



Meeting Date: January 30, 2025 **Agenda Type:** Consent Items for Action

From: Adam Willard, P.E. **Reviewed by:** Michael Short, P.E.
Chief Engineer of Water Director of Water Services and
Systems Compliance

Submitted by: Mark Steelman **Approved by:** Ryan Kelso
Chief Operations Officer Chief Executive Officer

RECOMMENDED ACTION: Authorize the CEO or His Designee to Negotiate and Execute a Second Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Design of the Saengerhalle North Interceptor Project

BACKGROUND

On July 2, 2020, New Braunfels Utilities (“NBU”) approved a Professional Services Agreement (the “Agreement”) with Kimley-Horn and Associates, Inc. (“Kimley-Horn”) for professional engineering services for the Saengerhalle North Interceptor Project (the “Project”). On May 27, 2022, NBU approved a Professional Services Contract Amendment (the “First Amendment”) to (i) add project management, preliminary design, and final design services, (ii) including additional compensation for the services, and (iii) extending the time of completion for the services. These contracts were not brought before the Board for approval because they did not meet the threshold amount required.

Due to the re-prioritization of Capital Improvement Projects by NBU, the Project was delayed. NBU now requires additional project management, final design, permitting, and construction phase services as a result of this delay. NBU staff requests that the Board approve the Second Amendment to the Agreement (the “Second Amendment”) to (i) add the New Services, (ii) authorize additional compensation for the New Services, and (iii) extend the completion date for the Project.

This item is being presented to the Board because the total amount of the Agreement now exceeds \$500,000.00.

Upon completion of the final design, NBU staff will solicit a construction contract and bring the construction contract to the Board for approval in January 2026. NBU staff plans to begin construction in February 2026 and complete construction by June 2027.

FINANCIAL IMPACT

The total financial impact for the Second Amendment is \$138,200.00. The total contract amount for the Agreement, First Amendment, and Second Amendment with Kimley-Horn for the Project is \$539,900.00, including supplemental services. The Project is budgeted within the Fiscal Year 2025 through Fiscal Year 2027 NBU Board approved Capital Improvements Projects Budget.

LINK TO STRATEGIC PLAN

Infrastructure and Technology

EXHIBITS

1. Second Amendment to the Professional Services Agreement with Kimley-Horn