



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Ginger Faught, Deputy City Administrator

Council Meeting Date: August 18, 2026

Agenda Item Wording: Discussion and possible action to approve an Engineering Services Agreement between the City of Dripping Springs and Burgess & Niple, Inc. to obtain professional engineering services for the designing, constructing, planning, acquiring, extending, upgrading, renovating, rehabilitating, replacing, and improving of the City's wastewater system, including projects that may be funded through the Texas Water Development Board (TWDB) and other state or federal funding programs.

Agenda Item Sponsor: Mayor Bill Foulds, Jr.

Summary/Background: The City issued RFQ #2025-20 to solicit Statements of Qualifications (SOQs) from qualified engineering firms for professional services related to the City's wastewater system improvement projects. The RFQ process was conducted in accordance with the Texas Professional Services Procurement Act (Texas Government Code Chapter 2254), which requires selection based on demonstrated competence and qualifications, not competitive bidding.

The City received multiple SOQs, which were evaluated by a staff and consultant panel using the criteria set forth in the RFQ, including professional qualifications, capacity to perform, and familiarity with City and Texas Water Development Board (TWDB) requirements. Burgess & Niple, Inc. was identified as the highest-qualified firm based on the evaluation and interview process.

On February 3, 2026, City Council approved a resolution selecting Burgess & Niple, Inc. as the most qualified Engineering Firm pursuant to RFQ No. 2025-20 for Engineering Firms, and authorizing the City Administrator to negotiate terms of an agreement subject to approval by the City Council.

The City and Burgess & Niple, Inc. have negotiated a professional services agreement that:

- Incorporates the firm's SOQ as a subordinate attachment for background and scope detail;
- Requires written task authorizations for all work and compensation;

- Complies with TWDB, EPA, and federal funding requirements;
- Includes robust City protections for public information, insurance, indemnity, and termination;
- Preserves City rights under Texas law, including Chapter 2254 and the Prompt Payment Act;
- Provides for renewal and project-based continuation as needed.

There is no fiscal impact at this time. All compensation for services will be subject to future approved task authorizations and available funding, including TWDB or other grant/loan sources as applicable.

**Commission
Recommendations:**

N/A

**Recommended
Council Actions:**

Approval

Attachments:

Draft Engineering Services Professional Services Agreement (with Burgess & Niple, Inc.)

Burgess & Niple, Inc. Statement of Qualifications (December 22, 2025)