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**Meeting Date:** August 28, 2025      **Agenda Type:** Consent Items for Action

**From:** Jill Barney      **Reviewed by:** Julia Haynes  
Project Manager      Director of External Relations

**Submitted by:** Ragan Dickens      **Approved by:** Ryan Kelso  
Chief Communications Officer      Chief Executive Officer

**RECOMMENDED ACTION:** Authorize the CEO or His Designee to Negotiate and Execute a First Amendment to the Professional Services Agreement with Square One Consultants, Inc. for the Headwaters at the Comal Phase 2 Project for Owner’s Representative and Project Management Services

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## **BACKGROUND**

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In September 2024, New Braunfels Utilities (“NBU”) entered into a Professional Services Agreement (the “Agreement”) with Square One Consultants, Inc. (“Square One”) for owner’s representative and project management services for Phase 2 of the Headwaters at the Comal project (the “Project”).

NBU staff has identified a need to revise the Agreement for additional owner’s representative and project management services due to the extension of the construction phase of the Project. As a result, NBU staff requests that the Board of Trustees approve the First Amendment to the Professional Services Agreement (the “First Amendment”). The First Amendment includes general services, pre-construction, and post-construction phase services (collectively, the “Services”), and an increase in the compensation to Square One for the Services in the amount of \$61,000.00 for the Project.

The Professional Services Agreement was not originally submitted to the NBU Board for approval because the Agreement was for an amount less than \$250,000.00. The First Amendment is being presented to the Board at this time because the total contract amount, including the original contract amount and the First Amendment, is now over \$250,000.00.

NBU staff requests that the Board approve the First Amendment to the Agreement with Square One for the Project.

## **FINANCIAL IMPACT**

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The total financial impact for the First Amendment is \$61,750.00. The total contract amount for the Agreement and the First Amendment with Square One for the Project is \$308,750.00. The Project is budgeted within the Fiscal Year 2025 through Fiscal Year 2026 NBU Board approved Capital Improvements Projects Budget.

## **LINK TO STRATEGIC PLAN**

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**Customers and Community**

**Stewardship**

## **EXHIBITS**

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1. First Amendment to Professional Services Agreement with Square One