fire Station 4 project for \$11,610,003 with a total project cost not to exceed \$13,814,000.

### **Description of Agenda Item:**

On June 14, 2022, the Town Council approved the Standard Form of Agreement and related documents with Pogue Construction Co., L.P., for the Construction Manager-At-Risk for Prosper Fire Station No.4. The design is 100% complete and the proposed GMP for construction of the project is \$11,610,003 with a total project cost not to exceed \$13,814,000.

After reviewing 165 bids, the project estimate now stands at \$13,813,957, with \$11,610,003 allocated for construction. This reflects a 1.31% increase, resulting in a shortfall of \$139,852 compared to the programmed budget of \$13,674,105. The budget is spread across four categories: Professional Services, Other Development Costs, Construction, and FF&E.

The Guaranteed Maximum Price (GMP) excludes the extension of the natural gas line, as CoServ plans to begin extending the line down Prosper Trail from Escalante Trail to Coit Road in February 2025, which reduces our overage estimate. We are still carrying an allowance for boring under Prosper Trail if the line is constructed on the north side of the road. Should CoServ not complete the gas line as planned, the additional costs will be covered under Other Development Costs.

### **Budget Impact:**

Capital improvements for Fire Station #4 will be accounted for in the Governmental Capital Projects Fund to accounts 20010762-56700 and 20010762-61900 for projects FC 202137- Fire Station #4 Design and FC202205 – Fire Station #4 Construction. The Guaranteed Maximum Price (GMP) is \$11,610,003 with a total project cost not to exceed \$13,814,000.

### **Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality.

**Attached Documents:**

1. GMP Amendment
2. Town of Prosper Budget Summary
3. Town Attorney Approval

**Town Staff Recommendation:**

Town Staff recommends the Town Council approve a Guaranteed Maximum Price (GMP) Amendment between Pogue Construction Co., L.P., and the Town of Prosper, related to the Fire Station 4 project for \$11,610,003 with a total project cost not to exceed \$13,814,000.

**Proposed Motion:**

I move to approve a Guaranteed Maximum Price (GMP) Amendment between Pogue Construction Co., L.P., and the Town of Prosper, related to the Fire Station 4 project for \$11,610,003 with a total project cost not to exceed \$13,814,000.



# AIA® Document A133® – 2019 Exhibit A

## Guaranteed Maximum Price Amendment

This Amendment dated the 22nd day of October in the year 2024, is incorporated into the accompanying AIA Document A133™–2019, Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price dated the 14th day of June in the year 2022 (the "Agreement")  
(In words, indicate day, month, and year.)

for the following **PROJECT:**  
(Name and address or location)

Town of Prosper  
Prosper Fire Station No.4

**THE OWNER:**  
(Name, legal status, and address)

The Town of Prosper  
250 W First St  
Prosper, TX 75078

**THE CONSTRUCTION MANAGER:**  
(Name, legal status, and address)

Pogue Construction Co., LP  
1512 Bray Central Dr., Suite 300  
McKinney, TX 75069

### TABLE OF ARTICLES

- A.1 GUARANTEED MAXIMUM PRICE**
- A.2 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION**
- A.3 INFORMATION UPON WHICH AMENDMENT IS BASED**
- A.4 CONSTRUCTION MANAGER'S CONSULTANTS, CONTRACTORS, DESIGN PROFESSIONALS, AND SUPPLIERS**

### ARTICLE A.1 GUARANTEED MAXIMUM PRICE

#### § A.1.1 Guaranteed Maximum Price

Pursuant to Section 3.2.6 of the Agreement, the Owner and Construction Manager hereby amend the Agreement to establish a Guaranteed Maximum Price. As agreed by the Owner and Construction Manager, the Guaranteed Maximum Price is an amount that the Contract Sum shall not exceed. The Contract Sum consists of the Construction Manager's Fee plus the Cost of the Work, as that term is defined in Article 6 of the Agreement.

**§ A.1.1.1** The Contract Sum is guaranteed by the Construction Manager not to exceed Eleven Million, Six Hundred Ten Thousand, Three Dollars and Zero Cents (\$ \$11,610,003.00), subject to additions and deductions by Change Order as provided in the Contract Documents.

### ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™–2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

Init.

AIA Document A133 – 2019 Exhibit A. Copyright © 1991, 2003, 2009, and 2019. All rights reserved. "The American Institute of Architects," "American Institute of Architects," "AIA," the AIA Logo, and "AIA Contract Documents" are trademarks of The American Institute of Architects. This document was produced at 16:43:22 ET on 10/17/2024 under Order No.3104239164 which expires on 12/01/2024, is not for resale, is licensed for one-time use only, and may only be used in accordance with the AIA Contract Documents® Terms of Service. To report copyright violations, e-mail docinfo@aiacontracts.com.

User Notes:

(19681)

**§ A.1.1.2 Itemized Statement of the Guaranteed Maximum Price.** Provided below is an itemized statement of the Guaranteed Maximum Price organized by trade categories, including allowances; the Construction Manager’s contingency; alternates; the Construction Manager’s Fee; and other items that comprise the Guaranteed Maximum Price as defined in Section 3.2.1 of the Agreement.  
*(Provide itemized statement below or reference an attachment.)*

An itemized statement of the GMP prepared by Pogue Construction Co. LP, dated October 17, 2024 is attached hereto as Attachment A and incorporated herein for all purposes.

**§ A.1.1.3** The Construction Manager’s Fee is set forth in Section 6.1.2 of the Agreement.

**§ A.1.1.4** The method of adjustment of the Construction Manager’s Fee for changes in the Work is set forth in Section 6.1.3 of the Agreement.

**§ A.1.1.5 Alternates**

**§ A.1.1.5.1** Alternates, if any, included in the Guaranteed Maximum Price:

Item	Price
N/A	

**§ A.1.1.5.2** Subject to the conditions noted below, the following alternates may be accepted by the Owner following execution of this Exhibit A. Upon acceptance, the Owner shall issue a Modification to the Agreement.  
*(Insert below each alternate and the conditions that must be met for the Owner to accept the alternate.)*

Item	Price	Conditions for Acceptance
N/A		

**§ A.1.1.6** Unit prices, if any:  
*(Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)*

Item	Units and Limitations	Price per Unit (\$0.00)
N/A		

**ARTICLE A.2 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION**

**§ A.2.1** The date of commencement of the Work shall be:  
*(Check one of the following boxes.)*

- The date of execution of this Amendment.
- Established as follows:  
*(Insert a date or a means to determine the date of commencement of the Work.)*
- A date set forth in a notice to proceed issued by the Owner

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of execution of this Amendment.

**§ A.2.2** Unless otherwise provided, the Contract Time is the period of time, including authorized adjustments, allotted in the Contract Documents for Substantial Completion of the Work. The Contract Time shall be measured from the date of commencement of the Work.

