

**MINUTES
PUBLIC SERVICE BOARD
CITY OF EL PASO
December 16, 2015**

The regular meeting of the Public Service Board was held Wednesday, December 16, 2015, at the El Paso Water Utilities Public Service Board Meeting Room located at 1154 Hawkins Boulevard, El Paso, Texas.

PSB MEMBERS PRESENT

Dr. Richard T. Schoephoerster, Chair
Ruth Katherine Brennand, Vice Chair
Terri Garcia, Secretary-Treasurer
Mayor Oscar Leeser, Ex-Officio Member
Bradley Roe, Member

PSB MEMBERS ABSENT

Henry Gallardo, Member
Christopher Antcliff, Member

PSB EMPLOYEES PRESENT

John E. Balliew, P.E., President and Chief Executive Officer
Lupe Cuellar, General Counsel

EPWU EMPLOYEES PRESENT

Matthew Behrens, Assistant General Counsel
Daniel Ortiz, Assistant General Counsel
Marcela Navarrete, Vice President
Alan Shubert, Vice President
Lisa Rosendorf, Chief Communications & Government Affairs Officer
Art Duran, Chief Financial Officer
Gretchen Byram, Computer Media Specialist
Javier Camacho, Public Information Specialist
Christina Montoya, Marketing & Communications Manager
Rose Guevara, Senior Purchasing Agent
Felipe Lopez, Utility Engineer Division Manager
Vick Pedregon, Wastewater Plant Superintendent
Mike Fahy, Contract Employee
Francisco Martinez, Utility Engineer
Angel Bustamante, Water Systems Division Manager
Leticia Missirian, Utility Security and Emergency Response Coordinator
Robert Riley, Utility Construction Engineering Division Manager
Ralph Castro, Utility Construction Supervisor
Jesus Acosta, Water Production Assistant Superintendent
Frank Lozano, Stores Clerk
Ana Sanchez, Human Resources Manager
Georgette Webber, Executive Secretary

GUESTS

Chamindra Dassanayake, Hazen & Sawyer
Pam Farone, Citizen
Rolando Pablos, Borderplex Alliance

Marcos Delgado, Borderplex Alliance
Yolanda Giner, Gordon Davis Johnson & Shane P.C
Steve Morgan, Roe Engineering
Joe Baca, Arcadis
Joseph Ureno, Jordan Foster
Larry Aguilar, Martinez Bros.
Keith Rutherford, Parkhill Smith & Cooper

MEDIA

None

The Public Service Board meeting was called to order by Dr. Schoephoerster at 8:10 a.m. A quorum of its members was present. After a moment of silence, those in attendance joined Mr. Alan Shubert, Vice President, in reciting the Pledge of Allegiance.

CONSENT AGENDA

On a motion made by Ms. Garcia, seconded by Mr. Roe and unanimously carried, the Board took action on the following agenda items:

APPROVED THE MINUTES OF THE REGULARLY SCHEDULED MEETING HELD ON NOVEMBER 11, 2015; THE SPECIAL BUDGET REVIEW MEETINGS HELD ON NOVEMBER 9 AND 16, 2015; AND THE PSB SELECTION COMMITTEE MEETING HELD ON NOVEMBER 18, 2015.

The Board approved the minutes of the regularly scheduled meeting held on November 11, 2015; the special budget review meetings held on November 9 and 16, 2015; and the PSB Selection Committee meeting held on November 18, 2015.

APPROVED THE PURCHASE OF A FORKLIFT FROM NUECES POWER EQUIPMENT THROUGH THE USE OF THE HGACBUY CONTRACT NUMBER EM06-15 IN THE AMOUNT OF \$67,742.

The Board approved the purchase of a forklift from Nueces Power Equipment through the use of the HGACBuy Contract number EM06-15 in the amount of \$67,742.

APPROVED THE PURCHASE OF A BACKHOE LOADER FROM NUECES POWER EQUIPMENT THROUGH THE USE OF THE HGACBUY CONTRACT NUMBER EM06-15 IN THE AMOUNT OF \$82,972.

The Board approved the purchase of a backhoe loader from Nueces Power Equipment through the use of the HGACBuy Contract number EM06-15 in the amount of \$82,972.

APPROVED THE PURCHASE OF A WHEEL LOADER FROM SIERRA MACHINERY THROUGH THE USE OF HGAC BUY CONTRACT NUMBER EM06-15 IN THE AMOUNT OF \$122,634.00.

The Board approved the purchase of a wheel loader from Sierra Machinery through the use of HGAC Buy Contract number EM06-15 in the amount of \$122,634.00.

RATIFIED A CONTRACT WITH RICOH COMPANY, LTD. IN THE ESTIMATED ANNUAL AMOUNT OF \$120,000 FOR NEW COPIER LEASES, AS NEEDED, THROUGH THE USE OF THE TEXAS ASSOCIATION OF SCHOOL BOARDS (TASB) CONTRACT NUMBER 453-14.

