

METRO WASTEWATER RECLAMATION DISTRICT

Minutes of the Regular Meeting of the Board of Directors January 15, 2019

The Board of Directors of the Metro Wastewater Reclamation District, in the Counties of Adams, Arapahoe, Douglas, Jefferson, and Weld, and the City and County of Denver, State of Colorado, met in regular session in the Board Room, 6450 York Street, Denver, Colorado, Tuesday, January 15, 2019, at 5:30 p.m.

Chairman Baertlein called the meeting to order.

1. OATH OF OFFICE

The following Director has been appointed by her Member Municipality to complete a two-year term of office that expires June 30, 2020.

Appointed Director

Mary Beth Susman

Member Municipality

City and County of Denver

Chairman Baertlein welcomed Director Susman to the Board of Directors.

2. ROLL CALL

Secretary Caldwell called the roll.

Officers Present:

Peter Baertlein, Denver
Scott Twombly, Thornton
Nadine Caldwell, Aurora
John Ennis, South Adams County

Chairman
Chairman Pro Tem
Secretary
Treasurer

Directors Present:

Phil Burgi, Wheat Ridge
Philip Cipri, Berkeley
Thomas Colchin, Applewood
David Councilman, Pleasant View
John Dingess, Aurora
George Dumas, Aurora
Robert Duncanson, Denver
Stephen Gay, Westminster
Mark Hunter, Lakewood
Joan Iler, Westridge
Kathryn Jensen, North Table Mountain
Andrew Johnston, Denver
Janet Kieler, Denver
Craig Kocian, Arvada
Ingrid Lindemann, Aurora
Charles Long, Thornton

Martin Majors, Fruitdale
Jim McClung, Alameda
Claude Off, East Lakewood
Christopher Pacheco, Denver
Barbara Puls, Denver
Bill Ray, Arvada
Ronald Sanchez, Crestview
Michael Sapp, Denver
Kim Schoen, Brighton
Peter Spanberger, Denver
Delbert Smith, Bancroft-Clover
Mary Beth Susman, Denver
Amerigo Svaldi, North Washington Street
Dennis Towndrow, North Pecos
Ronald Younger, Denver

Directors Absent:

Dan Mikesell, Aurora
Gerry Schulte, Lakewood

Others Present:

Mickey Conway
Robert Thomas
Emily Jackson
Ruth Kedzior
Brittany Peshek

District Manager
Deputy Manager/Director of Environmental Services
General Counsel
Assistant to the District Manager
Executive Assistant

3. PUBLIC COMMENT

There was no comment.

4. APPROVAL OF MINUTES

Chairman Baertlein asked if there were any corrections, deletions, or additions to the minutes of the Regular Meeting of the Board of Directors held December 18, 2018.

Director Lindemann moved and Director Smith seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held December 18, 2018.

The motion carried unanimously.

5. PROGRESS AND PROJECTION REPORTS

5.a Report by District Manager

District Manager Conway reviewed the written report and in response to a question about the Code of Conduct explained there would be another opportunity for the Board to discuss the policy language when the document is up for approval during the March meeting cycle.

5.b Report by General Counsel

Ms. Jackson provided an update on the corrosion control litigation.

6. REPORTS OF OFFICERS AND COMMITTEES

6.a There were no additions to the following meeting minutes:

Retirement Board	August 16, 2018
Operations and Finance Joint Committee	January 3, 2019
Executive Committee	January 8, 2019

7. NEW BUSINESS

Consent Agenda

7.a Consideration of Designating a Public Place for Posting Meeting Notices

Director Younger moved and Director Iler seconded the motion to adopt the following resolution:

WHEREAS, the Colorado Open Meetings Law, C.R.S. 24-6-402(2)(c), requires the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," to designate the public place for posting meeting notices at its first regular meeting of each calendar year; and

WHEREAS, Metro District staff recommends the lighted, glass-enclosed bulletin board located at the turnaround outside of the security guard house at the main entrance to the Metro District facility located at 6450 York Street, Denver, Colorado, be designated as the public place for posting meeting notices; and

WHEREAS, the Operations, Finance, and Executive Committees, after having reviewed the matter, concur in the recommendation of staff;

NOW, THEREFORE, BE IT RESOLVED that the lighted, glass-enclosed bulletin board located at the turnaround outside of the security guard house at the main entrance to the Metro District facility located at 6450 York Street, Denver, Colorado, be and hereby is designated as the public place for posting meeting notices.

