



Meeting Date: August 31, 2023

Agenda Type: Consent Items for Action

From: Adam Willard, P.E.
Chief Engineer of Water
Systems

Reviewed by: Michael Short, P.E.
Director of Water Services &
Compliance

Submitted by: Michael Short, P.E.
Director of Water Services &
Compliance

Approved by: Ryan Kelso
Interim Chief Executive Officer

RECOMMENDED ACTION: Authorize Interim CEO or His Designee to Negotiate and Execute a First Amendment to the Professional Services Agreement with Merrick & Company for the Design of the Solms Wastewater Lift Station Improvement Project

BACKGROUND

On November 5, 2019, the New Braunfels Utilities (“NBU”) Board of Trustees approved a Professional Services Agreement (the “Agreement”) with Merrick & Company (“Merrick”) for professional engineering services for the Solms Wastewater Lift Station Improvement Project (the “Project”).

NBU has determined that the Supplemental Services are no longer required to complete the Project. Due to capital program changes, the Project has been delayed. NBU and the Professional now desire to extend the completion date for the Services and reallocate the funds authorized for Supplemental Services to final design and construction phase services. As a result, NBU staff requests that the Board approve the First Amendment to the Agreement (the “First Amendment”), which includes (i) deleting the Supplemental Services, (ii) extending the time of completion for the Services, and (iii) reallocating the Supplemental Services compensation to the Services compensation.

This item is being presented to the Board because it modifies the Agreement beyond the parameters the Board previously approved.

NBU plans to begin construction of the Project in August 2023 and is expected to complete construction by March 2024.

FINANCIAL IMPACT

The total financial impact of the First Amendment is \$30,988. The total contract amount for the Agreement and the First Amendment with Merrick for the Project is \$379,699.60. The Project is budgeted within the fiscal year 2023 through fiscal year 2024 NBU Board approved Capital Improvements Projects Budget.

LINK TO STRATEGIC PLAN

Infrastructure and Technology

EXHIBITS

1. First Amendment to the Professional Services Agreement with Merrick.