



**Date:** July 21, 2026  
**Department:** Clerk/Treasurer  
**Presenter:** Monica L. Chenault, Clerk/Treasurer  
**Subject:** Approval of JVA On-Call Engineering Agreement for Pretreatment and WWTP

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## **Purpose**

Council is being asked to approve the updated JVA, Inc. on-call engineering services agreement for pretreatment and wastewater treatment plant support and to authorize the Mayor to execute the agreement on behalf of the Town.

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## **Background**

JVA, Inc. has provided engineering services to the Town related to the pretreatment facility, industrial user permitting, regulatory support, wastewater treatment plant operations, and related expert opinions for potential litigation involving pretreatment plant construction issues. JVA's updated letter agreement, dated March 27, 2026 and updated July 9, 2026, is intended to consolidate several completed or closed-out project agreements into one on-call services agreement for ongoing pretreatment and WWTP support.

The proposed scope includes pretreatment program implementation and compliance, industrial user permitting and regulatory support, operational guidance and troubleshooting, and general wastewater treatment plant process and operational support. The agreement does not include capital improvement design or construction-related services, which would be addressed separately in accordance with the Town's procurement policies.

This item is being brought forward because it involves professional services and establishes a not-to-exceed authorization for ongoing pretreatment and WWTP engineering support.

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## **Alternatives**

**Option A - Approve the updated JVA on-call engineering services agreement and authorize the Mayor to sign.**

**Benefits Include:** Consolidates and clarifies ongoing pretreatment and WWTP engineering support; provides continued access to engineering assistance for regulatory compliance, industrial user permitting, operational troubleshooting, and related expert review; establishes a not-to-exceed amount; and allows invoices to be charged to the appropriate Town account based on the services provided.

**Challenges Include:** Although professional services funds were budgeted in the FY 2027 Wastewater Budget and litigation-related funds were budgeted in the FY 2027 General Fund, this specific on-call agreement was not separately identified as a standalone budget item and will need to be monitored within available appropriations.

**Option B - Table the agreement for additional review.**

**Benefits Include:** Allows additional time for administrative, legal, budget, or procurement review if Council has questions.

**Challenges Include:** May delay access to needed engineering support for pretreatment, WWTP operations, regulatory matters, industrial user permitting, or related expert review.

**Option C - Do not approve the agreement.**

**Benefits Include:** Avoids authorizing additional professional services under this agreement.

**Challenges Include:** The Town would need to determine how to obtain necessary engineering support for pretreatment, WWTP, regulatory, operational, industrial user permitting, and related matters.



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### **Fiscal Impact**

JVA proposes a not-to-exceed amount of \$42,000.00 for 2026 on-call services, billed on a time-and-materials basis. JVA will not exceed that amount without prior authorization from the Town.

The FY 2027 Wastewater Budget includes \$48,000.00 in professional services. Invoices for pretreatment and WWTP operational, permitting, regulatory, and engineering support will be reviewed and billed to the appropriate wastewater account based on the services provided, including Pretreatment Professional Services #52-83-315 and WWTP Professional Services #52-84-315, as applicable.

The FY 2027 General Fund Budget also includes \$100,000.00 for potential litigation related to pretreatment plant construction issues. To the extent JVA provides expert opinions or engineering support related to potential litigation, those services may be billed to the appropriate General Fund professional services or litigation-related account, including Administrative Professional Services #52-42-315, as applicable.

Staff will monitor expenditures under the agreement and bring forward any necessary budget amendment or additional authorization if needed.

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### **Strategic or Community Impact**

Pretreatment and wastewater treatment plant operations are essential public infrastructure functions. Continued engineering support assists the Town with regulatory compliance, industrial user permitting, operational troubleshooting, process review, and protection of the Town's wastewater treatment system.

The agreement also improves administrative clarity by consolidating ongoing services under one on-call agreement with a defined not-to-exceed amount, rather than continuing to rely on multiple prior project agreements that have been completed or closed out.

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### **Key Questions**

1. Does Council wish to approve the JVA on-call engineering services agreement for pretreatment and WWTP support?
2. Does Council wish to authorize the Mayor to execute the agreement on behalf of the Town?
3. Does Council understand that the agreement establishes a not-to-exceed amount of \$42,000.00 for 2026 and that invoices will be charged to the appropriate account based on the services provided?
4. Does Council want any additional administrative, legal, budget, or procurement review before approval?

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### **Suggested Motion**

I move to approve the updated JVA, Inc. on-call engineering services agreement for pretreatment and wastewater treatment plant support, in an amount not to exceed \$42,000.00 for 2026, and authorize the Mayor to execute the agreement on behalf of the Town, with invoices to be billed to the appropriate Town account based on the services provided.