

TO: Board Members

THROUGH: Kevin Patteson, Executive Administrator
Les Trobman, General Counsel
Edna Jackson, Deputy Executive Administrator, Operations and Administration

FROM: Gilbert R. Ward, Grants Coordinator, Flood Mitigation Planning

DATE: August 31, 2015

SUBJECT: Lower Rio Grande Valley Colonia Stormwater Drainage Study on behalf of Texas General Land Office

ACTION REQUESTED

Consider authorizing the Executive Administrator to publish a Request for Qualifications (RFQ) in order to select a qualified engineering firm to conduct additional drainage analyses and related study activities associated with the Lower Rio Grande Valley Colonia Stormwater Drainage Planning Study.

BACKGROUND

The Texas General Land Office (GLO) is the lead state agency for managing disaster recovery grants through the United States Department of Housing and Urban Development (HUD). Following the occurrence of Hurricane Dolly and Hurricane Ike in 2008, HUD made funding available to the State of Texas from their Community Development Block Grant (CDBG) program related to disaster relief, long-term recovery, and restoration of infrastructure, housing and economic revitalization. The State received two allocations of CDBG funds totaling \$3.1 billion for Hurricanes Dolly and Ike, which is being administered by the GLO.

In 2008, HUD accepted a fair housing complaint filed against the State of Texas by two housing advocacy groups. In order that existing and future CDBG disaster relief funds would not be jeopardized, the State prepared an Analysis of Impediments to Fair Housing, which was

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subsequently approved by HUD, and from which formed the basis of the Conciliation Agreement between the State of Texas and HUD relative to the complaint. One of the specific impediments which were addressed by the analysis was that "...many colonias residents live in developments that have insufficient infrastructure and protections against flooding and are impacted by flooding...". The action to address this impediment was to "...examine the infrastructure needs in colonias, in particular the use of CDBG disaster recovery funds to provide drainage improvements to correct flooding problems...". In order to accomplish the action to this impediment, a comprehensive drainage analysis is required to adequately assess existing flood hazards and evaluate storm water infrastructure needs associated with colonias.

During the April 18, 2013 meeting, the Board authorized the Executive Administrator to execute an Interagency Contract between the GLO and the TWDB in which the TWDB would provide specified services, namely to develop and implement a Comprehensive Border Colonia Stormwater Drainage Study to evaluate and assess flooding and drainage infrastructure needs in Colonias impacted by Hurricane Dolly within Cameron, Hidalgo and Willacy counties of the Lower Rio Grande Valley. TWDB staff would be responsible for overseeing implementation of the study, including publishing the Request for Qualifications, vendor selection, monitoring study progress, review and approval of invoices and billing payments, and review and approval of all study reports and final recommendations. Execution of the Interagency Contract between the TWDB and the GLO occurred April 23, 2013 for approved funding through the GLO of \$3,000,000. TWDB published the RFQ for engineering services in May 2013 with a submittal deadline of June 4, 2013 for a Statement of Qualifications (SOQ) from interested firms.

The TWDB executed a contract with the selected firm in October 2013 and study activities were initiated immediately upon contract execution. To date the following activities have been performed or completed:

1. Data Collection - collection and development of geospatial data including: seamless topography based on LiDAR information for the three county Lower Rio Grande Valley (+/- 0.5 foot accuracy); Colonia boundaries for the 1034 Colonias as defined by the Office of the Secretary of State and the Attorney General of Texas Office; People Information (low-and moderate-income indexing and population); Community Information (city boundaries and drainage district boundaries); Risk Information (historic flooding information, floodplains, soil survey, and low terrain analysis); and Infrastructure Information (model subdivision communities, existing drainage infrastructure, and identified projects to alleviate flooding);
2. Assessment of 1034 Colonias for prioritization of all colonias - development of criteria, scoring matrix, and GIS program;
3. Site visits - 404 high priority Colonias were visited to validate database information and evaluate local flooding conditions;
4. Localized analysis of 4 Colonias – performed hydrologic/hydraulic analysis including the development of mitigation alternatives to establish methodologies and display study deliverables to stakeholders; and
5. Public Outreach - 3 public meetings, 4 public workshops, numerous meetings with housing advocate committees, and resident communication during site visits were conducted over the past two years.

KEY ISSUES

In September 2014, the agreement between the TWDB and the GLO was amended to include an additional \$980,267.25 in funding. In March 2015, the agreement was again amended; this time to extend the study completion deadline to December 31, 2016, and to amend the study scope of work to include additional public outreach, public coordination and additional Colonia site visits than were included in the original project scope of work.

Upon receiving authorization, the Executive Administrator will initiate the vendor selection process by publishing the RFQ in order to select a qualified engineering firm to conduct the additional drainage study activities for the increased \$980,267.25 in funding, or any additional funds should they be made available from the GLO for this project in the future. Criteria used for the selection will be based on procurement requirements in Texas Government Code, Chapter 2254, and will include but not be limited to:

- Experience and qualifications of firm (or team) as it relates to performance of drainage studies, flood damage assessments, and development of flood mitigation alternatives;
- Experience of firm (or team) specific to projects conducted in the LRGV area;
- Experience with the establishment and performance of public outreach activities, and coordination of effective communication efforts;
- Experience and qualifications of key personnel as it relates to capacity and ability to perform and meet the prescribed schedules for the project; and
- Utilization of Disadvantaged Business Enterprise Program firms (prime contractor or subcontractor) as required when federal funds are being used.

Review and final selection of a qualified engineering firm will be presented for Board consideration at a future Board meeting.

RECOMMENDATION

Authorize the Executive Administrator to publish a Request for Qualifications (RFQ) in order to select a qualified engineering firm to conduct additional drainage study activities on the Lower Rio Grande Valley Colonia study.

This recommendation has been reviewed by legal counsel and is in compliance with applicable statutes and TWDB rules.

Les Trobman, General Counsel