The Board ratified a contract with Ricoh Company, Ltd. in the estimated annual amount of \$120,000 for new copier leases, as needed, through the use of the Texas Association of School Boards (TASB) contract number 453-14.

REGULAR AGENDA

PRESENTATION OF THE SAFEST SECTION OF THE QUARTER AWARDS (THIRD QUARTER 2015).

Ms. Christina Montoya, Marketing and Communications Manager, presented the Board with information regarding this item. In accordance with the Board's Award Policy, the winners of the Safest Section of the Quarter Awards for the third quarter of 2015 are as follows:

Plant Facilities:	Fred Hervey Water Reclamation Plant
Field/Construction:	Water Installations
Support Services:	Water Production
Compliance/Materials:	Warehouse

The awards are for the sections with the lowest accident rate for the months of July, August and September. These sections were "Accident Free" during the third quarter. All of the members of these sections have performed their jobs safely as a group and as individuals, and deserve special recognition. Mr. Balliew presented each of the following supervisors with the Safest Section of the Quarter Award for their respective sections: Mr. Vick Pedregon, Wastewater Plant Superintendent; Mr. Ralph Castro, Utility Construction Supervisor; Mr. Jesus Acosta, Water Production Assistant Superintendent; and Mr. Frank Lozano, Stores Clerk.

TOOK ACTION ON A RESOLUTION TO AUTHORIZE THE PRESIDENT/CEO TO SIGN AN AGREEMENT BETWEEN THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD AND THE BORDERPLEX ALLIANCE TO IMPLEMENT AN ECONOMIC DEVELOPMENT PLAN SPECIFIC TO EL PASO WATER UTILITIES IN THE AMOUNT OF \$250,000.

Mr. John Balliew, President/CEO, introduced Mr. Rolando Pablos, Executive Director of the Borderplex Alliance, to make a PowerPoint presentation to the Board (copy on file in Central Files). During his presentation, Mr. Pablos reviewed the Borderplex's business development efforts and the number of jobs created and regional investments made as a result of those efforts. The presentation also highlighted the Borderplex's strategic partnerships and initiatives. Over the past year, the Borderplex has been in close communications with EPWU management with key managers serving on the Executive and Regional Strategic Planning committees. Currently, EPWU-Borderplex ongoing efforts include PSB asset promotion as well as advocacy and promotion of support within the El Paso business community. Future efforts include water supply planning assistance, grant assistance and property promotion. Mr. Pablos and Mr. Balliew addressed questions from the Board regarding the item.

On a motion made by Mr. Roe, seconded by Ms. Garcia and unanimously carried, the Board approved a resolution to authorize the President/CEO to sign an agreement between the El Paso Water Utilities Public Service Board and the Borderplex Alliance to implement an economic development plan specific to El Paso Water Utilities in the amount of \$250,000. **(Resolution attached)**

AWARDED A PROFESSIONAL SERVICES CONTRACT FOR THE SECONDARY MEMBRANE/SEAWATER REVERSE OSMOSIS (SWRO) UNITS FOR TREATMENT OF REVERSE OSMOSIS CONCENTRATE AT LOWER VALLEY WELLHEAD RO UNITS TO ROE ENGINEERING, INCORPORATED IN THE AMOUNT OF \$161,862.

Ms. Lupe Cuellar, General Counsel, informed the Board that Mr. Roe would abstain from discussion and voting on this item due to a conflict of interest. Mr. Alan Shubert, Vice President, made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). El Paso Water Utilities (EPWU) operates 11 reverse

osmosis (RO) membrane units at existing Lower Valley wells to treat brackish groundwater to potable standards. The units discharge up to 25% of their water production to the sanitary sewer as membrane concentrate, reducing the effective volume of potable water available to the public and increasing treatment costs at Wastewater Treatment Plants. Joint research by EPWU and UTEP show that Secondary RO techniques, including SWRO, can reduce the final, total volume of concentrate requiring disposal to approximately 3% of the initial raw, feed water volume. This item is for selection of an engineering firm that will generate plans and specifications for design and installation of SWRO units at a minimum of three additional locations.

The Architectural/Engineering Selection Advisory Committee met on November 2, 2015, to review and recommend selection of the engineering firm for the project. Proposals were scored in the areas of technical competence, project approach, team organization and availability, and project management and quality control. Roe Engineering was selected as the most qualified firm that best meets the needs of the Utility for this project and demonstrates excellent abilities in all the evaluated categories. The Project Management department worked with Roe Engineering to develop the scope of services required for this project. A fee proposal associated with the scope of services was submitted, reviewed, and negotiated with the consultant for the defined scope of work. The negotiated fees are in line with the level of effort required to complete the task and consistent with similar work completed recently.

On a motion made by Ms. Brennand, seconded by Ms. Garcia and unanimously carried with Mr. Roe abstaining from the vote, the Board awarded a professional services contract for the Secondary Membrane/Seawater Reverse Osmosis (SWRO) Units for Treatment of Reverse Osmosis Concentrate at Lower Valley Wellhead RO Units to Roe Engineering, Incorporated in the amount of \$161,862.

