



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 Freese and Nichols, Inc. for the Design of the Gruene Wastewater and Inverted Siphon Improvements Project at (i) the Gruene Water Reclamation Facility; (ii) Along Gruene Road South of the Loop 337 Bridge; and (iii) the Inverted Siphon Along Gruene Road West of Downtown Gruene

BACKGROUND

On February 8, 2021, New Braunfels Utilities (“NBU”) approved a Professional Services Agreement (the “Agreement”) with Freese and Nichols, Inc. (“FNI”) for professional engineering services for the Gruene Wastewater and Inverted Siphon Improvements (the “Project”). On May 24, 2022, the NBU Board of Trustees approved a Professional Services Agreement Amendment (the “First Amendment”) to add additional services related to the Project, increase compensation, extend the time for completion of the Original Services, modify the Supplemental Services to allow for general professional engineering services, and increase the compensation for Supplemental Services. On March 28, 2024, the Board approved a Professional Services Agreement Amendment (the “Second Amendment”), including final design phase services, field services, and construction phase services to combine the previously separated Odor Control and Non-Odor Control portions of the Project into one construction project.

NBU identified the need to rebid the project due to a limited number of bids and needing to modify the work schedule constraints to reduce community impacts along Gruene Road. As a result, NBU staff requests that the Board approve the Third Amendment to the Agreement (the “Third Amendment”), which includes adding additional project management, final design phase, permitting and stakeholder coordination, and bid phase services. The New Services require an increase in the compensation to the Professional in the amount of \$79,247.00, and an extension of the completion date of the Project.

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

The construction contract was approved by the Board in June 2025. NBU staff plans to begin construction in October 2025 and complete construction by August 2026.

FINANCIAL IMPACT

The total financial impact for the Third Amendment is \$79,247.00. The total contract amount for the Agreement and the First Amendment, Second Amendment, and Third Amendment with FNI for the Project is \$1,215,507.00, including Supplemental Services. The Project is budgeted within the Fiscal Year 2025 through Fiscal Year 2026 NBU Board approved Capital Improvements Projects Budget.

LINK TO STRATEGIC PLAN

Customers and Community

Infrastructure and Technology

EXHIBITS

1. Third Amendment to the Professional Services Agreement with FNI