**§ A.2.3 Substantial Completion**

**§ A.2.3.1** Subject to adjustments of the Contract Time as provided in the Contract Documents, the Construction Manager shall achieve Substantial Completion of the entire Work:  
*(Check one of the following boxes and complete the necessary information.)*

[ ] Not later than ( ) calendar days from the date of commencement of the Work.

[ X ] By the following date: 1/2/2026

§ A.2.3.2 Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Construction Manager shall achieve Substantial Completion of such portions by the following dates:

Portion of Work	Substantial Completion Date
N/A	

§ A.2.3.3 If the Construction Manager fails to achieve Substantial Completion as provided in this Section A.2.3, liquidated damages, if any, shall be assessed as set forth in Section 6.1.6 of the Agreement.

ARTICLE A.3 INFORMATION UPON WHICH AMENDMENT IS BASED

§ A.3.1 The Guaranteed Maximum Price and Contract Time set forth in this Amendment are based on the Contract Documents and the following:

§ A.3.1.1 The following Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
----------	-------	------	-------

§ A.3.1.2 The following Specifications:  
(Either list the Specifications here, or refer to an exhibit attached to this Amendment.)

Those Specifications referenced in the Drawing and Spec Log prepared by Pogue Construction Co., LP, referenced in Attachment D attached hereto and incorporated in their entirety herein for all purposes

Section	Title	Date	Pages
---------	-------	------	-------

§ A.3.1.3 The following Drawings:  
(Either list the Drawings here, or refer to an exhibit attached to this Amendment.)

Those Drawings referenced in the Drawing and Spec Log prepared by Pogue Construction Co., LP, referenced in Attachment D attached hereto and incorporated in their entirety herein for all purposes

Number	Title	Date
--------	-------	------

§ A.3.1.4 The Sustainability Plan, if any:  
(If the Owner identified a Sustainable Objective in the Owner’s Criteria, identify the document or documents that comprise the Sustainability Plan by title, date and number of pages, and include other identifying information. The Sustainability Plan identifies and describes the Sustainable Objective; the targeted Sustainable Measures; implementation strategies selected to achieve the Sustainable Measures; the Owner’s and Construction Manager’s roles and responsibilities associated with achieving the Sustainable Measures; the specific details about design reviews, testing or metrics to verify achievement of each Sustainable Measure; and the Sustainability Documentation required for the Project, as those terms are defined in Exhibit C to the Agreement.)

Title	Date	Pages
-------	------	-------

Other identifying information:

§ A.3.1.5 Allowances, if any, included in the Guaranteed Maximum Price:  
(Identify each allowance.)

Item	Price
Reference Attachment C	

§ A.3.1.6 Assumptions and clarifications, if any, upon which the Guaranteed Maximum Price is based:  
*(Identify each assumption and clarification.)*

Those assumptions and clarifications set forth in the Qualifications and Clarifications prepared by Pogue Construction Co., LP, referenced in Attachment B attached hereto and incorporated in their entirety herein for all purposes

§ A.3.1.7 The Guaranteed Maximum Price is based upon the following other documents and information:  
*(List any other documents or information here, or refer to an exhibit attached to this Amendment.)*

N/A

**ARTICLE A.4 CONSTRUCTION MANAGER'S CONSULTANTS, CONTRACTORS, DESIGN PROFESSIONALS, AND SUPPLIERS**

§ A.4.1 The Construction Manager shall retain the consultants, contractors, design professionals, and suppliers, identified below:

*(List name, discipline, address, and other information.)*

This Amendment to the Agreement entered into as of the day and year first written above.

Pogue Construction, Co., LP a Texas Limited Partnership, acting by and through Ben Pogue, LC, a Texas Limited Liability Company, General Partner

\_\_\_\_\_  
**OWNER** *(Signature)*

\_\_\_\_\_  
**CONSTRUCTION MANAGER** *(Signature)*

\_\_\_\_\_  
*(Printed name and title)*

Benjamin P. Pogue Sole Member of Ben Pogue, LC, a Texas Limited Liability Company  
 \_\_\_\_\_  
*(Printed name and title)*

Init.

# Additions and Deletions Report for AIA® Document A133® – 2019 Exhibit A

This Additions and Deletions Report, as defined on page 1 of the associated document, reproduces below all text the author has added to the standard form AIA document in order to complete it, as well as any text the author may have added to or deleted from the original AIA text. Added text is shown underlined. Deleted text is indicated with a horizontal line through the original AIA text.

Note: This Additions and Deletions Report is provided for information purposes only and is not incorporated into or constitute any part of the associated AIA document. This Additions and Deletions Report and its associated document were generated simultaneously by AIA software at 16:43:22 ET on 10/17/2024.

## PAGE 1

This Amendment dated the 22nd day of October in the year 2024, is incorporated into the accompanying AIA Document A133™–2019, Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price dated the 14th day of June in the year 2022 (the "Agreement")

...

Town of Prosper  
Prosper Fire Station No.4

...

The Town of Prosper  
250 W First St  
Prosper, TX 75078

...

Pogue Construction Co., LP  
1512 Bray Central Dr., Suite 300  
McKinney, TX 75069

...

**§ A.1.1.1** The Contract Sum is guaranteed by the Construction Manager not to exceed Eleven Million, Six Hundred Ten Thousand, Three Dollars and Zero Cents (\$ \$11,610,003.00), subject to additions and deductions by Change Order as provided in the Contract Documents.

## PAGE 2

An itemized statement of the GMP prepared by Pogue Construction Co. LP, dated October 17, 2024 is attached hereto as Attachment A and incorporated herein for all purposes.

...

N/A

...

N/A

...

N/A

...

[  ] Established as follows:

...

A date set forth in a notice to proceed issued by the Owner

**PAGE 3**

[  ] By the following date: 1/2/2026

...

N/A

...

Those Specifications referenced in the Drawing and Spec Log prepared by Pogue Construction Co., LP, referenced in Attachment D attached hereto and incorporated in their entirety herein for all purposes

...

Those Drawings referenced in the Drawing and Spec Log prepared by Pogue Construction Co., LP, referenced in Attachment D attached hereto and incorporated in their entirety herein for all purposes

**PAGE 4**

Reference Attachment C

...

Those assumptions and clarifications set forth in the Qualifications and Clarifications prepared by Pogue Construction Co., LP, referenced in Attachment B attached hereto and incorporated in their entirety herein for all purposes

...

N/A

...

Benjamin P. Pogue Sole Member of Ben Pogue, LC,  
a Texas Limited Liability Company



## **Certification of Document's Authenticity**

**AIA® Document D401™ – 2003**

I, Ben Pogue , hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with its associated Additions and Deletions Report and this certification at 16:43:22 ET on 10/17/2024 under Order No. 3104239164 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document A133™ – 2019 Exhibit A, Guaranteed Maximum Price Amendment, other than those additions and deletions shown in the associated Additions and Deletions Report.