APPROVED TASK ORDER NUMBER 2 - CONSTRUCTION ADMINISTRATION SERVICES FOR STANDARDIZATION OF THREE ELEVATED STORAGE TANKS TO MORENO CARDENAS, INCORPORATED IN THE AMOUNT OF \$1,016,056.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). On March 25, 2015, the Public Services Board (PSB) awarded a contract to Moreno Cardenas (MCI) to standardize and consolidate the three tank designs into a single bid and, at the November 2015 PSB meeting, Landmark Structures I was awarded the construction of the EPWU Elevated Water Storage Tanks – North 2 (3 MG), Memphis (2.5 MG) and Ventanas (2.0 MG) Tanks project.

The Architectural/Engineering Selection Advisory Committee awarded the contract for the bid phase services for the Three Elevated Storage Tank project to the team lead by MCI, in conjunction with the other two tank design firms, Parkhill, Smith and Cooper and Arcadis. EPWU staff evaluated the qualifications of MCI and recommended the construction phase services also be awarded to the MCI lead team. A fee proposal associated with this scope of services was submitted, reviewed, and negotiated with the consultant to come to an agreement on the value to be received for the costs proposed to complete this project. The negotiated fees are in line with the level of effort and hours required to complete the construction administration services and consistent with similar work done recently.

On a motion made by Ms. Garcia, seconded by Ms. Brennand and unanimously carried, the Board approved Task Order Number 2 - Construction Administration Services for Standardization of Three Elevated Storage Tanks to Moreno Cardenas, Incorporated in the amount of \$1,016,056.

RATIFIED A PROFESSIONAL ENGINEERING SERVICES CONTRACT, IN THE AMOUNT OF \$200,379, TO ROBERT NAVARRO & ASSOCIATES, INCORPORATED FOR THE AMERICAS PUMP STATION TANKS NUMBER 1 AND 2 REPAIRS, AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files).

In 2014, Robert Navarro & Associates (RNA) began providing engineering services to repair the Americas Pump Station Tanks No. 1 and 2. The repairs were needed to prevent future leaks and to ensure the operation of the tanks. The primary work was to blast clean and apply an epoxy coating to the interior and exterior of the tank and to replace the existing steel rafters that had corroded. In February 2015, the Board awarded the construction contract to CMD Endeavors for the repair of the tanks. Once the contractor was awarded the project in February 2015, the structural damage to the tank was much more extensive; therefore, additional engineering services for the construction of Tank 1 were needed. In May 2015, the Board awarded an emergency repair contract and change order to CMD Endeavors. In addition services for the design and construction phase services were needed for the repairs to Tank 2. RNA is a specialized firm in structural design and has worked on many EPWU water operations facilities; therefore, RNA was the most qualified to perform the assessment of these tanks as well as providing recommendations and design for the required repairs. Mr. Shubert and Mr. Balliew addressed questions from the Board.

On a motion made by Ms. Garcia, seconded by Ms. Brennand and unanimously carried, the Board ratified a professional engineering services contract, in the amount of \$200,379, to Robert Navarro & Associates, Incorporated for the Americas Pump Station Tanks Number 1 and 2 Repairs, and authorized the use of commercial paper. **(Resolution attached)**

AWARDED BID NUMBER 55-15, AIRPORT RESERVOIR, TO THE LOWEST, RESPONSIVE, RESPONSIBLE BIDDER, RMCI, INCORPORATED OF TEXAS, IN THE AMOUNT OF \$3,035,500.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). This project is located at the site of the current Airport Reservoir in east central El Paso where a new 4.5 million gallon tank will be constructed. The project is needed to increase storage capacity of the Valley Pressure Zone to meet peak-hour demand throughout the system. This tank will work in tandem with the existing four million gallon Airport Reservoir. El Paso Water Utilities (EPWU) received six bids for this project on October 22, 2015 ranging from \$3,035,500 to \$4,048,000. The Engineer's estimate was \$4,800,000. RMCI, Incorporated of Texas is a nonresident bidder, therefore a 5% reciprocity was added to its bid for evaluation purposes only – increasing their bid to \$3,187,275. The project consulting engineer, AECOM, evaluated the qualifications of the three low bidders and determined that Jordan Foster Construction and Martinez Bros. Contractors did not meet the minimum general requirements or the minimum project specific criteria as specified in the bid documents. The third low bidder RMCI, Inc. of Texas met the minimum general requirements as well as the minimum project specific criteria as specified in the bid documents. Jordan Foster Construction and Martinez Bros. Contractors did not meet the criteria due to the following: insufficient projects were submitted that were similar in nature and scope to this project; insufficient key personnel were listed that had the required experience; and the bidder did not present experience as a prime contractor where they manage two or more subcontractors. Based on the Engineer's evaluation matrix and the aforementioned comments, EPWU staff recommended award of Bid Number 55-15, Airport Reservoir, to RMCI, Incorporated of Texas as the lowest responsive, responsible bidder, in the amount of \$3,035,500. Mr. Shubert, Mr. Balliew and Mr. Matthew Behrens, Assistant General Counsel, addressed questions from the Board regarding this item.

