

NOTICE OF OPEN MEETING

Notice is given that a **Regular Meeting** of the Board of Directors of the Barton Springs/Edwards Aquifer Conservation District will be held at the **District office**, located at 1124 Regal Row, Austin, Texas, on **Thursday, October 22, 2015**, commencing at **6:00 p.m.** for the following purposes, which may be taken in any order at the discretion of the Board.

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Homeland Security). No final action or decision will be made in Executive Session.

1. Call to Order.

2. Citizen Communications (Public Comments of a General Nature).

3. Routine Business.

a. Consent Agenda. *(Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as a separate item of Regular Business on this agenda.)*

1. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000. **NBU**
2. Approval of minutes of the Board's September 24, 2015 and October 8, 2015 Regular Meetings. **Not for public review at this time**

b. General Manager's Report. *(Note: Topics discussed in the General Manager's Report are intended for general administrative and operational information-transfer purposes. The Directors will not take any action unless the topic is specifically listed elsewhere in this agenda.)*

1. Standing Topics.

- i. Personnel matters and utilization
- ii. Upcoming public events of possible interest
- iii. Aquifer conditions and status of drought indicators

2. Special Topics. *(Note: Individual topics listed below may be discussed by the Board in this meeting, but no action will be taken unless a topic is specifically posted elsewhere in this agenda as an item for possible action. A Director may request an individual topic that is presented only under this agenda item be placed on the posted agenda of some future meeting for Board discussion and possible action.)*

- i. Update on Team activities and highlights
- ii. Update on activities related to GMA and regional water planning
- iii. Update on regulatory and enforcement activities
- iv. Update on ongoing and prospective District grant projects
- v. Update on efforts to assess saline Edwards desalination and ASR feasibility
- vi. Update on the activities related to the SH 45 SW roadway project

- vii. Update on activities related to the HCP and the associated draft EIS

4. Presentation

Presentation by Graham Moore on the Hays Caldwell Public Utility Agency's (HCPUA) regional water supply projects. **Pg. 14**

5. Discussion and Possible Action.

- a. Discussion and possible action related to the HCPUA request for Right of Entry to District property to conduct studies in preparation for improvements to its water system. **Pg. 22**
- b. Discussion and possible action related to the status of implementation of HB 3405 in the new Shared Territory including an update on the issuance of Temporary Permits. **NBU**
- c. Discussion and possible action related to approval of a resolution to submit a grant application to the Texas Water Development Board (TWDB) to fund demonstration projects for alternative water supplies. **Pg. 25**
- d. Selection of the first-choice firm and authorization to negotiate a contract to support the TWDB Regional Facilities Planning grant awarded to District for saline Edwards Aquifer feasibility studies. **Pg. 28**
- e. Discussion and possible action related to setting a work session for consideration of progress made towards the goals and objectives of the District's Management Plan. **NBU**

6. Adjournment.

Please note: This agenda and available related documentation have been posted on our website, www.bseacd.org. If you have a special interest in a particular item on this agenda and would like any additional documentation that may be developed for Board consideration, please let staff know at least 24 hours in advance of the Board Meeting so that we can have those copies made for you.

The Barton Springs/Edwards Aquifer Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-282-8441 at least 24 hours in advance if accommodation is needed.

Item 1

Call to Order

Item 2

Citizen Communications

Item 3

Routine Business

a. Consent Agenda

(Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as a separate item of Regular Business on this agenda.)

- 1. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**
- 2. Approval of minutes of the Board's September 24, 2015 October 8, 2015 Regular Meetings.**

Item 3

Routine Business

b. General Manager's Report.

Note: Topics discussed in the General Manager's Report are intended for administrative and operational information-transfer purposes. The Directors will not deliberate any issues arising from such discussions and no decisions on them will be taken in this meeting, unless the topic is specifically listed elsewhere in this as-posted agenda.

1. Standing Topics.

- i. Personnel matters and utilization**
- ii. Upcoming public events of possible interest**
- iii. Aquifer conditions and status of drought indicators**

2. Special Topics.

Note: Individual topics listed below may be discussed by the Board in this meeting, but no action will be taken unless a topic is specifically posted elsewhere in this agenda as an item for possible action. A Director may request an individual topic that is presented only under this agenda item be placed on the posted agenda of some future meeting for Board discussion and possible action.