(Signed)

Sole Member

(Title)

10/17/2024

(Dated)

**Town of Prosper - Fire Station #4 - GMP**



Due Date: 10/01/2024  
 Estimate Status: Active - GMP

**Attachment A**

**Summarized Estimate Phase Report**

Description	Total Direct Cost
<b>No Phase Totals</b>	<b>\$10,412,107</b>
01C General Requirements	81,716
01D Project Requirements	252,007
03A Concrete	1,307,227
04A Masonry	688,665
05A Metals	815,980
06D Finish Carpentry	288,753
07A Waterproofing/Air Barriers/Caulking	152,255
07B Foamed-In-Place Insulation	40,025
07C Roofing & Sheet Metal	545,272
07E Fireproofing & Firestopping	10,399
07F Expansion Control	10,030
08A Doors, Frames & Hardware	209,475
08C Coiling/Overhead Doors & Grilles	214,341
08E Glass & Glazing	170,676
09B Drywall/Acoustical	487,253
09C Tiling	81,281
09D Carpet/VCT/ Base	44,816
09E Athletic Sheet Flooring	21,362
09I Resinous Flooring	110,195
09K Painting & Wall Coverings	111,613
10B Visual Display Units	7,989
10C Signage	71,576
10D Toilet Accessories & Compartments	9,739
10E Wall & Door Protection	2,680
10F Fire Protection Specialties	3,033
10G Lockers & Metal Storage Shelving	23,022
10H Postal Specialties	1,416
10L Flagpoles	10,665
11C Residential Appliances	100,651
12B Window Treatments	33,500
21A Fire Suppression	63,351
22A Plumbing	848,437
23A HVAC	677,025

# Town of Prosper - Fire Station #4 - GMP



Due Date: 10/01/2024  
Estimate Status: Active - GMP

## Summarized Estimate Phase Report

Description	Total Direct Cost
26A Electrical	1,173,977
27A Structured Cabling System	119,357
27B Audio Video Systems	43,105
28A Fire Alarm	57,306
28B Security System	15,523
28C Access Control	66,198
31A Earthwork	508,288
31B Termite Control	982
31C SWPPP	43,366
32C Pavement Markings/Specialties	21,432
32I Planting, Irrigation, Turfs & Grasses	331,692
33A Site Utilities	534,437
<b>Totals</b>	<b>\$10,412,107</b>

**Town of Prosper - Fire Station #4 - GMP**



Due Date: 10/01/2024  
 Estimate Status: Active - GMP


**Summarized Estimate Phase Report**

**Estimate Summary**

Description	Markup Type	Percentage	Amount	Totals
<b>Sub-Total (Indirect Cost)</b>				
C/M Contingency	Markup	1.00%	0.00	\$104,121.07
Pier Reconciliation Allowance	Lump Sum	0.00%	35,000.00	\$35,000.00
Branding for Dayroom Wall Allowance	Lump Sum	0.00%	10,000.00	\$10,000.00
Gas Service to Site	Lump Sum	0.00%	30,000.00	\$30,000.00
<b>Sub-Total (Indirect Cost) Total</b>				<b>\$10,591,227.78</b>

**Estimate Summary**

Description	Markup Type	Percentage	Amount	Totals
<b>Total Estimate</b>				
CMAR Fee	Markup	1.75%	0.00	\$185,346.49
General Conditions	Lump Sum	0.00%	833,429.00	\$833,429.00
Building Permit (By Owner)	Markup	0.00%	0.00	\$0.00
Preconstruction Fee (Funded outside of GMP)	Markup	0.00%	0.00	\$0.00
<b>Total Estimate Total</b>				<b>\$11,610,003.27</b>

I N C L U D E D	E X C L U D E D	C L A R I F I C A T I O N	A L L O W A N C E	 <h2 style="margin: 0;">QUALIFICATIONS &amp; CLARIFICATIONS</h2>
--------------------------------------	--------------------------------------	---	---	---

This GMP is for the Town of Prosper Fire Station #4 and is based upon the below listed scope of work. Should there be a discrepancy between the Construction Documents and these Clarifications and Exclusions, this document shall prevail.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Liability and Builders Risk Insurance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Pogue Construction bank account is intended to be used for the life of this project. Any changes to bank account information must be received in writing and confirmed via in-person meeting with the Chief Financial Officer of Pogue Construction.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building Permit Fee
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Impact fees, meters, utility fees, usage fees, rights-of-ways, connection fees, easements, tap fees, gas fees, occupancy fees and any other governmental fees
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fees for special inspections required by the Designers, Architect/Engineer, Owner, or Government Agencies having jurisdiction over the work
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	State sales tax on materials and goods incorporated into the work
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Obstacles due to unforeseen conditions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CM Contingency in the amount of \$104,021 for Pogue Construction's exclusive use. Any unused portion will be returned to the owner after the completion of the project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pier Reconciliation Allowance in the amount of \$35,000.00
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Branding for Dayroom Wall Allowance \$10,000.00
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gas Service to Site Allowance \$30,000.00
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Performance and Payment Bond
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Owner understands and agrees that Subcontractor Default Insurance shall be billed and paid at the agreed rate of 1.75% to manage the risk of Subcontractor or Supplier default
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fees for Material Testing & Inspections
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Special Environmental Testing
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Abatement/ Removal of Hazardous Materials
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Provision for environmental contaminants (Wildlife or Archaeological Finds)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dumpster Costs for Construction Debris
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dumpster Costs for Owner FF&E/Move-In
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exterior envelope testing and consulting
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Schedule is contingent upon submittals being approved and returned to Pogue within 14 days
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All Value Management costs are based on approval of the exact products, materials and construction methods proposed by Pogue Construction. Any deviations are subject to cost revisions
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Commissioning agent referenced in specification section 01 91 14 shall be hired and paid by the TOP. Pogue Construction, HVAC, T&B, and Electrical subcontractors shall coordinate with owner hired commissioning agent.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Addenda 1 dated September 13, 2024
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Addenda 2 dated September 27, 2024
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Temporary water supply
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Information technology costs associated with this project shall be billed and paid at the agreed rate of 0.15%
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Warranty costs associated with this project shall be billed and paid at the agreed rate of 0.15%

**03A Concrete**

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pier Casings, see add pricing below.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Drilled piers at structure foundations are included with 20' depth and required penetration into Bearing Stratum. In the event piers exceed or are less than depth indicated, the following unit prices will apply and are to be reconciled against the designated allowance.
				Lineal foot cost of additional depth
			1A	\$53.00 / LF of Add for Additional depths of 18" diameter piers.
			1B	\$15.00 / LF of Reduction for Reduced depths of 18" diameter piers.
			1C	\$80.00 / LF of Add for Additional depths of 24" diameter piers.
			1D	\$24.00 / LF of Reduction for Reduced depths of 24" diameter piers.
			1E	\$168.00 / LF of Add for Additional depths of 36" diameter piers.
			1F	\$50.00 / LF of Reduction for Reduced depths of 36" diameter piers.
				Casing of piers is specifically excluded. If casing of piers is required, the below pricing will apply.
			2A	\$8,000.00 Mobilization of Casing Rig