On a motion made by Ms. Brennand, seconded by Ms. Garcia and unanimously carried, the Board awarded Bid Number 55-15, Airport Reservoir, to the lowest, responsive, responsible bidder, RMCI, Incorporated of Texas, in the amount of \$3,035,500.

AWARDED BID NUMBER 65-15, PARTELLO STREET 30-INCH WATER TRANSMISSION MAIN PHASE II FROM HAYES AVENUE TO POLLARD STREET, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, CMD ENDEAVORS, INCORPORATED IN THE AMOUNT OF \$792,820, AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item. As part of El Paso Water Utilities' (EPWU) Drought Contingency Plan, the Partello Street 30-inch Water Transmission Main will allow

the transfer of groundwater from the Northeast to Central El Paso. This project is a two-phased project that will extend along Dyer Street and Partello Drive. Phase 1 included the construction of a water main from Hayes Avenue to Porter Street. Phase 2 consists of the installation of the 30-inch water main within Fort Bliss Property fronting Dyer Street from Hayes to Fred Wilson Boulevard.

EPWU received eight bids for this project on November 20, 2015 ranging from \$792,820 to \$1,048,230. The Engineer's estimate was \$969,025. The project consulting engineer, CDM Smith, evaluated the qualifications of the apparent low bidder and determined CMD Endeavors met the minimum general requirements as well as the minimum project specific criteria as specified on the bid documents. EPWU staff evaluated the Engineer's evaluation matrix and recommended award of the contract for Bid Number 65-15, Partello Street 30-Inch Water Transmission Main Phase II from Hayes Avenue to Pollard Street REBID, to CMD Endeavors as the lowest responsive, responsible bidder, in the amount of \$792,820.

On a motion made by Mr. Roe, seconded by Ms. Garcia, and unanimously carried, the Board awarded Bid Number 65-15, Partello Street 30-Inch Water Transmission Main Phase II from Hayes Avenue to Pollard Street, to the lowest responsive, responsible bidder, CMD Endeavors, Incorporated in the amount of \$792,820, and authorized the use of commercial paper. **(Resolution attached)**

AWARDED BID NUMBER 32-15, JOHN T. HICKERSON WRF EFFLUENT FILTER UPGRADE PROJECT, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, CUBIC WATER LLC, IN THE AMOUNT OF \$1,840,400, AND AUTHORIZED THE USE OF COMMERCIAL PAPER.

Ms. Cuellar made a correction to the agenda posting by informing the Board that the correct amount requested for approval was \$1,840,440. Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). El Paso Water Utilities' (EPWU) John T. Hickerson Water Reclamation Facility feeds a reclaimed water distribution system in Northwest El Paso and currently uses sand filters for treatment. The sand filters have reached the end of their useful life and pile cloth media filter technology was selected to replace two of the three sand filters. Four Kruger Hydrotech Discfilters were purchased in July 2014 by EPWU and these filters will be installed in two of the existing basins at the plant by the contractor selected for this project.

EPWU received five bids for this project on November 19, 2015 ranging from \$1,760,050.00 to \$2,112,050.00. The Engineer's estimate was \$1,776,458.89. RMCI, Incorporated of Texas and C & E Industrial Services are both nonresident bidders, therefore a 5% reciprocity was added to their bids for evaluation purposes only, making them the second and third low bidders, respectively. The project consulting engineer, Parkhill Smith & Cooper, evaluated the qualifications of both RMCI, Incorporated of Texas and Cubic Water. Both met the minimum general requirements or the minimum project specific criteria as specified in the bid documents. EPWU staff evaluated the Engineer's evaluation matrix and recommended award of Bid Number 32-15, John T. Hickerson Water Reclamation Facility Effluent Filter Upgrade Project to Cubic Water as the lowest responsive, responsible bidder, in the amount of \$1,840,440. Mr. Shubert and Mr. Keith Rutherford from Parkhill, Smith and Cooper addressed questions from the Board.

On a motion made by Ms. Brennand, seconded by Ms. Garcia and unanimously carried, the Board awarded Bid Number 32-15, John T. Hickerson WRF Effluent Filter Upgrade Project, to the lowest responsive, responsible bidder, Cubic Water, LLC, in the amount of \$1,840,400, and authorized the use of commercial paper. **(Resolution attached)**