The motion carried unanimously.

7.b Consideration of a Chemical Contract for Dewatering Polymer

Director Younger moved and Director Iler seconded the motion to adopt the following resolution:

WHEREAS, it is necessary that the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," purchase a supply of dry dewatering cationic polymer used to condition anaerobically digested biosolids during the centrifugation process at the Robert W. Hite Treatment Facility; and

WHEREAS, to ensure the polymer products would meet the Metro District's performance criteria, full-scale performance trials for centrifuge dewatering dry polymer were scheduled in August 2018 with participation being a requirement to bid; and

WHEREAS, three vendors were invited and only one vendor, Polydyne Inc., participated in the full-scale trials and Metro District staff determined the vendor met the performance criteria, and based on its performance during the trial, Polydyne Inc. was invited to bid on September 9, 2018; and

WHEREAS, one bid was received and opened on September 28, 2018, with Polydyne Inc. being the sole qualifying bidder submitting a bid to supply dry dewatering cationic polymer at a price of \$1.97 per pound, with a total estimated one-year price of \$3,040,000; and

WHEREAS, the Operations and Finance Committees, after having reviewed the matter, recommend entering into a one-year contract from February 1, 2019, through January 31, 2020, with Polydyne Inc. for the supply of dry dewatering cationic polymer at a price of \$1.97 per pound; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other Committees;

NOW, THEREFORE, BE IT RESOLVED that the District Manager be and hereby is authorized to enter into a one-year contract from February 1, 2019, through January 31, 2020, with Polydyne Inc. for the supply of dry dewatering cationic polymer at a price of \$1.97 per pound; and

BE IT FURTHER RESOLVED that the District Manager be and hereby is authorized to enter into additional contract periods for the aforementioned contract, not exceeding a total of five years, with potentially new unit prices, if he deems such extensions to be in the best interest of the Metro District.

The motion carried unanimously.

7.c Consideration of the Lift Station (Thornton-North Washington and Denargo Market) Fixed Asset Replacement Project (PAR 1312)—Engineering Services Agreement, Land Acquisition, and Funding Appropriation

Director Younger moved and Director Iler seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest of the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," to enter into a professional services agreement to provide preliminary design, final design, and cost-estimating services for the Lift Station [Thornton-North Washington (TNW) and Denargo Market (DM)] Fixed Asset Replacement Project (Project); and

WHEREAS, the Project was initiated in March 2017 as a Small Project study phase to evaluate the condition of the TNW and DM lift stations, and the Final Study Report recommended replacing the TNW Lift Station and rehabilitating the DM Lift Station and identified that acquisition of permanent and temporary land rights are necessary to complete the Project; and

WHEREAS, following a project delivery method evaluation, the Metro District intends to deliver this Project through the Construction Management-At-Risk (CMAR) project delivery method which consists of both an agreement for preconstruction services and a contract for construction services; and

WHEREAS, on July 31, 2018, the Metro District posted a Request for Proposals on the Rocky Mountain E-Purchasing site (BidNet) for the preliminary design, final design, and cost-estimating services for the Project, and received five proposals on August 22, 2018; and

WHEREAS, through a standard consultant selection process, the proposals were reviewed by Metro District staff and three firms were shortlisted to be interviewed on November 27, 2018, by a Selection Committee composed of Metro District staff and members of the Board of Directors; and

WHEREAS, the Selection Committee recommended selecting Stantec Consulting Services (Stantec) to provide preliminary design, final design, and cost-estimating services for the Project and, on behalf of the Board of Directors, Directors on the Selection Committee instructed staff to negotiate an agreement; and

WHEREAS, Metro District staff has negotiated an agreement with Stantec in the amount of \$2,245,660, to provide preliminary design, final design, and cost-estimating services for the Project; and

WHEREAS, the Operations and Finance Committees, after having reviewed the matter, recommend (1) entering into an Agreement for Professional Services with Stantec in the amount of \$2,245,660 to provide preliminary design, final design, and cost-estimating services for the Project; and (2) acquiring by purchase, condemnation, or exchange the permanent and temporary land rights necessary for the Project; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other Committees;

NOW, THEREFORE, BE IT RESOLVED that the District Manager be and hereby is authorized to enter into an Agreement for Professional Services with Stantec Consulting Services in the amount of \$2,245,660 to provide preliminary design, final design, and cost-estimating services for the Lift Station [Thornton-North Washington (TNW) and Denargo Market (DM)] Fixed Asset Replacement Project; and

BE IT FURTHER RESOLVED that the District Manager be and hereby is authorized to acquire by purchase, condemnation, or exchange the permanent and temporary land rights necessary for the Project; and

BE IT FURTHER RESOLVED that the Fixed Asset Replacement Small Project Account be and hereby is reimbursed \$100,000; and

BE IT FURTHER RESOLVED that the sum of \$2,920,000 (100 percent) be and hereby is appropriated from the Fixed Asset Replacement Fund Capital Project Account for this Project.

