



Meeting Date: September 25, 2025 **Agenda Type:** Consent Items for Action

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

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 Third Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Design of the Saengerhalle North Interceptor Project Located Generally Along the Existing Drainage Channel from Silver Spur Drive to Approximately 500 Feet Southwest of Alves Lane

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 Agreement Amendment (the “First Amendment”) to (i) add project management, preliminary design, and final design services, (ii) include additional compensation for the services, and (iii) extend the time of completion for the services. These contracts were not brought before the NBU Board (the “Board”) for approval because they did not meet the threshold amount required. On January 30, 2025, the Board approved a second Professional Services Agreement Amendment (the “Second Amendment”) to (i) add additional project management, final design, permitting, and construction phase services, (ii) authorize additional compensation for the New Services, and (iii) extend the completion date for the Project.

NBU and the Professional have identified a need to add additional final design phase services to complete the Project due to a required change in interceptor alignment. As a result, NBU staff requests that the Board approve the Third Amendment to the Agreement (the “Third Amendment”), which includes (i) addition of the New Services, (ii) authorization of the additional compensation for the New Services, and (iii) an extension of the completion date for certain Services.

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

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

FINANCIAL IMPACT

The total financial impact for the Third Amendment is \$39,000.00. The total contract amount for the Agreement, the First Amendment, the Second Amendment, and the Third Amendment with Kimley-Horn for the Project is \$578,900.00, including Supplemental Services. The Project is budgeted within the Fiscal Year 2020 through Fiscal Year 2027 NBU Board approved Capital Improvements Projects Budget.

LINK TO STRATEGIC PLAN

Infrastructure and Technology

EXHIBITS

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