



## Legislation Text

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File #: AI 13-1608, Version: 2

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**Consider recommendation from the Research & Technology Committee to approve a contract renewal with BIO-WEST, Inc., to continue to provide biological monitoring services for Comal and San Marcos Springs Ecosystems, in an amount not to exceed \$734,352.**

### RECOMMENDED MOTION:

Move the board adopt Resolution and Order No. 09-17-880 of the Edwards Aquifer Authority Board of Directors approving a one-year renewal, of Contract No. 14-689-HCP, between the EAA and Bio-West, Inc., to provide a biological monitoring program for Comal and San Marcos Springs ecosystems, in an amount not to exceed \$734,352, for the period January 1, 2018 through December 31, 2018, and authorizing the General Manager to execute the contract renewal.

### SUMMARY:

The purpose of this agenda item is for the board to consider a Research & Technology Committee recommendation to approve the renewal of a contract between the EAA and BIO-WEST, Inc. (BIO-WEST), to continue to provide a biological monitoring program for the Comal and San Marcos springs ecosystems, as required by the Edwards Aquifer Habitat Conservation Plan (EAHCP). Specifically, section 6.3.1 of the (EAHCP) requires the EAA to “...*provide a means of monitoring changes to habitat availability and the population abundance of the Covered Species that may result from Covered Activities* ...”

The contract term, which initially was February 12, 2014, through December 31, 2014, is eligible to be renewed for an additional year pursuant to Article I, paragraph 1.3 of the contract. This is the fourth of four renewal options identified in the original contract. The total annual amount under the contract, as now renewed, is not to exceed \$734,352. The new contract expiration date will be December 31, 2018.

Resolution and Order No. 09-17-880, and the letter of renewal of Contract No. 14-689-HCP, which have both been reviewed by legal counsel, are attached to this item.

At the August 22 meeting, the Research & Technology Committee voted to recommend the board adopt a resolution and order of the Edwards Aquifer Authority Board of Directors approving a one-year renewal, of Contract No. 14-689-HCP, between the EAA and Bio-West, Inc., to provide a biological monitoring program for Comal and San Marcos Springs ecosystems, in an amount not to exceed \$734,352, for the period January 1, 2018 through December 31, 2018, and authorizing the General Manager to execute the contract renewal.

### M/WBE PARTICIPATION:

BIO-WEST, Inc., is not an M/WBE vendor.

**STRATEGIC PLAN REFERENCE:**

This agenda item supports the EAA's policy direction as set forth in the EAA 2016-20 Strategic Plan: Goal A. Sustain Federally Protected Aquifer-Dependent Species.

A Biological Monitoring Program is required of the EAA to maintain compliance with the Incidental Take Permit issued by USFWS on March 18, 2013. Specifically, this item is related to the obligations of Section 6.3.1 of the Edwards Aquifer Habitat Conservation Plan.

**FISCAL IMPACT:**

Funding in the amount of \$408,275, for comprehensive biological monitoring is included in the 2018 proposed EAHCP budget. If necessitated by specific springflow conditions, \$125,000 is also included in the 2018 proposed EAA Operating Budget for potential critical period monitoring.