

MEMORANDUM

To: Implementing Committee
From: Robert L. Gulley
Program Manager
Dated: August 10, 2012
Re: Applications for Program Funding

Article six of the Funding and Management Agreement (FMA) details the process by which a Program Funding Application will be filed with the Edwards Aquifer Authority (EAA). Section 6.1.2 states “Except under extenuating circumstances as approved by the Implementing Committee, a Program Funding Application will be filed with the EAA not later than October 1 of the year preceding the year for which funding is sought.”

At the July 19, 2012 meeting of the Implementing Committee, it was determined that for a variety of reasons it was unreasonable to expect in the first year of the HCP that the Parties will be able to successfully complete all of the requirements for these applications by the October 1 deadline. It, thus, determined that “extenuating circumstances” existed that merit a change in the requirements for the application for 2013 projects.

Section 6.1.1 requires the applicant to provide, among other things, (1) a budget and the identity of the contractors and subcontractors who will be performing the work; and (2) a “description of the procurement process utilized by the applicant to secure bids or proposals and a demonstration that the bid or proposal selected is lawful and reasonable.” The Implementing Committee agreed that the 2013 Application will require an otherwise completed application on October 1 except that in lieu of the information set out above in (1) and (2), the applicant will be required to submit a description of the procurement process along with copies of submitted proposals and bids. It was further agreed that the information in items (1) and (2) above, would be required to be submitted by December 1, 2012.