**QUALIFICATIONS & CLARIFICATIONS**

I N C L U D E D	E X C L U D E D	C L A R I F I C A T I O N	A L L O W A N C E	
				2B \$65.00 / LF of Add for Casing of 18" Diameter Piers
				2C \$80.00 / LF of Add for Casing of 24" Diameter Piers
				2D \$124.00 / LF of Add for Casing of 36" Diameter Piers
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If piers are required to be cased, there is a minimum mobilization charge of \$4,500
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cost for leaving pier casing in place
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Core or rock drilling \$550/HR for dry and 850/HR for Cased
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All hot and cold weather procedures for all concrete. if required, hot/cold procedures will be addressed on a unit cost basis to be rectified by allowance. Ice will be added at \$50/CY. Hot water will be added at \$15/CY.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Provide excavation and shoring at basement walls
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Provide and install vertical CIP basement walls. Include backfill, perf pipe subsurface drainage system, and free draining aggregate. Ref. 4/A3.2
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7" paving at fire lanes as indicated on C1.01
<b>05A Metals</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dumpster and Generator Enclosure Gates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tornado shelter steel baffles per S4.12 detail 3
<b>05B Specialty Metals</b>				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stainless steel railings
<b>06D Finish Carpentry</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fabrication and finish of carpentry to be per AWI standards
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	AWI Certification for project
<b>07C Roofing &amp; Sheet Metal</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Peterson Aluminum PAC-750 wood look soffit panels
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	80 mil PVC roof to achieve 30 year manufacturer warranty
<b>07E Fireproofing &amp; Firestopping</b>				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sprayed Applied Fireproofing at structural steel components
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Firestopping of Wall, Floor, and Ceiling Penetrations at Rated Areas
<b>08A Doors, Frames &amp; Hardware</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HM Door and Frame Manufacturer: CECCO
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wood Door Manufacturer: Eggers Industries
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Kerf Weatherstripped Frames
<b>08C Coiling/Overhead Doors &amp; Grilles</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	One year parts & labor warranty in lieu of two year as specified.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	"FF30 Series" - Option "A", glazed four-fold doors, as manufactured by Door Engineering and Manufacturing, LLC.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1.03- C Windload of 133mph with 150mph 2 second bursts. Doors are designed as all other 4-fold doors in Prospers w/ 120mph 3 second bursts.
<b>09C Tiling</b>				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Moisture Mitigation
<b>09D Carpet/VCT/ Base</b>				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Moisture Mitigation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rubber Athletic Flooring
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12 48 13 - Entrance Mats and Frames. Specification provide but no locations indicated



**QUALIFICATIONS & CLARIFICATIONS**

I N C L U D E D	E X C L U D E D	C L A R I F I C A T I O N	A L L O W A N C E	
<b>09I Fluid Applied Flooring</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	EC1 and EC2 at locations as indicated
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Associated Cove Base
<b>10B Visual Display Units</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glass wall mounted markerboards as listed in 10 11 00 shown on A2.3 Detail 6
<b>10C Signage</b>				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signage by any other manufacturer
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Custom graphic station logo per 19/A5.1.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Logo per drawing A2.2. 4" deep Halo-Lit fire station shield badge. Painted with back-lit 1/2" push through letters and symbols. 3D ribbon with back-lit 1/2" push through letters. Perforated vinyl on all letters and symbols.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exterior Vehicular Traffic Signage per AS1.0
<b>10D Toilet Accessories &amp; Compartments</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Coat and Towel Hooks
<b>10H Postal Specialties</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exterior masonry pedestal mounted mailbox
<b>10M Misc. Specialties</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stainless Steel Wire Shelving include per detail 6/7/8 on A5.3
<b>21A Fire Suppression</b>				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire Pump
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wall mounted FDC per FP1.1
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Separate sprinkler system for FHC. Fire Hose Cabinet Assemblies
<b>23A HVAC</b>				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAS controls and interface for mechanical equipment
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Localized controls to thermostats
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HVAC Roof Screens (none shown)
<b>26A Electrical</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Secondary building feeders from transformer to building
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Primary electrical to transformer
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MC cable in walls and daisy chain light fixtures
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ring and string ILO conduit for LV rough
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aluminum feeders ILO copper
<b>27A Voice &amp; Data</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Alerting System Cabling
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Alerting System Devices. Station Alerting to be OFOI
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wireless Access Points and Network Switches
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	OSP fiber to the site. None shown
<b>27B Audio Video</b>				
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yodeck controllers per 27 41 16 section 2.06 are included as owner provided contractor installed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	At the Day Room and Fitness Room we have included Sonance & AtlasIED products in lieu of Denon & JBL products. The proposed products will meet and exceed specified systems and come with a warranty that exceeds the specified warranty.



**QUALIFICATIONS & CLARIFICATIONS**

I N C L U D E D	E X C L U D E D	C L A R I F I C A T I O N	A L L O W A N C E	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Training to be provided by certified trainer with video recording and will not be provided by a factory trainer per 27 41 16 section 3.04.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All TV monitors are to be OFCI.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV mounts
<b>28C Access Control</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Open Options based access control system
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	500 SEOS PVC cards, printable on both sides
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Configuration of software onto owner provided server
<b>31A Earthwork</b>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lime Stabilization at Pavement Areas per Plans
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lime Stabilization Bid at 6" and 8" x 6% for bidding purposes per C1.01, once an lime series has been performed percentage will be adjusting and priced accordingly
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Aggregate Base per 8.4.3 of Geotechnical Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unforeseen subsurface conditions - i.e. rock removal, well fields, muck, existing utilities, & foundation removal
<b>32G Fences &amp; Gates</b>				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fences and gates are excluded. None shown.
<b>32I Planting, Irrigation, Turfs &amp; Grasses</b>				
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Availability of trees per schedule on L1.1 shall be communicated to the TOP in adequate time so that, if necessary, an alternate selection of equal monetary value can be determined to maintain overall project schedule.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Soil amendments are included ILO importing 1" of topsoil per accepted
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Trimming of existing trees removed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Root pruning detail 4/L1.0 to be removed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Airspade to be removed
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tree protection and fencing on the south and the east of the building included
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pogue will not be responsible for the health of the trees to remain during or post construction due to the removal of the above pruning, trimming and airspade above
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Drought damage to landscaping or City delays associated with landscape installation due to watering restrictions.
<b>33A Site Utilities</b>				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Meter fees
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Off-Site Sanitary shown on C4.00
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gas Service to the site
<b>33B Septic System</b>				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Septic system sprinkler relocation and relocation of any septic system



## Attachment C



C/M Contingency	Markup	1.00%	0.00	\$104,121.07
Pier Reconciliation Allowance	Lump Sum	0.00%	35,000.00	\$35,000.00
Branding for Dayroom Wall Allowance	Lump Sum	0.00%	10,000.00	\$10,000.00
Gas Service to Site	Lump Sum	0.00%	30,000.00	\$30,000.00

