

STAFF REPORT



SUBJECT: Backflow Prevention / Cross-Connection Control – Professional Services Proposal
MEETING: Council Meeting - 07 Sep 2021
DEPARTMENT: Public Works/Development Services
STAFF CONTACT: Nick Williams

RECOMMENDATION:

Staff recommends entering into a professional services agreement with Hardin & Associates Consulting to conduct Customer Service Inspections (CSI) as required by the State of Texas.

BACKGROUND:

Texas has promulgated regulations that mandate all public water suppliers have a program to require backflow prevention devices be installed to protect against contamination of public water supplies. Effective January 1, 1996, the Texas Commission on Environmental Quality (TCEQ) required all public water systems comply with Texas Administrative Code, Title 30, Chapter 290, which states as follows:

"§290.44 Water Distribution. (h). (1). No water connection from any public drinking water supply system shall be made to any establishment where an actual or potential contamination or system hazard exists without an air gap separation between the drinking water supply and the source of potential contamination. Under these conditions, additional protection shall be required at the meter in the form of a backflow prevention device ...on those establishments handling substances deleterious or hazardous to the public health. The water purveyor need not require backflow protection at the water service entrance if an adequate cross-connection control program is in effect that includes an annual inspection and testing by a certified backflow prevention device tester. It will be the responsibility of the water purveyor to ensure that these requirements are met."

The TCEQ began full enforcement of these regulations and evaluates public water systems for compliance through a public water system inspection program. All systems found without a program or with an inadequate program may risk potential enforcement action in the form of fines each day from the TCEQ until an approved program is in place. The city building inspector performs CSI's for new construction, but may not be notified of remodeling after construction or of potential issues at businesses established prior to the state's CSI requirement.

PROPOSAL:

Hardin & Associates Consulting (HAC) proposes to provide consulting, inspections, and training services to ensure TCEQ compliance. HAC will provide functions necessary to establish a comprehensive Backflow Prevention / Cross-Connection Control Program to ensure TCEQ compliance. The functions include providing third party inspection services for Water Use Survey Inspections; assisting in the review of the existing Backflow Prevention Cross-Connection ordinance to ensure TCEQ compliance; TCEQ required training of the city personnel; preparing of Standard Operating Procedures for the program; and providing communications and public relations support if a backflow event occurs.

FISCAL IMPACT SUMMARY:

The agreement proposes to provide the above identified services for a sum of \$50,000.

The funds have not been specifically identified in the FY21-22 budget.

ALTERNATIVES:

The following alternatives are provided for consideration:

1. Do not recommend approval of the professional services agreement as presented or
2. Recommend an alternate scope of work.

ADVANTAGES:

1. Recommending approval allows the CSI's to commence immediately and provides protection for the public water supply.

DISADVANTAGES:

1. Funding has not been specifically identified for this project.

ATTACHMENTS:

[Customer Service Inspection – Hardin & Associates – Professional Services Agreement – 2021_09-07](#)