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- vii. Update on activities related to the HCP and the associated draft EIS**

Item 4

Presentation

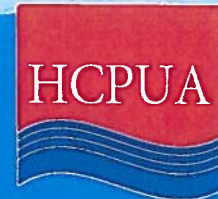
Presentation by Graham Moore on the Hays Caldwell Public Utility Agency's (HCPUA) regional water supply projects.

HAYS CALDWELL PUBLIC UTILITY AGENCY

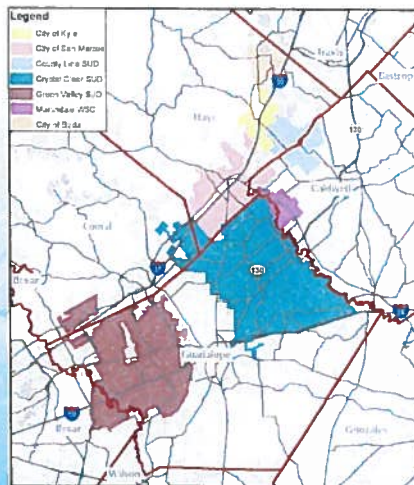
PROJECT UPDATE

**BARTON SPRINGS EDWARDS AQUIFER
CONSERVATION DISTRICT**

OCTOBER 22, 2015



AGENCY SPONSORS



- San Marcos
- Kyle
- Buda
- Canyon Regional Water Authority, represents:
 - Crystal Clear SUD
 - Green Valley SUD
 - County Line SUD
- All Sponsors are not-for-profit cities or water companies
- Full-Time Executive Director hired in September 2014

THE HAYS CALDWELL PUBLIC UTILITY AGENCY



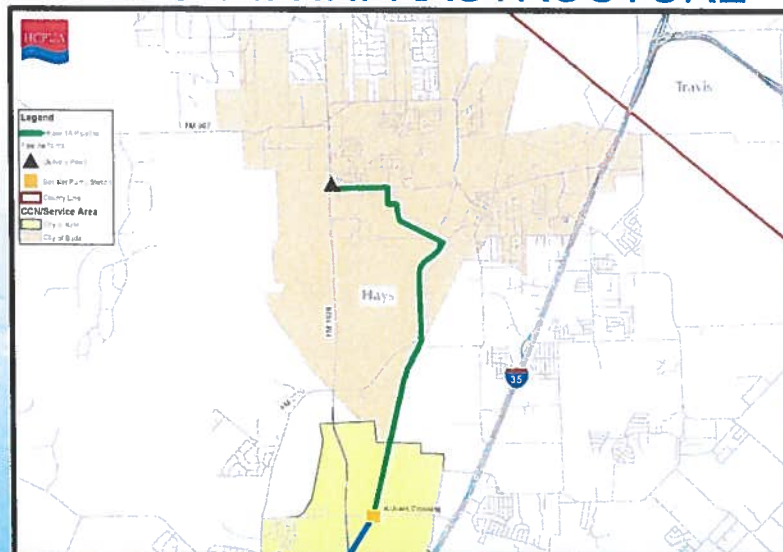
SHARING PLAN DETAILS

- Water sharing agreement between Buda, Kyle, San Marcos and GBRA executed on 10/6/2015.
- Kyle and San Marcos have each committed 0.5 MGD of water to Buda for their use.
- Water will be delivered via the existing GBRA pipeline along I-35 and also through the Agency's Phase 1A infrastructure.
- Agreement expires in 2023 when the Agency's Carrizo project begins delivering water.
- The Agency is working on a separate agreement that will set the price for the shared water – the basic principle will be on a "cost recovery basis".

THE HAYS CALDWELL PUBLIC UTILITY AGENCY



PHASE 1A INFRASTRUCTURE



THE HAYS CALDWELL PUBLIC UTILITY AGENCY



STATE FUNDING

- Texas Water Development Board (TWDB) managing the \$2 billion State Water Implementation Fund of Texas (SWIFT) approved by voters in November 2013.
- HCPUA project ranked #4 out of 39 state-wide projects.
- Closing on funding in November 2015.