## Attachment D


**EXHIBIT B - DRAWING LOG**  
**PROSPER FIRE STATION #4**

NUM.	SHEET TITLE	DATE	ADD 1	ADD 2
<b>GENERAL</b>				
G1.1	TITLE SHEET AND DRAWING INDEX	8/28/2024		
G1.2	MASTER KEYNOTE LIST	8/28/2024		
G1.3	CODE ANALYSIS	8/28/2024		9/27/2024
G1.4	CODE COMPLIANCE PLAN	8/28/2024		
G1.5	ICC 500 - 2020 CODE INFORMATION	8/28/2024		
G1.6	TYPICAL ACCESSIBILITY DETAILS	8/28/2024		
SV1.0	BOUNDARY AND TOPOGRAPHY SURVEY	8/28/2024		
<b>CIVIL</b>				
C0.01	CIVIL SITE PLAN	8/28/2024		9/27/2024
<del>C0.02</del> C0.03	TOWN OF PROSPER GENERAL NOTES	8/28/2024		9/27/2024
<del>C0.03</del> C0.04	TOWN OF PROSPER GENERAL NOTES	8/28/2024		9/27/2024
C1.00	DEMOLITION PLAN	8/28/2024		9/27/2024
C1.01	PAVEMENT & DIMENSION CONTROL PLAN	8/28/2024		9/27/2024
C2.00	EXISTING DRAINAGE MAP			9/27/2024
<del>C2.00</del> C2.01	PROPOSED DRAINAGE AREA MAP	8/28/2024		9/27/2024
<del>C2.01</del> C2.02	STORM SEWER PLAN	8/28/2024		9/27/2024
<del>C2.02</del> C2.03	STORM SEWER PROFILE	8/28/2024		9/27/2024
<del>C2.03</del> C2.04	STORM CALCULATIONS	8/28/2024		9/27/2024
C3.00	GRADING PLAN	8/28/2024		9/27/2024
C4.00	OFF-SITE SANITARY SEWER LINE	8/28/2024		
<del>C4.01</del> C4.00	UTILITY PLAN	8/28/2024		9/27/2024
<del>C4.02</del> C4.01	SANITARY SEWER PROFILE	8/28/2024		9/27/2024
<del>C4.03</del> C4.02	WATER LINE PROFILE	8/28/2024		9/27/2024
C5.00	EROSION CONTROL PLAN	8/28/2024		9/27/2024
C5.01	EROSION CONTROL DETAILS	8/28/2024		9/27/2024
C6.00	CONSTRUCTION DETAILS	8/28/2024		9/27/2024
C6.01	CONSTRUCTION DETAILS	8/28/2024		9/27/2024
C6.02	TXDOT DETAILS	8/28/2024		9/27/2024
C6.03	TOWN OF PROSPER DETAILS	8/28/2024		9/27/2024
<del>C6.04</del> C6.05	TOWN OF PROSPER DETAILS	8/28/2024		9/27/2024
<b>LANDSCAPE</b>				
L1.0	EXISTING TREE PLAN	8/28/2024		9/27/2024
L1.1	LANDSCAPE PLAN	8/28/2024		9/27/2024
L2.1	IRRIGATION PLAN	8/28/2024		9/27/2024
<b>STRUCTURAL</b>				
S1.1	STRUCTURAL NOTES	8/28/2024		
S1.2	STRUCTURAL NOTES & SPECIAL INSPECTIONS	8/28/2024		
S1.3	SPECIAL INSPECTIONS	8/28/2024		
S1.4	STORM SHELTER NOTES & INSPECTIONS	8/28/2024		
S2.1	BASEMENT AND LEVEL 1 FOUNDATION PLANS	8/28/2024		9/27/2024
S2.2	ROOF FRAMING PLAN	8/28/2024		9/27/2024
S2.3	HIGH ROOF FRAMING PLAN	8/28/2024		
S2.11	STORM SHELTER ENLARGED PLANS & ELEVATIONS	8/28/2024		
S3.1	TYPICAL CONCRETE SECTIONS & DETAILS	8/28/2024		
S3.2	TYPICAL CONCRETE SECTIONS & DETAILS	8/28/2024		
S3.3	CONCRETE SECTIONS & DETAILS	8/28/2024		

NUM.	SHEET TITLE	DATE	ADD 1	ADD 2
S3.4	CONCRETE SECTIONS & DETAILS	8/28/2024		
S3.5	CONCRETE SECTIONS & DETAILS	8/28/2024		
S3.6	CONCRETE DETAILS	8/28/2024		
S4.1	TYPICAL MASONRY SECTIONS & DETAILS	8/28/2024		
S4.2	TYPICAL MASONRY SECTIONS & DETAILS	8/28/2024		
S4.3	MASONRY WALL ELEVATIONS	8/28/2024		9/27/2024
S4.4	MASONRY WALL ELEVATIONS	8/28/2024		
S4.11	STORM SHELTER SECTIONS & DETAILS	8/28/2024		
S4.12	STORM SHELTER SECTIONS & DETAILS	8/28/2024		
S4.13	STORM SHELTER SECTIONS & DETAILS	8/28/2024		
S4.14	STORM SHELTER WALL ELEVATIONS	8/28/2024		9/27/2024
S5.1	TYPICAL STEEL SECTIONS & DETAILS	8/28/2024		
S5.2	TYPICAL STEEL SECTIONS & DETAILS	8/28/2024		
S5.3	TYPICAL STEEL SECTIONS & DETAILS	8/28/2024		
S5.4	TYPICAL STEEL SECTIONS & DETAILS	8/28/2024		
S5.5	STEEL SECTIONS & DETAILS	8/28/2024		9/27/2024
S5.6	STEEL SECTIONS & DETAILS	8/28/2024		9/27/2024
S5.7	STEEL DETAILS	8/28/2024		9/27/2024
S6.1	TYPICAL BRACING DETAILS	8/28/2024		
S6.2	BRACE ELEVATIONS	8/28/2024		
<b>ARCHITECTURAL SITE DETAILS</b>				
AS1.0	ARCHITECTURAL SITE PLAN	8/28/2024	9/13/2024	
AS1.2	ARCHITECTURAL SITE DETAILS	8/28/2024	9/13/2024	
AS1.3	ARCHITECTURAL SITE DETAILS	8/28/2024	9/13/2024	
<b>ARCHITECTURAL</b>				
A1.0	PARTITION TYPES	8/28/2024		
A1.1	FLOOR PLANS	8/28/2024		
A1.2	ROOF PLAN AND DETAILS	8/28/2024		
A1.3	ROOF DETAILS	8/28/2024		9/27/2024
A1.4	PLAN DETAILS	8/28/2024		9/27/2024
A1.5	PLAN DETAILS	8/28/2024		
A2.1	EXTERIOR ELEVATIONS	8/28/2024		9/27/2024
A2.2	EXTERIOR ELEVATIONS	8/28/2024		9/27/2024
A2.3	BUILDING SECTIONS	8/28/2024		
A2.4	BUILDING SECTIONS	8/28/2024		
A3.1	WALL SECTIONS	8/28/2024		
A3.2	WALL SECTIONS	8/28/2024		
A3.3	WALL SECTIONS	8/28/2024		
A3.4	WALL SECTIONS	8/28/2024		9/27/2024
A3.5	INTERIOR STAIR PLANS AND SECTIONS	8/28/2024		
A3.6	INTERIOR STAIR & RAILING DETAILS	8/28/2024		
A3.7	SECTION DETAILS	8/28/2024		
A4.1	DOOR SCHEDULE & WINDOW SCHEDULE	8/28/2024		9/27/2024
A4.2	DOOR DETAILS	8/28/2024		
A4.3	DOOR DETAILS	8/28/2024		
A4.4	STOREFRONT AND WINDOW DETAILS	8/28/2024		
A4.5	STOREFRONT AND WINDOW DETAILS	8/28/2024		
A4.6	WINDOW DETAILS	8/28/2024		
A4.7	LOUVER DETAILS	8/28/2024		
A4.8	WINDOW FLASHING DIAGRAMS	8/28/2024		9/27/2024
A5.1	ENLARGED PLANS & INTERIOR ELEVATIONS	8/28/2024		9/27/2024
A5.2	ENLARGED PLANS & INTERIOR ELEVATIONS	8/28/2024		9/27/2024
A5.3	ENLARGED PLANS & INTERIOR ELEVATIONS	8/28/2024		9/27/2024
A5.4	ENLARGED PLANS & INTERIOR ELEVATIONS	8/28/2024		
A5.5	INTERIOR DETAILS	8/28/2024		9/27/2024

