

Montgomery City Council  
**AGENDA REPORT**

|                                      |                                       |
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| <b>Meeting Date:</b> January 9, 2024 | <b>Budgeted Amount:</b> N/A           |
| <b>Department:</b> Admin             | <b>Prepared By:</b> Dave McCorquodale |

**Subject**

Presentation and discussion of the Town Creek Wastewater Treatment Plant Expansion Project Request for Qualifications (RFQ).

**Recommendation**

Informational only – no formal action needed.

**Discussion**

Issue:  
As you are aware, the city has taken initial steps for the reconstruction of the Town Creek Wastewater Treatment Plant located along Liberty Street north of downtown. City Council previously authorized the city engineers to apply for an increased permit capacity for the plant in fall of 2023. While the plant itself has not been in operation for years, the city kept the TCEQ permit up to date knowing the facility would likely be needed in the future.

Regulations:  
The Texas Commission on Environmental Quality regulates the design and permitting of wastewater facilities in the state. A qualified engineering firm is required. TLGC Chapters 2269 & 2254 regulate the RFQ process itself and contains several key provisions:

- Notice of publication requirements to ensure all firms have opportunity to submit
- When procuring architectural, engineering, or surveying services a city shall first select the most highly qualified provider based on demonstrated competence and qualifications.

In other words, cities cannot use price as a criterion to compare services between firms. Price negotiation comes after the “most highly qualified provider” is selected.

Analysis & Conclusion:  
The city engineers will review the details of the RFQ document at the meeting. No action needed.

**Approved By**

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| Assistant City Administrator & Planning & Development Director | Dave McCorquodale | Date: 01/04/2024 |
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