TWDB – SWIFT Rate Subsidy Information			
Debt Term (yrs)	State Subsidy	SWIFT Subsidized Rate*	Interest Savings**
20	35.5%	1.97%	\$24,322,206
25	27.0%	2.48%	\$27,045,180
30	22.0%	2.88%	\$30,292,746

* Based on current rates; actual rate(s) will vary.

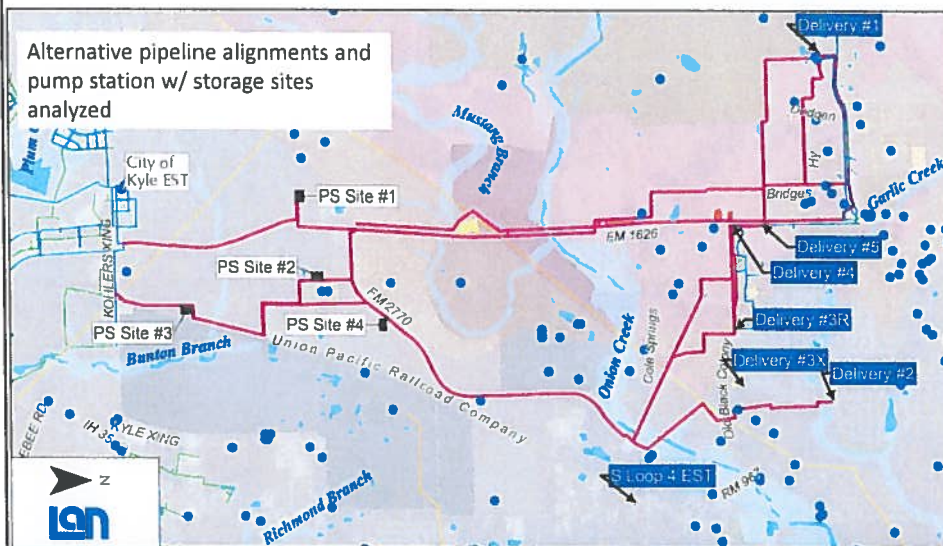
** Based on \$185 million capital project versus unsubsidized rates.