NUM.	SHEET TITLE	DATE	ADD 1	ADD 2
A5.6	MILLWORK SECTIONS	8/28/2024		
A5.7	MILLWORK SECTIONS	8/28/2024		
A6.1	REFLECTED CEILING PLANS	8/28/2024		9/27/2024
A7.1	FINISH PLANS	8/28/2024		9/27/2024
A8.1	FIRST FLOOR FURNISHINGS AND EQUIPMENT PLANS	8/28/2024		
<b>MECHANICAL</b>				
M0.1	MECHANICAL GENERAL NOTES AND LEGENDS	8/28/2024		
M1.1	MECHANICAL FIRST FLOOR PLAN	8/28/2024		9/27/2024
M1.2	MECHANICAL APP BAY MEZZANINE FLOOR PLAN	8/28/2024		
M2.1	MECHANICAL PIPING AND CONTROL FLOOR PLAN	8/28/2024		
M3.1	MECHANICAL SCHEDULES	8/28/2024		
M4.1	MECHANICAL DETAILS	8/28/2024		
M4.2	MECHANICAL DETAILS	8/28/2024		9/27/2024
M4.3	MECHANICAL CONTROLS	8/28/2024		
<b>ELECTRICAL</b>				
E0.1	ELECTRICAL GENERAL NOTES & LEGEND	8/28/2024		
E1.1	ELECTRICAL POWER FLOOR PLAN	8/28/2024		9/27/2024
E2.1	ELECTRICAL LIGHTING REFLECTED CEILING PLAN	8/28/2024		9/27/2024
E3.1	ELECTRICAL ENLARGED PLANS	8/28/2024		9/27/2024
E4.1	ELECTRICAL SCHEDULES	8/28/2024		
E4.2	ELECTRICAL SCHEDULES	8/28/2024		9/27/2024
E5.1	ELECTRICAL DETAILS	8/28/2024		
E5.2	ELECTRICAL DETAILS	8/28/2024		
<b>PLUMBING</b>				
P0.1	PLUMBING GENERAL NOTES AND LEGEND	8/28/2024		
P1.1	PLUMBING ANNOTATION FLOOR PLAN	8/28/2024		
P2.1	PLUMBING FITNESS ROOM PLUMBING PLAN	8/28/2024		
P2.2	PLUMBING FIRST FLOOR UNDERSLAB PLAN	8/28/2024		
P3.1	PLUMBING WASTE & VENT FLOOR PLAN	8/28/2024		
P4.1	PLUMBING SUPPLY FLOOR PLAN	8/28/2024		
P5.1	PLUMBING MEZZANINE PLAN	8/28/2024		
P6.1	PLUMBING SCHEDULES	8/28/2024		
P7.1	PLUMBING DETAILS	8/28/2024		
P7.2	PLUMBING DETAILS	8/28/2024		
P7.3	PLUMBING DETAILS	8/28/2024		
P8.1	PLUMBING WASTE & VENT RISER DIAGRAM	8/28/2024		
<b>FIRE PROTECTION</b>				
FP0.1	FIRE PROTECTION GENERAL NOTES AND LEGEND	8/28/2024		
FP1.1	FIRE PROTECTION FIRST FLOOR PLAN	8/28/2024		
<b>MEP</b>				
MEP1.1	MECHANICAL ELECTRICAL PLUMBING SITE PLAN	8/28/2024		
MEP2.1	MECHANICAL ELECTRICAL PLUMBING ROOF PLAN	8/28/2024		
<b>TECHNOLOGY</b>				
ES0.0	SECURITY & IT SYMBOLS & NOTES	8/28/2024		
ESS1.1	SITE PLAN - SECURITY & IT	8/28/2024		
ES1.1	FLOOR PLANS - SECURITY & IT	8/28/2024		
ES1.2	ROOF PLAN - SECURITY	8/28/2024		
ES3.1	IT DETAILS	8/28/2024		
ES4.1	SECURITY DETAILS	8/28/2024		
ES6.1	FIRST FLOOR REFLECTED CEILING PLAN - SECURITY & IT	8/28/2024		