RATIFIED A PURCHASE ORDER IN THE AMOUNT OF \$63,440 AND FINAL CHANGE ORDER IN THE AMOUNT OF \$648.97, FOR THE CARLSON ELLIOT STORMWATER PUMP STATION IMPROVEMENTS, TO KEYSTONE CONTRACTORS IN THE AMOUNT OF \$64,088.97.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). In April 2014, the City of El Paso received a large amount of rain in the East Central region. A power outage prevented the Carlson-Elliot Stormwater Pump Station to start working on time, leaving stormwater on the streets for several days after the rain events. Although homes were not flooded, the water level reached as high as 12 inches preventing residents from leaving their homes for daily activities. In order to prevent this nuisance flooding in time for the 2015 monsoon, immediate improvements to the pump station were necessary. EPWU staff designed the site improvements. Proposals were solicited from three qualified contractors who had successfully completed similar work. Three proposals were received ranging from \$63,440.00 to \$70,903.75. The Engineer's estimate of probable cost was \$47,932.29. Staff evaluated the proposals and determined that Keystone Contractors and Engineers met the project minimum general requirements as well as the project specific criteria and agreed that \$63,440 was in line with the proposed scope of work. Due to the urgency of the work and in order to complete it by monsoon 2015, management agreed to accept the bid and proceed with the work. Mr. Shubert addressed questions from the Board regarding this item.

On a motion made by Ms. Garcia, seconded by Mr. Roe and unanimously carried, the Board ratified a purchase order in the amount of \$63,440 and final change order in the amount of \$648.97, for the Carlson Elliot Stormwater Pump Station Improvements, to Keystone Contractors in the amount of \$64,088.97.

RATIFIED EMERGENCY CHANGE ORDER NO. 3; APPROVED CHANGE ORDER NO. 4 (FINAL); AND AUTHORIZED THE PRESIDENT/CEO TO TERMINATE THE CONTRACT WITH CMD ENDEAVORS, INCORPORATED FOR BID NUMBER SW18-15, GATEWAY STORMWATER PONDS.

Mr. Shubert made a PowerPoint Presentation to the Board regarding this item and Item 16 (copy on file in Central Files). The Gateway Stormwater Ponds project was awarded to CMD Endeavors on March 25, 2015, and is currently under construction. Since the beginning of the construction activities several rain events have impacted the project site culminating with rain events in late October, which damaged the site to an extent where the current design cannot be constructed within the contract time and budget. The rain events on October 29 and 30, 2015, severely damaged the west slope and the northwest corner of the Gateway West Pond. EPWU staff negotiated Change Order Number 3 with CMD Endeavors to repair the slope on an emergency basis and upon agreement on the price, began repair of the slopes immediately as another rain event could have led to slope failure damaging adjacent stormwater facilities. The negotiated price was in line with the level of effort required for similar work at the site. The repair work was completed on November 25, 2015. EPWU evaluated the site conditions and concluded that the current slope stabilization under design could no longer be constructed given the damage the site had sustained. The amount of time and resources needed to repair the site so the pond improvements could resume would have put the project over budget and past the schedule of completion. EPWU staff met with CMD Endeavors and mutually agreed to terminate the contract for convenience as completion of the contract within the allotted schedule and budget was no longer possible. Change Order Number 4 is the final change order for the project. Quantity adjustments were based on contract unit bid costs and resident project representative's records. Items requiring a change in scope were negotiated and are in line with the level of effort required for similar work done recently.

Further, Conde, Incorporated has been authorized by EPWU staff to redesign the slope stabilization to ensure the project can be completed before the next monsoon and within the original project budget. A contractor with the experience to construct a project of this type, in these challenging conditions, and with available resources is needed to begin immediately as winter rain events can further damage the site compromising its completion before the monsoon. EPWU consulted with the Resident Project Representative, ECM International, and provided a list of qualified contractors to complete the work: Arrow Building Corporation, Jordan Foster Construction, Sundt Construction and Venegas Construction Management. Upon the recommendation of ECM, Parkhill, and EPWU staff, Jordan Foster was selected to complete the construction of the Gateway West Stormwater Pond project. Mr. Shubert addressed several questions from the Board regarding this item and Item 16.

On a motion by Ms. Garcia, seconded by Ms. Brennan and unanimously carried, the Board ratified emergency Change Order No. 3; approved Change Order No. 4 (Final); and authorized the President/CEO to terminate the contract with CMD Endeavors, Incorporated for Bid Number SW18-15, Gateway Stormwater Ponds.

RATIFIED AN EMERGENCY CONTRACT WITH JORDAN FOSTER CONSTRUCTION, LLC IN AN AMOUNT NOT TO EXCEED \$3,000,000, FOR THE CONSTRUCTION OF THE GATEWAY WEST STORMWATER POND.

This item was heard in conjunction with Item 15.

On a motion made by Mr. Roe, seconded by Ms. Garcia, and unanimously carried, the Board ratified an emergency contract with Jordan Foster Construction, LLC in an amount not to exceed \$3,000,000, for the construction of the Gateway West Stormwater Pond.

AUTHORIZED THE PRESIDENT/CEO TO SIGN A THIRD AMENDMENT TO THE DEVELOPER PARTICIPATION AGREEMENT WITH GELTMORE ALDEA, LLC, DATED OCTOBER 10, 2012.