THE HAYS CALDWELL PUBLIC UTILITY AGENCY



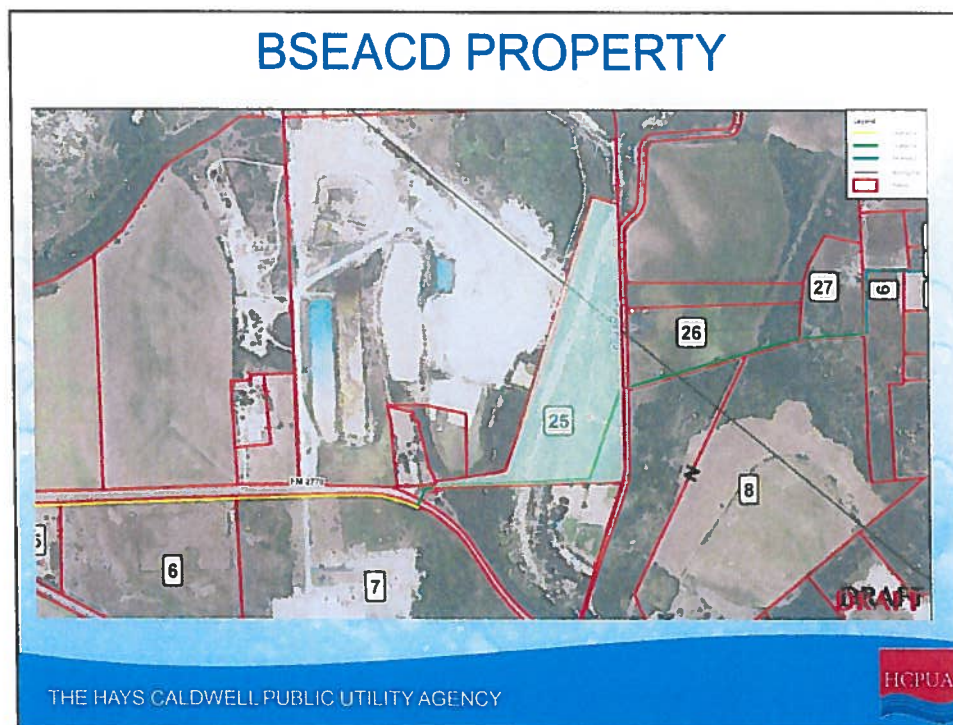
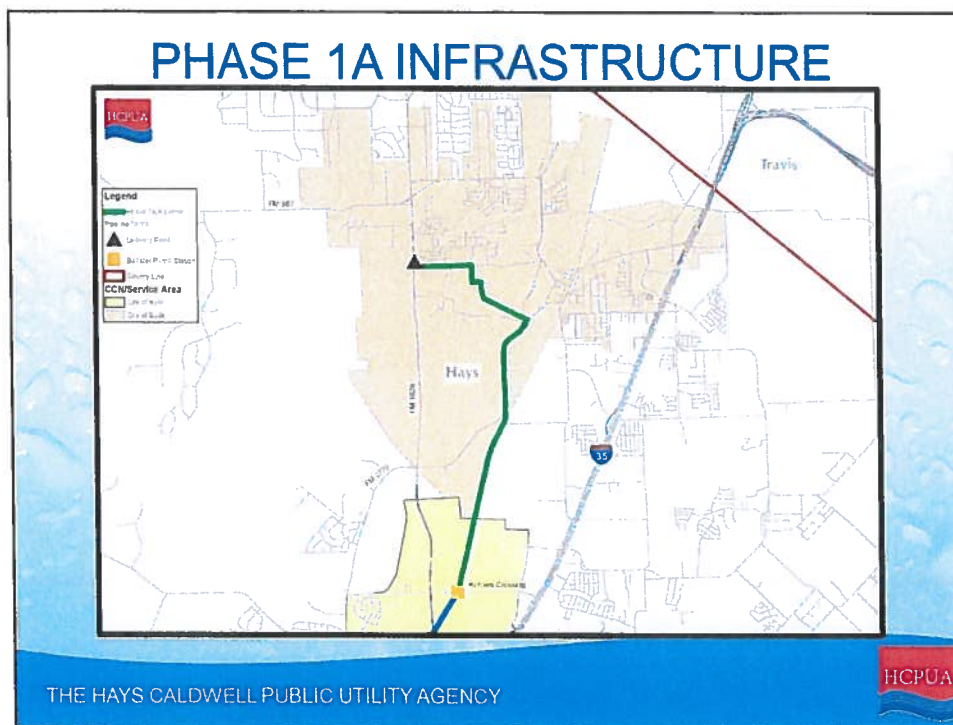
ALIGNMENTS CONSIDERED

Alternative pipeline alignments and pump station w/ storage sites analyzed



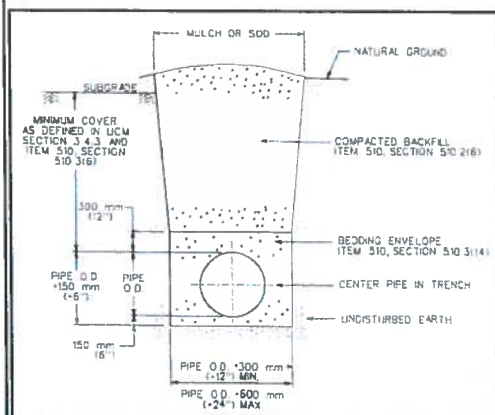
THE HAYS CALDWELL PUBLIC UTILITY AGENCY



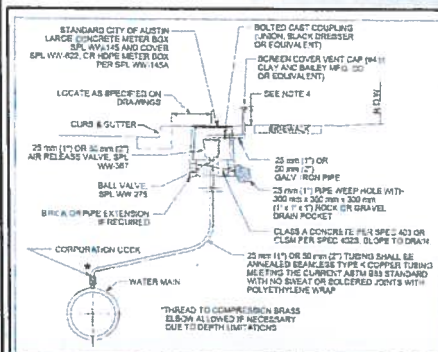


IMPACTS TO PROPERTY - LONGTERM

Underground Pipeline



Air Release Valves (likely)



THE HAYS CALDWELL PUBLIC UTILITY AGENCY



IMPACTS TO PROPERTY DURING CONSTRUCTION

- Clearing and Grubbing (remove brush, scrub trees, etc.)
- Erosion and sedimentation controls – silt fence, rock filter dams, etc. to reduce runoff
- Trenching operations
- Possibly utilize excavated shafts on either side of the creek with the pipeline installed via bore and jack or other "trenchless" technology.
- Details of construction to be determined after the investigation phase.