**EXHIBIT B - SPEC LOG  
PROSPER FIRE STATION #4**

NUM.	SHEET TITLE	DATE	ADD 1	ADD 2
<b>DIVISION 00 - PROCUREMENT AND CONTRACTING REQUIREMENTS</b>				
00 00 07	Seals Page	8/28/2024		
00 00 10	Table of Contents	8/28/2024		
00 00 15	List of Drawings	8/28/2024		
00 30 00	Information Available to Bidders	8/28/2024		
00 30 00A	Geotechnical Investigation Report	8/28/2024		
00 30 00B	Geotechnical Investigation Report Addendum	8/28/2024		
<b>DIVISION 01 - GENERAL REQUIREMENTS</b>				
01 10 00	Summary	8/28/2024		
01 21 00	Allowances	8/28/2024		
01 22 00	Unit Prices	8/28/2024		
01 25 00	Substitution Procedures	8/28/2024		
01 25 00A	Attachment A (Substitution Request Form)	8/28/2024		
01 26 00	Contract Modification Procedures	8/28/2024		
01 29 00	Payment Procedures	8/28/2024		
01 31 00	Project Management and Coordination	8/28/2024		
01 32 00	Construction Progress Documentation	8/28/2024		
01 33 00	Submittal Procedures	8/28/2024		
01 33 00A	Attachment A (Submittal Transmittal)	8/28/2024		
01 40 00	Quality Requirements	8/28/2024		
01 42 00	References	8/28/2024		
01 43 49	Mockups	8/28/2024		
01 45 19	Weatherization System Quality Requirements	8/28/2024		
01 50 00	Temporary Facilities and Controls	8/28/2024		
01 60 00	Product Requirements	8/28/2024		
01 73 00	Execution	8/28/2024		
01 73 00A	Attachment A (RFI)	8/28/2024		
01 73 29	Cutting and Patching	8/28/2024		
01 74 00	Construction Waste Management	8/28/2024		
01 77 00	Closeout Procedures	8/28/2024		
01 77 00A	Attachment A – Substantial Completion Readiness Checklist	8/28/2024		
00 77 00B	Attachment B – Sample Punchlist	8/28/2024		
01 78 23	Operation and Maintenance Data	8/28/2024		
01 78 39	Project Record Documents	8/28/2024		
01 79 00	Demonstration and Training	8/28/2024		
01 81 33	Storm Shelter Quality Assurance Plan	8/28/2024		
01 91 14	Commissioning & Functional Performance Testing (FPT)	8/28/2024		
<b>DIVISION 02 - EXISTING CONDITIONS</b>				
02 41 19	Selective Demolition	8/28/2024		
<b>DIVISION 03 - CONCRETE</b>				
03 30 00	Cast In Place Concrete	8/28/2024		
03 33 00	Architectural Concrete Formwork	8/28/2024		
03 35 00	Concrete Floor Finishing	8/28/2024		
<b>DIVISION 04 - MASONRY</b>				
04 20 00	Unit Masonry	8/28/2024		
04 22 00	Structural Concrete Masonry	8/28/2024		
04 43 00	Anchored Stone Masonry	8/28/2024		
04 72 00	Cast Stone Masonry	8/28/2024		
<b>DIVISION 05 - METALS</b>				
05 12 00	Structural Steel	8/28/2024		
05 21 00	Steel Joist	8/28/2024		
05 31 00	Steel Deck	8/28/2024		
05 40 00	Cold-Formed Metal Framing	8/28/2024		

NUM.	SHEET TITLE	DATE	ADD 1	ADD 2
05 50 00	Metal Fabrications	8/28/2024		
05 51 00	Metal Stairs	8/28/2024		
05 72 00	Handrails and Railings	8/28/2024		
<b>DIVISION 06 - WOOD, PLASTICS, AND COMPOSITES</b>				
06 10 00	Rough Carpentry	8/28/2024		
06 16 00	Sheathing	8/28/2024		
06 20 23	Interior Finish Carpentry	8/28/2024		
06 41 13	Wood-Veneer Faced Architectural Cabinets	8/28/2024		
06 41 16	Plastic Laminate Clad Architectural Cabinets	8/28/2024		
06 61 40	Quartz Countertops and Fabrications	8/28/2024		
06 64 00	Plastic Paneling	8/28/2024		
<b>DIVISION 07 - THERMAL AND MOISTURE PROTECTION</b>				
07 13 26	Self-Adhering Sheet Waterproofing	8/28/2024		
07 21 00	Thermal Insulation	8/28/2024		
07 26 00	Vapor Barrier Membrane	8/28/2024		
07 27 27	Fluid-Applied Membrane Air Barrier	8/28/2024		
07 40 00	Metal Roof and Wall Panels	8/28/2024		
07 42 93	Wood Look Soffit Panels	8/28/2024		
07 52 16	SBS – Modified Bituminous Membrane Roofing	8/28/2024		
07 62 00	Sheet Metal Flashing and Trim	8/28/2024		
07 72 00	Roof Accessories	8/28/2024		
07 84 13	Penetration Firestopping	8/28/2024		
07 92 00	Joint Sealants	8/28/2024		
07 95 00	Expansion Control	8/28/2024		
<b>DIVISION 08 - OPENINGS</b>				
08 11 13	Hollow Metal Doors and Frames	8/28/2024		
08 14 33	Stile and Rail Wood Doors	8/28/2024		
08 31 13	Access Doors and Frames	8/28/2024		
08 35 13	Electric Operated Four-Fold Doors	8/28/2024		9/27/2024
08 41 13	Aluminum Entrances and Storefronts	8/28/2024		
08 41 23	Fire Rated Framed Entrances and Storefronts	8/28/2024		
08 51 13	Aluminum Windows	8/28/2024		
08 71 00	Door Hardware	8/28/2024		
08 71 00A	Door Hardware Schedule	8/28/2024		
08 80 00	Glazing	8/28/2024		
08 90 00	Louvers and Vents	8/28/2024		
<b>DIVISION 09 - FINISHES</b>				
09 21 00	Gypsum Board Assemblies	8/28/2024		
09 22 16	Non-Structural Metal Framing	8/28/2024		
09 30 13	Ceramic Tiling	8/28/2024		
09 51 00	Acoustical Ceilings	8/28/2024		
09 65 00	Resilient Flooring	8/28/2024		
09 65 13	Resilient Base and Accessories	8/28/2024		
09 65 19	Luxury Vinyl Tile (LVT)	8/28/2024		
09 65 36	Static-Dissipative Resilient Flooring	8/28/2024		
09 65 66	Resilient Athletic Flooring	8/28/2024		
09 67 33	Resinous Flooring			9/27/2024
09 68 13	Tile Carpeting	8/28/2024		
09 91 00	Painting	8/28/2024		
09 96 00	High-Performance Coatings	8/28/2024		
09 96 53	Elastomeric Coatings	8/28/2024		
<b>DIVISION 10 - SPECIALTIES</b>				
10 11 00	Visual Display Surfaces	8/28/2024		
10 14 00	Signage	8/28/2024		

