



Agenda Item Report

Legislative Board: City Council
Date: June 16, 2026
Contact: Angela Kennedy, Director
Agenda Item ID / Number: 2022-654- / G.2

ITEM TITLE: Authorization for the City Manager to execute a Master Services Agreement with Freese and Nichols, Inc. utilizing pre-qualified consultants list (Resolution #2024-R-48) for General Engineering Services in an amount not to exceed \$1,000,000 (Development Services Director Angela Kennedy, P.E., CFM and Purchasing Manager Nicole Turner)

1. EXECUTIVE SUMMARY

Freese and Nichols, Inc. (FNI) is one of the firms on the approved 2024 GEC list. The City is seeking to continue to contract with FNI for third-party permit review services under the Designated Review Program and staff augmentation review process as the existing agreement has expired. The total value of the proposed contract is \$1,000,000.00, although services to be provided under this contract will be authorized by separate Task Orders approved by the City Manager. Currently, FNI is providing construction plan and building plan review for Persimmon and building permit review for the Colony at Cole Springs. The costs for these services are reimbursed by the builder.

2. BACKGROUND/HISTORY

In September 2021, City Council authorized an agreement for services with FNI for expedited developer application reviews on an as-needed basis for a set rate. FNI was selected from the approved list of firms determined to be pre-qualified in the areas of municipal capital improvement planning, design, construction, and operation and maintenance as a result of RSQ # 20-003. The contract had a total value of \$650,000. Tasks orders for that MSA have exceeded the original amount, requiring this request for a new MSA for Freese and Nichols.

Freese and Nichols, Inc. (FNI) is one of the firms on the approved 2024 GEC list. The City is seeking to contract with FNI for third-party permit review services under the Designated Review Program and staff augmentation review process.

3. ANALYSIS

FNI is qualified to perform this level of development review and firm staff are well versed in the City's Unified Development Code. FNI will complete requested engineering and planning reviews as assigned by City Staff.

The services outlined in Exhibit A will be provided in accordance with the fees specified in Exhibit C. This contract will remain in effect for five (5) years with a maximum not-to-exceed amount of \$1,000,000.00. Task Orders will be issued under this Master Agreement throughout its duration, ensuring the total expenditure under this contract does not exceed \$1,000,000.00. The City is using its standard form of Task Order Agreement that has been approved by the City Attorney. FNI has partially executed the attached agreement and it is included with this item for review.

The City is seeking to contract with FNI for third-party permit review services under the Designated Review Program and staff augmentation review process. This Master Services Agreement (MSA) is the first step in authorizing the task order for these services. Future Task Orders will be subsequently processed, and the developer/applicant will directly pay for the third-party review services provided by Garver through an escrow account managed by the City.

4. FINANCIAL IMPACT

The total value of the proposed Master Services Agreement will not exceed \$1,000,000.00 over the life of the agreement.

Funding for developer plan reviews will be provided through escrow account funds remitted by developers. The permit applicant will deposit funds with the City to cover the cost of all expedited permit review services.

Funding for services performed for City CIP and other projects will be paid from the specific project budget or from General Fund Development Services budget. No work may be authorized without an accompanying approved budget allocation.

5. STRATEGIC PLAN/GOALS

EXCEPTIONAL CITY SERVICES

6. STRATEGIC PLAN OBJECTIVES

Become a more business friendly City Government - regulations, codes and processes

7. PROS AND CONS

Pros: Allows continuation of third-party development review services being provided for existing projects and future projects.

Cons: Without an outside consultant, Staff will have difficulty with timely completion of plan reviews.

8. ALTERNATIVES

If the City Council desires that staff pursue additional negotiation related to the desired professional services, staff could pursue further negotiation with the consultant. Staff would request clear direction from the City Council at this time.

9. REQUESTED ACTION / SUGGESTED MOTION / RECOMMENDATION

Authorize the City Manager to execute the MSA for Development Permit Application Third-Party Designated Plan Review Services with Freese & Nichols, Inc., to continue providing services.

Attachments:

[Agreement - Freese and Nichols - Prof. Services Contract 2026.pdf](#)