THE HAYS CALDWELL PUBLIC UTILITY AGENCY



RIGHT OF ENTRY & EASEMENT ACQUISITION PROCESS

- Request approval from the landowner to access the property to conduct surveying, environmental and geotechnical investigation of the property.
- Engineers will analyze the data and work with BSEACD staff to identify constraints and limitations on the project.
- The HCPUA will get an independent appraisal of the property and based on the info will make an offer for the easement based on the fair market value.
- The easement document will essentially serve as a contract between the HCPUA and the District.

THE HAYS CALDWELL PUBLIC UTILITY AGENCY



QUESTIONS

www.hcpua.org

Graham Moore, P.E.
Executive Director
(512) 294-3214
gmoore@hcpua.org

THE HAYS CALDWELL PUBLIC UTILITY AGENCY

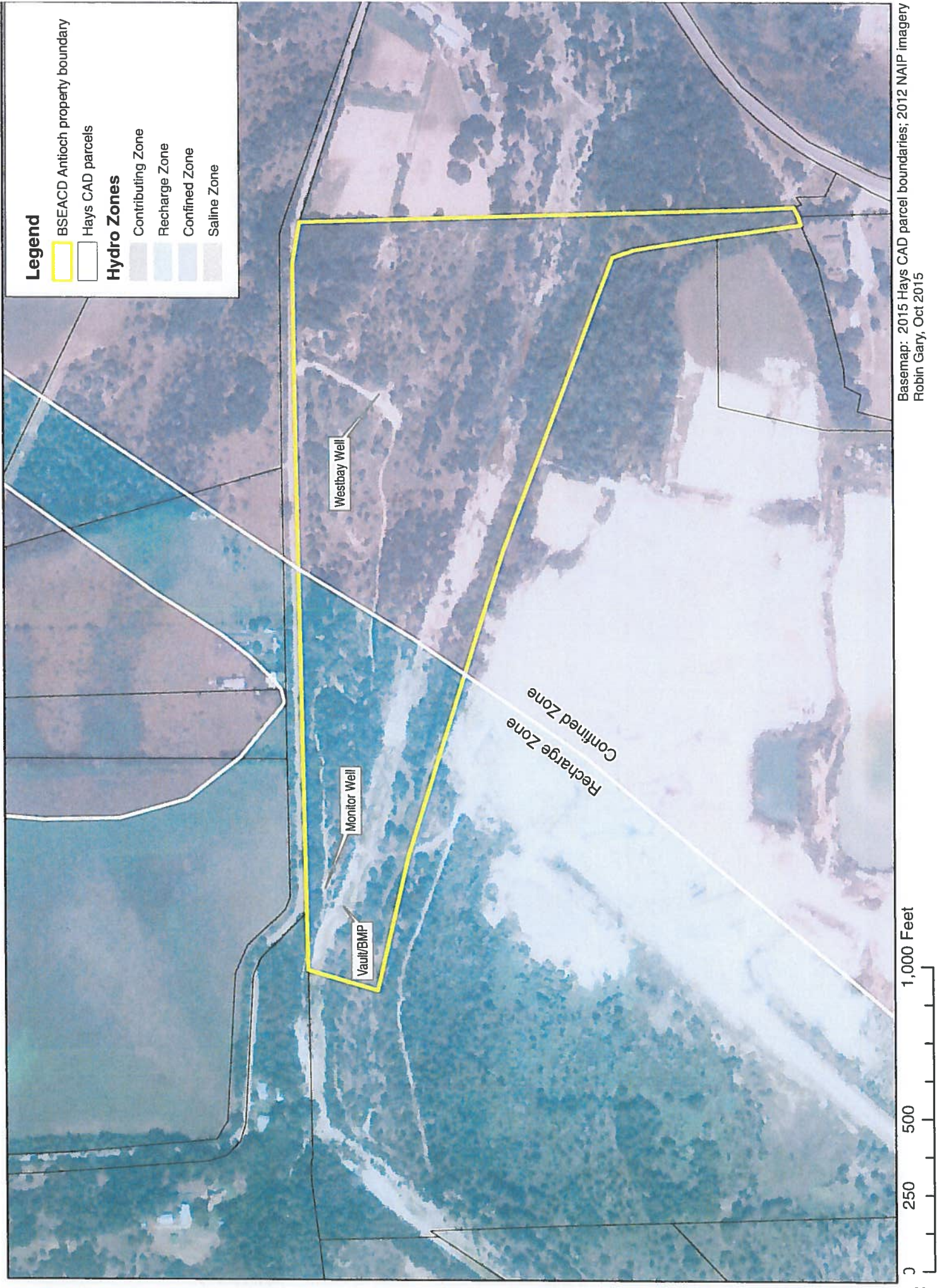


Item 5

Board Discussions and Possible Actions

- a. Discussion and possible action related to the HCPUA request for Right of Entry to District property to conduct studies in preparation for improvements to its water system.**

BSEACD Antioch Property



Legend

- BSEACD Antioch property boundary
 - Hays CAD parcels
- ### Hydro Zones
- Contributing Zone
 - Recharge Zone
 - Confined Zone
 - Saline Zone

Item 5

Board Discussions and Possible Actions

- b. Discussion and possible action related to the status of implementation of HB 3405 in the new Shared Territory including an update on actions on Temporary Permits.**

Item 5

Board Discussions and Possible Actions

- c. Discussion related to approval of a resolution to submit a grant application to the Texas Water Development Board (TWDB) to fund demonstration projects for alternative water supplies.**

STATE OF TEXAS

COUNTIES OF HAYS, TRAVIS
AND CALDWELL

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§

RESOLUTION #102215-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BARTON SPRINGS / EDWARDS AQUIFER CONSERVATION DISTRICT
TO 1) AUTHORIZE THE GENERAL MANAGER TO SUBMIT A GRANT
APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD TO
PERFORM A DEMONSTRATION PROJECT THAT WOULD POTENTIALLY
