

RESOLUTION AND ORDER NO. _____

OF THE EDWARDS AQUIFER AUTHORITY BOARD OF DIRECTORS APPROVING A PURCHASE ORDER FOR HVAC PREVENTATIVE MAINTENANCE, HVAC BUILDING AUTOMATION SERVICE MAINTENANCE, AND IT SERVER ROOM/OFFICE RECONFIGURATION TO BE PERFORMED BY MARIO MENDEZ ELECTRICAL SERVICES IN THE AMOUNT OF \$87,331 AND AUTHORIZING THE GENERAL MANAGER TO APPROVE, EXECUTE AND DELIVER ALL NECESSARY DOCUMENTS IN FURTHERANCE THEREOF

WHEREAS, the Edwards Aquifer Authority (“EAA”) was created by the Edwards Aquifer Authority Act, Act of May 30, 1993, 73rd Leg., R. S., ch. 626, 1993 Tex. Gen. Laws 2350, as amended (“Act”); and

WHEREAS, under Section 1.02 of the Act, the EAA is a conservation and reclamation district created by virtue of Article XVI, Section 59 of the Texas Constitution, and is a governmental agency and body politic and corporate vested with the full authority to exercise the powers and to perform the functions specified in the Act; and

WHEREAS, under Section 1.08(a) of the Act, the EAA has all the powers, rights and privileges necessary to manage, conserve, preserve, and protect the Edwards Aquifer (“Aquifer”) and to increase the recharge to; and prevent the waste or pollution of water in, the Aquifer; and

WHEREAS, under Section 1.11(d)(2) of the Act, and other applicable law, the EAA may enter into contracts; and

WHEREAS, pursuant to Section 49.062(a), Texas Water Code, the EAA is authorized to maintain a regular office for conducting its business, which includes the need to have a safe and comfortable environment to perform the various statutory functions of the EAA under the Act; and

WHEREAS, under Section 49.057(a), Texas Water Code, the EAA may contract with all persons, firms, partnerships, corporations, or other entities, public or private, deemed necessary by the EAA Board of Directors (“Board”) for the conduct of the affairs of the EAA; and

WHEREAS, under Section 49.211(a), Texas Water Code, the EAA has the functions, powers, authority, rights, and duties that will permit it to accomplish the purposes for which it was created or the purposes authorized by the Constitution, the Texas Water Code, or any other law; and

WHEREAS, under Section 49.213(b), Texas Water Code, the EAA may enter into contracts with any person or any public or private entity in the performance of any purpose or function permitted by the EAA; and

WHEREAS, under Section 49.213(c)(7), Texas Water Code, the EAA may enter into contracts with persons or any public or private entities on the terms and conditions the Board

may consider desirable, fair, and advantageous for, among other things, the exercise of any rights, powers, and duties granted to the EAA; and

WHEREAS, under Sections 5.01(b) and 11.02(a)(1) of the EAA Bylaws, the General Manager is authorized to execute, without further Board authorization, contracts involving the expenditure of equal to or less than \$50,000; and

WHEREAS, under Sections 5.01(b) and 11.02(a)(2) of the EAA Bylaws, the General Manager may also execute, without further Board authorization, multiple contracts with the same party for different, separate and distinct projects (whether similar in nature or not) as long as the total of such multiple contracts is equal to or less than \$100,000 in one calendar year; and

WHEREAS, under Sections 5.01(b) and 11.02(b) of the EAA Bylaws, multiple agreements, contracts, or any other procurement instruments with the same party whose total combined value exceeds \$100,000 in a calendar year must be approved by a written resolution of the Board adopted during a Board meeting; and

WHEREAS, during calendar year 2025, the General Manager has entered into contracts and purchase orders with Mario Mendez Electrical Services for different and separate projects related to facilities maintenance with a total combined value of \$98,423; and

WHEREAS, EAA staff solicited bids for HVAC preventative maintenance services, HVAC building automation service maintenance, and IT server room/office reconfiguration at the EAA's main office and Mario Mendez Electrical Services was the best value bid for the services at a total bid value of \$87,331; and

WHEREAS, if the Board approves the purchase of HVAC preventative maintenance services, HVAC building automation service maintenance, and IT server room/office reconfiguration, the combined total of all purchase orders with Mario Mendez Electrical Services during calendar year 2025 would be \$185,754, which would exceed \$100,000; and

WHEREAS, the previous purchase orders with Mario Mendez Electrical Services were reviewed by EAA legal counsel; and

WHEREAS, the proposed bid submitted by Mario Mendez Electrical Services was reviewed by EAA legal counsel; and

WHEREAS, on October 28, 2025, the Finance/Administrative Committee voted to recommend that the Board adopt a resolution and order approving a purchase order for HVAC preventative maintenance services, HVAC building automation service maintenance, and IT server room/office reconfiguration performed by Mario Mendez Electrical Services in the amount of \$87,331, and authorizing the General Manager to approve the purchase order; and

WHEREAS, a regular meeting of the Board of the EAA was held on November 12, 2025 at 1:00 p.m., notice of public meeting having been duly and properly posted in accordance with Chapter 551, Texas Government Code; and

WHEREAS, an agenda item was duly listed in the notice of public meeting that is the subject of this Resolution and Order; and

WHEREAS, a majority of the Directors of the Board were in attendance and constituted a quorum; and

WHEREAS, the Board duly considered and took action on the Agenda Item that is the subject of this Resolution and Order; and

WHEREAS, a vote of the majority of the quorum of the Board present passed on, voted in favor of, and adopted this Resolution and Order; and

WHEREAS, it is in the public interest that the EAA enter into this purchase order in order to provide a safe and comfortable environment for EAA staff to perform various statutory functions of the EAA.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE EDWARDS AQUIFER AUTHORITY THAT:

- Section 1. The recitals set out above are found to be true and correct, and they are hereby adopted by the Board of Directors and are made a part of this Resolution and Order for all purposes.
- Section 2. The EAA Board of Directors hereby approves a purchase order for HVAC preventative maintenance services, HVAC building automation service maintenance, and IT server room/office reconfiguration performed by Mario Mendez Electrical Services in the amount of \$87,331.
- Section 3. The Board of Directors authorizes the General Manager to approve, execute and deliver all necessary documents in furtherance thereof and release payment as may be required thereby.
- Section 4. This Resolution and Order shall become effective from and after its adoption.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE EDWARDS AQUIFER AUTHORITY THIS THE 12TH DAY OF NOVEMBER 2025.

Enrique P. Valdivia
Chairman, Board of Directors

ATTEST:

Rachel Sanborn
Secretary, Board of Directors

APPROVED AS TO FORM:



Deborah Trejo
General Counsel