



Meeting Date: August 29, 2024 **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 Third Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Design of the Interstate Highway 35 24-inch Water Line Downtown Project

BACKGROUND

On September 26, 2019, the New Braunfels Utilities (“NBU”) Board of Trustees approved a Professional Services Agreement (the “Agreement”) with Kimley-Horn and Associates, Inc. (“Kimley-Horn”) for professional engineering services for the Interstate Highway 35 24-inch Water Line Downtown Project (the “Project”). On January 28, 2021, the Board approved a Professional Services Contract Amendment (the “First Amendment”) for additional design services, subsurface utility engineering services, geotechnical engineering services, and completion time modification. On April 27, 2023, the Board approved a Professional Services Contract Amendment (the “Second Amendment”) for additional final design services, bid phase services, and permitting services.

During the course of construction, NBU and the Professional identified a need to add additional construction phase services. As a result, NBU staff requests that the Board approve the Third Amendment to the Agreement (the “Third Amendment”), which includes adding additional construction phase services for progress meetings, submittal reviews, monthly review of survey data, and record drawing CAD deliverables and overlay.

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

FINANCIAL IMPACT

The total financial impact for the Third Amendment is \$30,000.00. The total contract amount for the Agreement and the Third Amendment with Kimley-Horn for the Project is \$646,000.00, including Supplemental Services. The Project is budgeted within the fiscal year 2024 through fiscal year 2025 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