SERVE TO PROVIDE ALTERNATIVE WATER SUPPLIES TO ENTITIES
WITHIN THE DISTRICT AND 2) COMMIT DISTRICT RESOURCES TO
SUPPORT THE GRANT**

WHEREAS, the reoccurring drought events have presented significant challenges and potential water supply shortages to municipal, commercial, and industrial water supplies within the region;

WHEREAS, these water supply challenges have required a reassessment of traditional water supply strategies within the region;

WHEREAS, other municipal and industrial water utilities in the region have recognized the need to identify new strategies to provide additional water supplies during extreme drought periods;

WHEREAS, the Barton Springs Edwards Aquifer Conservation District (the "District") recognizes the need to address these water supply issues on a regional basis in a cost sharing arrangement with other water suppliers within the region to evaluate the feasibility and to conduct demonstration projects to address these critical issues;

WHEREAS, the District along with the partners/participants, will partner in this effort;

WHEREAS, the District has agreed to act as the applicant for a grant for funds for the feasibility analysis and demonstration projects for alternative water supplies through the Texas Water Development Board; and

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Barton Springs Edwards Aquifer Conservation District:

1. The General Manager is authorized to submit an application, substantially in the form attached hereto as Exhibit "A," with changes to be approved by the District's attorney, to the Texas Water Development Board to conduct the feasibility analysis and perform demonstration projects for alternative water supplies that would serve entities in Hays, Travis and Caldwell Counties, Texas.

2. The District will commit an amount not to exceed TBD of local matching funds in cash and in-kind services; and
3. This resolution shall become effective immediately upon adoption.

In Favor _____

Opposed _____

PASSED AND APPROVED this 22nd day of October 2015.

