



## Legislation Details (With Text)

**File #:** AI 13-2322    **Version:** 2    **Name:** TejasPremier AgSCAP contract  
**Type:** Action Item    **Status:** Passed  
**File created:** 2/5/2020    **In control:** Board of Directors  
**On agenda:** 3/10/2020    **Final action:** 3/10/2020  
**Title:** Consider recommendation from the Permits/Enforcement Committee to approve a contract between the EAA and Tejas Premier Building Contractor, Inc., for agricultural aboveground storage tank containment upgrades at the A&S Ranch, in Uvalde, Texas.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 20-006-ERA Tejas Construction for Agricultural Aboveground Storage Tank Containment Upgrades exp Dec 2020 - For Committee, 2. RO 03-20-964 - Tejas Contract - AgSCAP Program 03-10-20

Date	Ver.	Action By	Action	Result
3/10/2020	2	Board of Directors	approved	
2/25/2020	1	Permits/Enforcement Committee		

**Consider recommendation from the Permits/Enforcement Committee to approve a contract between the EAA and Tejas Premier Building Contractor, Inc., for agricultural aboveground storage tank containment upgrades at the A&S Ranch, in Uvalde, Texas.**

### RECOMMENDED MOTION:

Move the board adopt Resolution and Order No. 03-20-964 of the Edwards Aquifer Authority Board of Directors approving Contract No. 20-006-ERA between the EAA and Tejas Premier Building Contractor, Inc., for agricultural aboveground storage tank containment upgrades at the A&S Ranch, in Uvalde, Texas, in an amount not to exceed \$148,723, for the period March 16, 2020 through December 31, 2020, and authorizing the General Manager to execute the contract.

### SUMMARY:

The purpose of this agenda item is for the board to consider a Permits/Enforcement Committee recommendation to approve a contract with Tejas Premier Building Contractor, Inc. ("Tejas"), to perform agricultural aboveground storage tank containment upgrades at the A&S Ranch, Uvalde, Texas. These proposed containment upgrades are consistent with the *Agricultural Secondary Containment Assistance Program Agreement between the EAA and A&S Ranch, Ltd.*

### Background

Under EAA rules, certain aboveground storage tank (AST) systems associated with agricultural activities and located within the Edwards Aquifer Recharge Zone are regulated by the EAA and must achieve a defined level of secondary containment. The Agricultural Secondary Containment

Assistance Program (AgSCAP) was developed to provide owners and operators of AST systems technical and financial assistance to meet EAA rule requirements or to otherwise remedy potential non-compliant situations.

At the March 12, 2019, meeting, the EAA Board of Directors voted to approve the AgSCAP agreement with A&S Ranch to bring their tanks into compliance with EAA rules.

To solicit the required services, on November 4, 2019, EAA staff advertised Request for Proposal (RFP) 175-19-ERA, consistent with the standard EAA procurement process. In addition, EAA staff mailed the RFP packets to interested vendors, and, after responding to written questions on the RFP, EAA issued Addendum I to the RFP on November 18, 2019. EAA staff also hosted a pre-bid meeting at the project site for interested parties on December 2, 2019. At the close of the solicitation, EAA received one written proposal, from Tejas, on December 18, 2019.

Since EAA staff received only one submission on the solicitation, there was no basis on which to make cost comparisons. Generally satisfied with the scope of the proposal, EAA staff asked the AgSCAP engineering oversight contractor, CP&Y, to review Tejas' proposal. Following CP&Y's satisfactory review, because the proposal allowed for and priced several options to achieve containment goals, EAA staff conveyed the options that best achieved the terms of the A&S Ranch agreement at the lowest cost, and prepared the attached contract.

EAA Bylaws require adoption of a resolution and order of the board for contracts that exceed \$100,000. Attached to this summary is Resolution and Order No. 03-20-964 and the proposed contract between the EAA and Tejas, which have both been reviewed by legal counsel.

At the February 25 meeting, the Permits/Enforcement Committee voted to recommend the board adopt a resolution and order of the Edwards Aquifer Authority Board of Directors approving Contract No. 20-006-ERA between the EAA and Tejas Premier Building Contractor, Inc., for agricultural aboveground storage tank containment upgrades at the A&S Ranch, in Uvalde, Texas, in an amount not to exceed \$148,723, for the period March 16, 2020 through December 31, 2020, and authorizing the General Manager to execute the contract.

#### M/WBE PARTICIPATION:

Tejas Premier Building Contractor, Inc., is a certified Small, Minority, Woman owned prime contractor and is registered in SAM.gov.

#### STRATEGIC PLAN REFERENCE:

This item is related to the 2016-20 Strategic Plan: Goal D, Prevent the Pollution of the Aquifer.

#### FISCAL IMPACT:

Funding in the amount of \$148,723.00 is not available in the EAA 2020 operating budget and will require a budget amendment for this activity. The budget amendment will not come from general revenue, but from a defined fund established for these activities - the Conservation & Aquifer

Protection Fund.