



**Meeting Date:** October 26, 2023      **Agenda Type:** Consent Items for Action

**From:** Jacob Tschoepe      **Reviewed by:** Shawn Schorn  
Program Portfolio Manager      Director of Business Planning

**Submitted by:** Shawn Schorn      **Approved by:** Ryan Kelso  
Director of Business Planning      Interim Chief Executive Officer

**RECOMMENDED ACTION:** Authorize Interim CEO or His Designee to Negotiate and Execute an AIA Amendment to the Professional Services Agreement with R.E. Lamb for Site Selection, Design, Engineering Services, and Construction Administration of the Proposed Backup Operations Center

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## **BACKGROUND**

At the August 27, 2020 Board of Trustees meeting New Braunfels Utilities (“NBU”) staff recommended entering into an AIA contract (“the Contract”) with R.E. Lamb (the “Professional”) for site selection, design, engineering services, and construction administration (“Original Services”) for the NBU Backup Operations Center (“BOC”), formerly known as the NBU Disaster Recovery Facility, to be completed by June 30, 2023 (the “Project”). The Board of Trustees consented to this item, and NBU and the Professional executed the contract on October 16, 2020 and the Professional began the design of the BOC.

The Project was suspended for approximately twelve months for a feasibility assessment and property survey of an existing facility, for consideration as a possible alternate location for the Backup Operations Center in effort to reduce overall building cost per square foot. However, additional requirements were identified deeming the existing property unusable. NBU located a feasible site and the Professional, along with NBU has identified a need to (i) change the building envelope from a pre-engineered structure to masonry construction, (ii) design a structural steel building frame, (iii) redesign the foundations based on the new steel layout and building weight, (iv) redesign the building envelope from metal panel to cement masonry units, (v) new roof design, (vi) adjust the penetrations and wall details required for interface with CMU walls, (vii) change of fence type from palisade-style to concrete panel-style, including fencing foundations and framing design, (viii) change the temporary bunk room to permanent dormitory, per International Building Code, and change wall details, ventilation requirements, and fire alarm system to accommodate, (ix) add secondary communications conduit line from Tulip Lane, (x) modify data and communications box locations, (xi) change primary electrical feed location to Gruene Road and coordinate electrical/site design for new duct bank, (xii) retain Combs Consulting Group to provide technology and security system design. Amend base design drawings to accommodate these changes, (xiii) address configuration of site drives, dumpster location, and Tulip Lane gate to improve solid truck circulation, (xiv) re-engage design team to finalize design documents and prepare for advertising for competitive

sealed proposals, and (xv) review project and documents with the City to address new criteria and permitting instructions (“New Services”).

NBU and the Professional desire to amend the Contract to (i) add New Services, (ii) authorize additional compensation for the New Services, and (iii) extend the completion time to September 30, 2025.

## **FINANCIAL IMPACT**

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The total financial impact of the First Amendment is \$161,500. The total contract amount for the Contract and the First Amendment with the Professional for the Project is \$506,500. The Project is budgeted within the fiscal year 2023 through fiscal year 2025 NBU Board approved Capital Improvement Projects Budget as NBU Backup Operations Center.

## **LINK TO STRATEGIC PLAN**

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**Infrastructure and Technology**

**Safety and Security**

## **EXHIBITS**

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1. AIA Amendment to the to the Professional Services Agreement with R.E. Lamb