Mary Stone, Board President

ATTEST:

Blayne Stansberry, Secretary

Item 5

Board Discussions and Possible Actions

- d. Selection of the first-choice firm and authorization to negotiate a contract to support the TWDB Regional Facilities Planning Grant awarded to District for saline Edwards Aquifer feasibility studies.**



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

**Barton Springs/Edwards Aquifer Conservation District
Request for Proposals
For Engineering Consulting Services
RFP No. 092515-001**

BACKGROUND

The Barton Springs/Edwards Aquifer Conservation District (“District”) is a Groundwater Conservation District (GCD) created in 1987 by the 70th Texas Legislature under Senate Bill 988 (now codified at Special District Local Laws Code, Chapter 8802) and Chapter 52 (revised to Chapter 36) of the Texas Water Code (TWC). The District's mandate is to conserve, protect, and enhance all groundwater resources within the District. The District has the authority to undertake various studies and implement structural facilities and non-structural programs to achieve its statutory mandate. The District has rule-making authority to implement its policies and procedures consistent with the statutory mandates, established mission, and the TWDB-approved management plan.

On the basis of the response to the Request for Statements of Interest and Qualifications (“RFQ”) issued on July 31, 2015 (RFQ No. 073115-003), your firm has been selected as a prospective offeror of engineering and financial consulting services (“Respondent”) to the District as more specifically described in the Scope of Services below. The District seeks proposals for services in accordance with the specifications contained in this Request for Proposals (“RFP”) and additional guidance, if any, provided to all Respondents.

CONTRACT TERM

The services requested shall be provided for a period beginning October 12, 2015 or the last signature date on the Contract, whichever is later and ending October 31, 2016.

SCOPE OF SERVICES

The selected firm will provide engineering consulting services required to perform the following tasks within the funding limitation of \$265,000 (“Funding Limitation”):

- 1) Provide professional assistance and advice on engineering and financial matters stated in the Scope of Work (SOW) contained in the contract between Texas Water Development Board (TWDB) and the District (TWDB Contract No. 1548321870).

- 2) Meet with the District and other stakeholders to discuss plans for conducting the project, periodic summaries of progress on the project, and final results of the project.
- 5) Provide status reports to the District and to TWDB as often as deemed necessary by the TWDB contract, and to facilitate the timely work of the consultant.

PROPOSAL REQUIREMENTS

- 1) Costs: The District will not reimburse the Respondent for any cost related to its Proposal. The Respondent is responsible for any expense related to the preparation and submission of its Proposal.
- 2) The District will not consider any Proposal that bears a copyright. Proposals will be subject to the Texas Public Information Act (PIA), Tex. Government Code, Chapter 552, and may be disclosed to the public upon request. The Proposal and other submitted information shall be presumed to be subject to disclosure unless a specific exception to disclosure under the PIA applies.

If it is necessary for the Respondent to include proprietary or otherwise confidential information in their Proposal or other submitted information, the Respondent must clearly label that proprietary or confidential information and identify the specific exception to disclosure in the PIA. Merely making a blanket claim the entire Proposal is protected from disclosure because it contains some proprietary information is not acceptable, and shall make the entire Proposal subject to release under the PIA. In order to initiate the process of seeking an Attorney General opinion on the release of proprietary or confidential information, the specific provisions of the Proposal that are considered by the Respondent to be proprietary or confidential must be clearly labeled as described below. Any information which is not clearly identified as proprietary or confidential shall be deemed to be subject to disclosure pursuant to the PIA. Subject to the Act, Respondents may protect trade and confidential information from public release. Trade secrets or other confidential information submitted as part of a Proposal, shall be clearly marked at each page it appears. Such marking shall be in boldface type at least **14 point font**.

- 3) Contents: As a supplement to the statement of interest and qualifications previously submitted, the Respondent's proposal shall include the following items in the following sequence.
 - a) *Respondent Information*: Include the following information related to the responding business entity: formal name and all assumed names used by the business entity; structure of business entity (i.e. sole proprietorship, partnership, corporation, etc.); state in which business entity was formed or incorporated; physical address and mailing address; principal place of business; whether, and to what extent, Respondent has established a physical presence in the State of Texas including relevant timeframes; and name, title, address, telephone number, and e-mail address of Respondent's primary contact.