NUM.	SHEET TITLE	DATE	ADD 1	ADD 2
10 26 13	Wall and Corner Protection	8/28/2024		
10 28 00	Toilet, Bath, and Laundry Accessories	8/28/2024		
10 31 00	Manufactured Gas Fireplace	8/28/2024		
10 40 00	Safety Specialties	8/28/2024		
10 51 43	Turnout Gear Lockers	8/28/2024		
10 55 00	Postal Specialties	8/28/2024		
10 56 23	Stainless Steel Wire Shelving	8/28/2024		
10 75 16	Ground-Set Flagpoles	8/28/2024		
<b>DIVISION 11 - EQUIPMENT</b>				
11 11 00	Vehicle Service Equipment	8/28/2024		
11 31 00	Residential Appliances	8/28/2024		
11 40 00	Food Service Equipment	8/28/2024		
<b>DIVISION 12 - FURNISHINGS</b>				
12 24 00	Motorized and Manual Roller Shades	8/28/2024		
12 93 00	Site Furnishings and Equipment	8/28/2024		
<b>DIVISION 21 - FIRE SUPPRESSION</b>				
21 05 00	Common Work Results for Fire Suppression	8/28/2024		
21 10 00	Water Based Fire Suppression	8/28/2024		
<b>DIVISION 22 - PLUMBING</b>				
22 05 00	Common Work Results for Plumbing	8/28/2024		
22 05 19	Meters and Gages for Plumbing Piping	8/28/2024		
22 05 23	General Duty Valves for Plumbing Piping	8/28/2024		
22 05 29	Hangers and Supports for Plumbing Piping and Equipment	8/28/2024		
22 05 52	Identification for Plumbing Piping and Equipment	8/28/2024		
22 07 00	Plumbing Insulation	8/28/2024		
22 11 13	Facility Water Distribution Piping	8/28/2024		
22 11 16	Domestic Water Piping	8/28/2024		
22 11 19	Domestic Water Piping Specialties	8/28/2024		
22 11 20	Facility Natural Gas Piping	8/28/2024		
22 13 13	Facility Sanitary Sewers	8/28/2024		
22 13 16	Sanitary Waste and Vent Piping	8/28/2024		
22 13 19	Sanitary Waste and Vent Specialties	8/28/2024		
22 14 13	Facility Storm Drainage Piping	8/28/2024		
22 14 23	Storm Drainage Piping Specialties	8/28/2024		
22 15 13	General Services Compressed Air Piping	8/28/2024		
22 15 19	General Services Packaged Air Compressors and Receivers	8/28/2024		
22 34 00	Fuel Fired Domestic Water Heaters	8/28/2024		
22 40 00	Plumbing Fixtures	8/28/2024		
<b>DIVISION 23 - HEATING, VENTILATING, AND AIR CONDITIONING (HVAC)</b>				
23 05 00	Common Work Results for HVAC	8/28/2024		
23 05 29	Hanger and Supports for HVAC Piping and Equipment	8/28/2024		
23 05 53	Identification for HVAC Piping and Equipment	8/28/2024		
23 05 93	Testing, Adjusting, and Balancing for HVAC	8/28/2024		
23 07 00	HVAC Insulation	8/28/2024		
23 08 00	Commissioning of HVAC	8/28/2024		
23 22 13	Condensate Piping	8/28/2024		
23 31 13	Metal Ducts	8/28/2024		
23 33 00	Air Ducts Accessories	8/28/2024		
23 34 23	HVAC Power Ventilators	8/28/2024		
23 37 13	Diffusers, Registers, and Grilles	8/28/2024		
23 37 23	HVAC Gravity Ventilators	8/28/2024		
23 41 00	Particulate Air Filtration	8/28/2024		
23 51 00	Breeching, Chimneys, and Stacks	8/28/2024		
23 55 23	Gas Fired Radiant Heaters	8/28/2024		

NUM.	SHEET TITLE	DATE	ADD 1	ADD 2
23 74 13	Packaged Rooftop Air-Conditioners	8/28/2024		
23 81 26	Split System Air Conditioners	8/28/2024		
23 82 39	Unit heaters	8/28/2024		
<b>DIVISION 26 - ELECTRICAL</b>				
26 05 00	Common Work Results for Electrical	8/28/2024		
26 05 19	Low Voltage Electrical Power Conductors and Cables	8/28/2024		
26 05 26	Grounding and Bonding for Electrical Systems	8/28/2024		
26 05 29	Hangers and Supports for Electrical Systems	8/28/2024		
26 05 33	Raceway and Boxes for Electrical Systems	8/28/2024		
26 05 53	Identifications for Electrical System	8/28/2024		
26 05 73 13	Short-Circuit Studies	8/28/2024		
26 05 73 16	Coordination Studies	8/28/2024		
26 05 73 19	Arc-Flash Hazard Analysis	8/28/2024		
26 24 16	Panelboards	8/28/2024		
26 27 26	Wiring Devices	8/28/2024		
26 28 16	Enclosed Switches and Circuit Breakers	8/28/2024		
26 32 13	Engine Generators	8/28/2024		
26 33 53	Static Uninterruptible Power Supply	8/28/2024		
26 36 00	Automatic Transfer Switches	8/28/2024		
26 41 00	Lightning Protection Systems	8/28/2024		
26 51 00	Interior Lighting	8/28/2024		
26 56 00	Exterior Lighting	8/28/2024		
26 83 10	Fire Alarm System	8/28/2024		
<b>DIVISION 27 - COMMUNICATIONS</b>				
27 05 00	Common Work for Communication Systems	8/28/2024		
27 05 28	Pathways for Communication Systems	8/28/2024		
27 10 00	Structured Cabling Systems	8/28/2024		
27 15 01.11	Conductors and Cables for Electronic Security	8/28/2024		
27 41 16	Integrated Audio-Video Systems and Equipment	8/28/2024		
<b>DIVISION 28 - ELECTRONIC SAFETY AND SECURITY</b>				
28 05 00	Common Work for Electronic Safety and Security	8/28/2024		
28 08 00	Commissioning of Electronic Security	8/28/2024		
28 10 00	Access Control System	8/28/2024		
28 20 00	Video Surveillance System	8/28/2024		
<b>DIVISION 31 - EARTHWORK</b>				
31 10 00	Site Clearing	8/28/2024		
31 20 00	Earth Moving	8/28/2024		
31 31 16	Termite Treatment	8/28/2024		
31 63 29	Drilled Piers	8/28/2024		
<b>DIVISION 32 - EXTERIOR IMPROVEMENTS</b>				
32 13 13	Concrete Paving	8/28/2024		
32 13 73	Concrete Paving Joint Sealants	8/28/2024		
32 84 00	Planting Irrigation	8/28/2024		
32 92 32	Lawns and Grasses	8/28/2024		
32 93 00	Plants	8/28/2024		
<b>DIVISION 33 - UTILITIES</b>				
33 41 00	Storm Utility Drainage Piping	8/28/2024		



# Fire Station 4 Construction Project

Budget for Fire Station 4 Project	Amount Encumbered	Estimate August 2022	Project Total January 2023	2024 Estimate May 28, 2024	GMP October 22, 2024
Professional Services Budget - 750-5410-10-00-2137-FC	950,000	923,380	623,380	950,680	950,680
Other Development Costs - 750-5410-10-00-2203-FC	8,250	678,274	553,274	553,274	553,274
Construction of Facility - 750-6610-10-00-2205-FC	0	9,923,346	10,213,950	11,235,345	11,610,003
Furniture, Fixtures, & Equipment - 750-6610-10-00-2206-FC	0	775,000	700,000	700,000	700,000
<b>Project Cost</b>	958,250	12,000,000	12,090,604	13,439,299	13,813,957
Alternate 2 - Natural Gas Line	N/A	N/A	195,000	195,000	Boring - Included in Construction
<b>Total Project With Alternates</b>	958,250	12,000,000	12,285,604	13,634,299	13,813,957