Mr. Shubert made a PowerPoint presentation to the Board regarding this item (copy on file in Central Files). El Paso Water Utilities (EPWU) has a Developer Agreement with Geltmore Aldea, LLC to participate in the construction cost of three drainage structures as recommended in the Stormwater Master Plan. Geltmore Aldea received a United States Army Corps of Engineers (USACE) permit on the condition that a compensatory mitigation plan be implemented and maintained. This amendment will allow for the implementation and compliance of a mitigation plan for stormwater improvements as required by the USACE. El Paso Water Utilities has been working with its consultant, Moreno Cardenas in evaluating the proposed mitigation plan submitted to the USACE as part of the permit. EPWU's General Counsel has been working with Geltmore Aldea, LLC on the development of a third amendment. Both parties have agreed to the developer participation agreement. Mr. Balliew addressed questions from the Board regarding this item.

On a motion made by Ms. Brennan, seconded by Ms. Garcia, and unanimously carried, the Board authorized the President/CEO to sign a third amendment to the developer participation agreement with Geltmore Aldea, LLC, dated October 10, 2012.

RATIFIED A CONTRACT AGREEMENT WITH TECH P.M., INCORPORATED, FOR A PERIOD OF UP TO ONE YEAR IN AN AMOUNT NOT TO EXCEED \$110,000.00 FOR DATA GATHERING AND TECHNICAL REPORT PREPARATION TO AID BRIEFINGS TO AND REQUESTS FROM LOCAL, STATE AND FEDERAL AGENCIES ON EPWU CURRENT AND FUTURE WATER PROJECTS.

Mr. Balliew presented information to the Board regarding this item. Tech P.M. brings a unique combination of engineering and federal funding expertise to the Utility that has been particularly valuable in identifying funding opportunities for current and future water, sewer and stormwater projects. The previous Tech PM contract was due to expire at the end of December; however, the amount paid to this contractor bumped up against the contract ceiling by November 22, 2015. Instead of putting the contractor's work on hold for a month, the utility determined that work was required to stay on track with certain agency deadlines, necessitating the need to renew the contract ahead of planned timeframe. The estimated work to be ratify from November 23, 2015, through December 16, 2015, is \$8,736. Because the Utility has several funding opportunity deadlines pending that require both technical and grant expertise, staff determined it was in the best interest of the Utility to stay on course with contractor resource to expedite work underway.

On a motion made by Ms. Garcia, seconded by Mr. Roe, and unanimously carried, the Board ratified a contract agreement with Tech P.M., Incorporated, for a period of up to one year in an amount not to exceed \$110,000.00

for data gathering and technical report preparation to aid briefings to and requests from local, state and federal agencies on EPWU current and future water projects.

APPROVED THE PSB MEETING SCHEDULE FOR 2016.

Mr. Balliew presented the Board with the proposed 2016 PSB meeting schedule. There were no objections to the proposed dates.

On a motion made by Ms. Brennand, seconded by Mr. Roe, and unanimously carried, the Board approve the PSB meeting schedule for 2016.

MANAGEMENT REPORT

- **Results of the 2015 United Way Campaign**– Ms. Leticia Missirian, Utility Security and Emergency Response Coordinator, made a PowerPoint presentation to the Board regarding the results of the 2015 United Way Campaign (copy on file in Central Files). This year, El Paso Water Utilities raised a total of \$67,500. Ms. Missirian discussed the fundraising events and employee participation for this year's campaign.
- **Update on the Texas Water Development Board Economically Distressed Areas Program Grant Application for the Montana Vista Area.** – Mr. Balliew informed the Board that EPWU has submitted the final grant application for the Texas Water Development Board Economically Distressed Areas Program to conclude the design process for installation of wastewater infrastructure in the Montana Vista area.

PUBLIC COMMENT: THE PSB WILL PERMIT PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA. THE CHAIR MAY IMPOSE REASONABLE TIME LIMITS FOR EACH SPEAKER.

There were no additional comments from the public.

EXECUTIVE SESSION

On a motion made by Ms. Brennand, seconded by Ms. Garcia, and unanimously carried, the Board retired into Executive Session at 9:42 a.m., December 16, 2015, pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 through 551.076 to discuss any of the following:

Section 551.071	Consultation with Attorney
Section 551.072	Deliberation Regarding Real Property
Section 551.074	Personnel Matters

- a. Section 551.074 Personnel Matters
Annual Performance Review of the President/CEO

On a motion made by Ms. Garcia seconded by Mr. Roe, and unanimously carried, the Board reconvened in open session at 10:22 a.m., December 16, 2015.

ANNUAL PERFORMANCE REVIEW OF THE PRESIDENT/CEO

No action was taken by the Board on this item.

