# Weatherford Municipal Utility Board

## AGENDA REPORT

| | | | |
|---|---|---|---|
| **Meeting Date:** | July 30, 2026 | **Staff Contact:** | Rick Shaffer, Director of Water Utilities |
| **Item Number:** | 2026-913-AR | **Phone:** | 817-598-4473 |

**SUBJECT:** Discuss and consider authorizing the City Manager to execute a contract with Garver, LLC for professional engineering services for the Lead and Copper Rule Compliance Program, in the amount of $998,910.

**BACKGROUND/DISCUSSION**

**History:**

While the 1986 Lead Ban in Safe Drinking Water Act was adopted in 1988, many water systems may still contain lead service lines (LSL) in their system. In 2021, the U.S. Environmental Protection Agency (EPA) issued the Lead and Copper Rule Revisions (LCRR), which is an update to the previous Lead and Copper Rule. There are several new requirements in the LCRR, but the primary objective is to remove 100% of the lead service lines in water distribution systems. The LCRR went into effect starting October 16, 2024.

The primary requirements of the LCRR include:

1. develop a service line inventory (submitted October 16, 2024)
2. develop a Lead Service Line Replacement (LSLR) Plan (submitted October 16, 2024)
3. updated compliance sampling protocol (began in 2025)
4. testing of all elementary schools and child daycare facilities (within 5 years)
5. mandatory replacement of LSL if water sampling exceeds an "action" level for lead or copper (revised by LCRI)
6. added a new "trigger" level (that is lower than the "action" level) for additional requirements
7. must provide a water pitcher and 6 months of filters to the customer (following replacement of LSL)

In November 2023, EPA released an update to the LCRR called the Lead and Copper Rule Improvements (LCRI), which was later finalized in October 2024. The LCRI changed the requirements of the LCRR as follows:

1. requires 100% lead pipe replacement within 10 years (regardless of whether water quality sampling results exceed action levels or not)
2. must identify the materials of all service lines of "unknown" material
3. changed the tap sampling process to include additional samples at each location
4. lowered the lead action level from 15 µg/L to 10 µg/L (1 µg/L = 1 part per billion)
5. increased public outreach and provision of filters to all customers if multiple lead action level exceedances occur

In May 2023, the Water Utility submitted a Project Information Form (PIF) to the Texas Water Development Board (TWDB) related to funding of the Lead Service Line Replacement Program. The project identified in the PIF

included completing the inventory for all public and private water service line materials, engineering services, replacement of lead and galvanized service lines, additional sampling after replacement of service lines, and additional contingencies. The TWDB notified city staff on May 28, 2024 that the project was selected, and the TWDB invited the City to submit an application for funding up to $14,982,440 at 51% principal forgiveness and 49% loan/bond. The formal application was then submitted to the TWDB, and has since been approved by the TWDB.

**Engineering Consultant Selection:**

A Request for Qualifications (RFQ) was issued for qualified engineering firms or teams to provide professional engineering services for the Lead and Copper Rule Compliance Program. The City received one response to the RFQ. The response was reviewed by the City Staff for several aspects, including project personnel, prior project experience, understanding of the project, and general approach. Garver LLC was selected as the most qualified responsive firm for the project.

The scope of this project generally includes the following services, which are required by the LSLR program and/or the TWDB funding process:

1. Conduct environmental reviews necessary for a Categorical Exclusion determination;
2. Prepare an engineering feasibility report;
3. Prepare plans and specifications for replacement of LSL;
4. Communicate with property owners to secure Right of Entry and permission to perform the work (TCEQ requires at least 4 attempts using at least 2 different methods);
5. Perform construction phase review, inspection and interviews to ensure compliance with TWDB and TCEQ requirements (it is anticipated that construction contracts could be awarded to 3 separate plumbing contractors);
6. Conduct water tests following LSL replacement;
7. Communicate with property owners to complete the Certification of Construction and Photographs;
8. Deliver water pitchers and filters to residents following replacement of LSL;
9. Update the service line inventory following replacement of LSLs; and
10. Provide a Final Report documenting the program for compliance.

**FINANCIAL IMPACT**

This contract will be funded with currently available funds from Utility Rate revenues in the Water Capital Project fund and Revenue Bonds, of which up to 51% will be eligible for reimbursement from the Texas Water Development Board (TWDB) Drinking Water State Revolving Fund (DWSRF) Lead Service Line Replacement (LSLR) Program under the Infrastructure Investment and Jobs Act (IIJA).

When the TWDB funding application was first submitted, which was prior to the service line inventory being completed, it was anticipated that there could be approximately 2,500 services in need of replacement. It was also anticipated that the City would utilize TWDB funds to complete the service line inventory. City staff remained proactive and were able to complete the service line inventory, prior to the award of the TWDB funding, such that there are no longer any services of "unknown" materials. The City identified 420 water services that require replacement (lead services or galvanized services) to be in compliance with the LCRR and LCRI. The EPA allows up to 10 years to replace those 420 water services; however, City staff recommend immediate replacement of all 420 water services, using the TWDB funds.

Since the service line inventory identified only 420 service lines to be replaced, the estimated project costs are less than the $14,982,440 approved by the TWDB. The City is required to pay closing costs on the loans obtained

through the TWDB, which are typically 2% of the loan amount; and any unused funds would be returned to the TWDB at the end of the project. Therefore, it is financially advantageous to secure funding for the amount that is needed, and not the entire $14,982,440 that the TWDB approved. For that reason, City staff recommend this engineering contract be initially funded from Utility Rate Revenue, and then be reimbursed from TWDB funds at a later date.

**SUGGESTED ACTION**

Staff recommends that the Municipal Utility Board authorize the City Manager to execute a contract with Garver LLC for professional engineering services for the Lead and Copper Rule Compliance Program, in the amount of $998,910.

**ATTACHMENTS**

- Draft Contract