- b) *Confirmation of Interest:* Provide a statement confirming the Respondent's interest in providing the engineering services described in scope of work within the Funding Limitation. Also include the reasons why the Respondent should be selected for the contract award and any conditions attendant to such contractual work.
- c) *Sample Engagement Letter or Contract*
- d) *References:* Include a minimum of three references from clients, preferably from other GCDs, river authorities, special districts, cities, counties, or water districts, for whom similar services were performed or provided. Include an entity description, contact names and information, and other pertinent information.

SUBMISSIONS OF PROPOSALS

Interested parties are to submit one copy of the proposal, by email or on paper, no later than 5:00 p.m. CDT Friday, October 9, 2015, to John T. Dupnik, P.G., General Manager, at the following address:

Barton Springs/Edwards Aquifer Conservation District
Attn: Mr. John T. Dupnik, P.G.
1124 Regal Row
Austin, Texas 78748
(512) 282-8441
john@bseacd.org

Please limit response to ten pages; however any additional résumés, sample engagement letter or contract, and supporting documentation will not count toward the ten-page limit. Upon receipt by the District, each statement will be stamped with the date and time received and stored unopened in a secure place until the statement opening. All statements become the property of the District, which will hold the contents of all statements confidential until an award is made.

Statements received after the time set for the opening will be declared late and not eligible for opening and consideration. The District is not responsible for mail, courier or other delivery methods, in-transit time or non-delivery. Late deliveries will be held unopened. Potential firms will be advised by mail that their statement was late and not accepted and will be allowed to pick up their statement package or furnish a "call tag" and have the package picked up by a courier.

Please direct any inquiries regarding this solicitation to Mr. Dupnik as indicated above.

EVALUATION CRITERIA

The District will conduct a comprehensive, fair, and impartial evaluation of all proposals received in response to this RFP. Criteria to be evaluated may include the items listed below.

Evaluation Criteria: **100 total possible points**

- 1) *Responsiveness to the Request for Proposal. 25 points*
 - a) Requested information included & thoroughness of response.
 - b) Understanding and acceptance of the scope of services.
 - c) Acceptance of the RFP.
 - d) Clarity and conciseness of the response.
- 2) *Respondent's Background & Experience (may reference information submitted in response to RFQ). 50 points (10 points for each category listed below)*
 - a) Respondent's background, professional qualifications, and area of expertise.
 - b) Respondent's relevant experience in engineering consulting services including, but not limited to, water resources; environmental and natural resources; and local, state, and federal government issues.
 - c) World-class ASR expertise and financial analysis of long-term costs of desalination and ASR in addition to consideration of financing options.
 - d) Respondent's knowledge of and experience with state agencies and other relevant public entities of interest to the District, in particular, knowledge and examples of working with TWDB contracts and project tracking procedures used by TWDB.
 - e) Respondent's availability of resources to support the District.
- 3) *Evaluation of References. 15 points*
- 4) *Local Presence. 10 points*

Unless there is a desire to select a consultant outside the local area to ensure impartiality, preference will be given to proposals that are otherwise equal to individuals and/or firms whose principal place of business is located within the District's jurisdictional boundary (Travis, Hays, and Caldwell Counties).

SELECTION PROCESS

The District may appoint a selection committee to evaluate the Proposals. The committee may include Directors, the District General Manager or designee, and other persons

invited by the District to participate. Each Proposal will be analyzed to determine overall responsiveness and qualifications under the RFP. The committee will determine the most qualified Proposal by applying the above criteria and may invite all, some, or none of the Respondents for interviews or to provide oral presentations. If the committee elects to request oral presentation or conduct interviews, Respondents may be re-scored based upon the same criteria, or other criteria to be determined by the committee. In accordance with the District purchasing policy, the District may award a contract to the Respondent that demonstrates competence and qualifications to perform the services and with whom contract terms could be negotiated for a fair and reasonable price. The District reserves the right to award contract(s) without any negotiations and reserves the right to not make awards. The District reserves the right to award multiple separate contracts to different Respondents for work required under the Scope of Services.

Item 5

Board Discussions and Possible Actions

- e. Discussion and possible action related to setting a work session for consideration of progress made in FY15 towards the goals and objectives of the District's Management Plan.**

Item 6

Adjournment