REGULAR AGENDA

**RECEIVED SEXUAL HARASSMENT PREVENTION AND ETHICS TRAINING AS
REQUIRED BY THE CITY OF EL PASO FOR ALL CITY EMPLOYEES, BOARDS,
COMMISSIONS AND CITY COUNCIL. (AFTER EXECUTIVE SESSION IS COMPLETED.)**

Ms. Ana Sanchez, Human Resources Manager and Mr. Daniel Ortiz, Assistant General Counsel, made a PowerPoint presentation to the Board (copy on file in Central Files). The purpose of this presentation was to provide the Board with Sexual Harassment Prevention and Ethics training as required by the City of El Paso for all City employees, boards, commissions and City Council. Ms. Sanchez, Mr. Ortiz and Ms. Cuellar addressed questions from the Board regarding the topics covered in the training.

ADJOURNMENT

The meeting was adjourned at 11:03 a.m., December 16, 2015.

ATTEST:



Secretary-Treasurer

Chair



RESOLUTION

A RESOLUTION AUTHORIZING THE PRESIDENT/CEO TO SIGN AN AGREEMENT BETWEEN THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD AND THE BORDERPLEX ALLIANCE

WHEREAS, the EPWU plays a significant role in the regional water planning for the region and has developed and implemented a comprehensive plan to assure adequate long-term drinking water supplies for the region; and,

WHEREAS, as the largest single landowner in the region, the EPWU has a significant impact on the residential, commercial and industrial development in the area to include the development of commercial and industrial locations where water can be made available for industrial use; and,

WHEREAS, the Alliance's mission is to improve and maintain a healthy local economy by recruiting business and industry to the region consisting of El Paso, Texas, portions of southern New Mexico and the State of Chihuahua, Mexico; and,

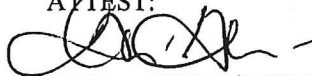
WHEREAS, the Alliance and the EPWU desire to enter into a mutually beneficial agreement to maximize the economic impact of the Alliance and the EPWU; and,

NOW THEREFORE, BE IT RESOLVED BY THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD THAT:

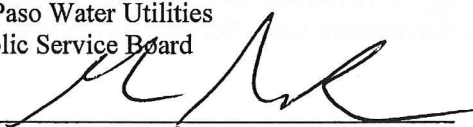
Section 1. The recitations set forth hereinabove are true and correct and are hereby adopted as a part of this Resolution by this reference for all purposes.

Section 2. The El Paso Water Utilities Public Service Board of Trustees hereby authorizes the President/CEO to sign an Agreement by and between the El Paso Water Utilities and the Borderplex Alliance for the implementation of a plan specific to the El Paso Water Utilities economic development program. The El Paso Water Utilities Public Service Board has allocated the sum of \$250,000 for this program budget year.


PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 16th day of December, 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

ATTEST:


Terri Garcia,
Secretary-Treasurer

El Paso Water Utilities
Public Service Board


Richard T. Schoephoerster, PhD, P.E., Chair

APPROVED AS TO FORM:


Lupe Cuellar, General Counsel

RESOLUTION

A RESOLUTION APPROVING THE AWARD OF BID 32-15, JOHN T. HICKERSON WATER RECLAMATION FACILITY EFFLUENT FILTER UPGRADE PROJECT TO CUBIC WATER LLC; AND AUTHORIZING FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM.

WHEREAS, El Paso Water Utilities John T. Hickerson Water Reclamation Facility operates a reclaimed water distribution system in Northwest El Paso and currently uses sand filters for tertiary treatment; and,

WHEREAS, the sand filters have reached the end of their useful life and pile cloth media filter technology was selected to replace two of the three sand filters; and,

WHEREAS, El Paso Water Utilities received five (5) bids for this project and the project consulting engineer, Parkhill Smith & Cooper, evaluated the qualifications of two of the lowest bidders and both met the minimum general requirements or the minimum project specific criteria as specified on the bid documents; and,

WHEREAS, El Paso Water Utilities Project Administration evaluated the Engineer's Evaluation Matrix and recommends award of Bid 32-15, John T. Hickerson Water Reclamation Facility Effluent Filter Upgrade Project to Cubic Water LLC the lowest responsive, responsible bidder in the amount of \$1,840,440.00.

NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, El Paso Water Utilities:


Section 1. That the findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board by this reference for all purposes.

Section 2. That the Public Service Board approves award of Bid Number 32-15, for the John T. Hickerson Water Reclamation Facility Effluent Filter Upgrade Project to Cubic Water LLC, the lowest, responsible, responsive bidder, meeting the general requirements in the amount not to exceed \$1,840,440.00. That the Public Service Board hereby authorizes the President/CEO to execute an agreement with Cubic Water LLC, for the John T. Hickerson Water Reclamation Facility Effluent Filter Upgrade Project.


Section 3. That the Public Service Board hereby authorizes funding of the Project through the PSB tax-exempt Commercial Paper Program from Commercial Paper Funds as approved in CIP#S4223, Account Number 1912-021, Budget FY 2007-2008, in the amount not to exceed \$1,840,440.00.

PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 16th day of December, 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD


Richard T. Schoephoerster, PhD, P.E., Chair

ATTEST:


Terri Garcia
Secretary/Treasurer

APPROVED AS TO FORM:


Lupe Cuellar, General Counsel

RESOLUTION

A RESOLUTION RATIFYING A PURCHASE ORDER FOR ENGINEERING SERVICES PERFORMED BY ROBERT NAVARRO AND ASSOCIATES FOR REPAIRS NEEDED TO AMERICAS PUMP STATION TANKS 1 AND 2; AND AUTHORIZING FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM.

WHEREAS, Robert Navarro & Associates began providing engineering services in 2014 to repair the American Pump Station Tanks Number 1 and 2 for repairs needed to prevent future leaks and to ensure the operations of the tanks; and,

WHEREAS, once the contractor was awarded the project in February 2015, the structural damage to the tank was much more extensive requiring additional engineering services for the construction of Tank 1 and for the design and construction phase services for the repairs to Tank 2; and,

WHEREAS, Robert Navarro & Associates is a specialized firm in structural design and has worked on many of the El Paso Water Utilities water operations facilities and is the most qualified to perform the assessment of these tanks as well as providing recommendations and design for the required repairs; and,

WHEREAS, in order to take advantage of favorable interest rates and reduce financing costs, the Public Service Board (PSB) and the City Council authorized a Commercial Paper Program to finance PSB construction projects and engineering services and this Project is eligible for such Program.

NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, El Paso Water Utilities:


Section 1. The findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board for all purposes.

Section 2. That the Public Service Board hereby ratifies the purchase order for engineering services for Americas Pump Station Tanks 1 and 2 repairs to Robert Navarro & Associates the amount of \$200,379.00.


Section 3. That the Public Service Board hereby authorizes funding of the required project through the PSB tax-exempt Commercial Paper Program from Commercial Paper Funds as approved in CIP#W5406, Account Number 1214-038 , Budget FY 2013-2014 , in the amount not to exceed \$66,852.00.

PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 16th day of December, 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD


Chair, Dr. Richard T. Schoephoerster, PhD, P.E.

ATTEST:


Terri Garcia
Secretary-Treasurer

APPROVED AS TO FORM:


Lupe Cuellar, General Counsel

RESOLUTION

A RESOLUTION APPROVING THE AWARD OF BID 65-15, PARTELLO STREET 30-INCH WATER TRANSMISSION MAIN PHASE II FROM HAYES AVENUE TO POLLARD STREET TO CMD ENDEAVORS, INCORPORATED; AND AUTHORIZING FUNDING THROUGH THE COMMERCIAL PAPER PROGRAM.

WHEREAS, the Partello Street 30-inch water transmission main Phase II Project will make possible the transfer of groundwater from the Northeast area to the Central area of El Paso and is a two phase project that will extend a 30-inch transmission line along Dyer Street and Partello Street; and,

WHEREAS, Phase 1 included the construction of a water main from Hayes Avenue to Porter Street and Phase II will extend along Dyer Street and Partello Street which will consist of the installation of a 30-inch water main within Fort Bliss Property fronting Dyer Street, from Hayes Avenue to Fred Wilson Boulevard; and,

WHEREAS, El Paso Water Utilities received eight (8) bids for this Project on November 20, 2015. The bidders ranged from \$792,820 to \$1,048,230 or 18% below to 8% above the Engineer's estimate of \$969,025.00. The project consulting engineer, CDM Smith, evaluated the qualifications of the apparent low bidder and determined that CMD Endeavors meets the minimum general requirements as well as the minimum project specific criteria as specified on the bid documents. El Paso Water Utilities Project Administration also evaluated the Engineer's Evaluation Matrix and recommends award of the contract to CMD Endeavors, Incorporated as the lowest responsive, responsible bidder; and,

WHEREAS, in order to take advantage of favorable interest rates and reduce financing costs, the Public Service Board (PSB) and the City Council authorized a Commercial Paper Program to finance PSB construction projects and engineering services and this Project is eligible for such Program.


NOW, THEREFORE, BE IT RESOLVED by the Public Service Board of the City of El Paso, El Paso Water Utilities:


Section 1. That the findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board by this reference for all purposes.


Section 2. That the Public Service Board approves award of Bid Number 65-15, for Partello Street 30-inch Water Transmission Main Phase 2 Project from Hayes Avenue to Pollard Street, to the lowest, responsive, responsible bidder, meeting the general requirements in the amount not to exceed \$792,820.00. That the Public Service Board hereby authorizes the President/CEO to execute an agreement with CMD Endeavors, Incorporated, for the Partello Street 30-inch water transmission main phase 2 Project from Hayes Avenue to Pollard Street project.

Section 3. That the Public Service Board hereby authorizes funding of the Project through the PSB tax-exempt Commercial Paper Program from Commercial Paper Funds as approved in CIP#SW4082, Account Number 1212-034, Budget FY 2011-2012, in the amount of \$792,820.00.

PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 16th day of December 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001, et. seq.

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD

Richard T. Schoephoerster, PhD, P.E., Chair

ATTEST:

Terri Garcia
Secretary/Treasurer

APPROVED AS TO FORM:

Matthew Behrens, Assistant General Counsel