



Meeting Date: December 14, 2023 **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: Michael Short, P.E. **Approved by:** Ryan Kelso
Director of Water Services Interim Chief Executive Officer
and Compliance

RECOMMENDED ACTION: Authorize Interim CEO or His Designee to Negotiate and Execute a Third Amendment to the Professional Services Agreement with Arcadis U.S., Inc for the Design of Phase 4 - Aquifer Storage and Recovery Support Project

BACKGROUND

On December 16, 2020, the New Braunfels Utilities (“NBU”) Board of Trustees approved a Professional Services Agreement (the “Agreement”) with Arcadis U.S., Inc. (“Arcadis”) for professional engineering services for the Design of Phase 4 - Aquifer Storage and Recovery (“ASR”) Project (the “Project”). On January 28, 2022, the Board approved a First Amendment to the Agreement (the “First Amendment”) for general aquifer storage and recovery support, NBU/ Edwards Aquifer Authority (“EAA”) Interlocal Agreement (“ILA”) work group support, analytical modeling of ASR formations, and Phase 4 ASR cycle testing. On October 31, 2022, the Board approved a Second Amendment to the Agreement (the “Second Amendment”) for the Texas Commission on Environmental Quality (“TCEQ”) operating permit support, and wellfield modeling and conceptual design support services.

Upon further evaluation of the project, NBU and the Professional have identified the need for (i) improvements to the ASR D1 Well to extend the depth of the well for better water quality to include design, bid and construction phase services, and (ii) design and bid phase services for an additional ASR. In order to extend the depth of D1, design, bid, and construction phase services (the “New Services”) for an additional ASR monitoring well, are needed.

As a result, NBU staff requests that the Board approve the Third Amendment to the Agreement (the “Third Amendment”), which includes (i) adding the New Services; and (ii) authorizing the related compensation for the New Services.

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 of the Third Amendment is \$744,898. The total contract amount for the Agreement, First Amendment, Second Amendment, and Third Amendment with Arcadis for the Project is \$2,852,817. 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

Stewardship

EXHIBITS

1. Third Amendment to the Professional Services Agreement with Arcadis