The motion carried unanimously.

7.d Consideration of the Second Creek Interceptor and Sand Creek Interceptor System Improvements Project (PAR 1232) Preconstruction Services Agreement and Funding Appropriation

Director Younger moved and Director Iler seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest of the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," to enter into an agreement for preconstruction services for the Second Creek Interceptor and Sand Creek Interceptor System Improvements Project (Project); and

WHEREAS, the Metro District adopted the Sand Creek and Second Creek Basins Regional Master Plan, which identified a regional solution for management of wastewater flows in the Sand Creek and Second Creek Basins; and

WHEREAS, on December 14, 2017, the Metro District entered into a professional services agreement with HDR Engineers, Inc., which included preliminary design services, and preliminary design is approximately 65 percent complete; and

WHEREAS, following a project delivery method evaluation, the Metro District will deliver this Project through the Construction Management-At-Risk (CMAR) project delivery method, which consists of both an agreement for preconstruction services and a contract for construction services; and

WHEREAS, on August 13, 2018, the Metro District posted a Request for Statements of Qualifications for CMAR Preconstruction and Construction Services on the Rocky Mountain E-Purchasing site (BidNet) and received Statements of Qualifications from three contractors on August 30, 2018, and on September 14, 2018, the Metro District sent a Request for Proposals to two shortlisted contractors; and

WHEREAS, on October 18, 2018, the Metro District received two proposals for CMAR Preconstruction and Construction Services for the Project, and through a standard qualification-based selection process, the proposals were reviewed by Metro District staff and both firms were shortlisted to be interviewed on November 28, 2018, by a Selection Committee composed of staff and members of the Board of Directors; and

WHEREAS, the Selection Committee recommended selecting Garney Companies Inc. (Garney) to provide the needed Preconstruction Services for the Project and, on behalf of the Board of Directors, Directors on the Selection Committee instructed staff to negotiate an agreement; and

WHEREAS, Metro District staff has negotiated an agreement for preconstruction services for the Project with Garney in the amount of \$494,000; and

WHEREAS, the Operations and Finance Committees, after having reviewed the matter, recommend entering into an Agreement for Preconstruction Services with Garney in the amount of \$494,000 to provide preconstruction services for the Project; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other Committees;

NOW, THEREFORE, BE IT RESOLVED that the District Manager be and hereby is authorized to enter into an Agreement for Preconstruction Services with Garney Companies, Inc., in the amount of \$494,000 to provide preconstruction services for the Second Creek Interceptor and Sand Creek Interceptor Systems Improvements Project; and

BE IT FURTHER RESOLVED that the sum of \$584,000 (100 percent) be and hereby is appropriated from the General Fund Capital Project Account for this Project.

The motion carried unanimously.

Roll Call Agenda

7.e Consideration of Appointment to the Metro District's Retirement Board

Director Burgi moved and Director Johnston seconded the motion to adopt the following resolution:

WHEREAS, the two-year term of Charles Brown, a member of the Retirement Board of the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," expires July 31, 2020; and

WHEREAS, Charles Brown retired from the Metro District's Board of Directors and Retirement Board on December 31, 2018; and

WHEREAS, members of the Retirement Board continue to serve until they are reappointed or replaced, and it is necessary that an appointment be made to fill the vacancy left with the retirement of Director Brown; and

WHEREAS, the Chairman of the Board, Peter Baertlein, recommends appointing Metro District Director Robert Duncanson to the Retirement Board to complete a two-year term expiring July 31, 2020; and

WHEREAS, the Executive Committee, after having reviewed this matter, concurs in the recommendation of Chairman Baertlein;

NOW, THEREFORE, BE IT RESOLVED that Metro District Director Robert Duncanson be and hereby is appointed to the Metro District's Retirement Board to complete the two-year term expiring July 31, 2020, vacated by Charles Brown.

Chairman Baertlein called for a roll call vote which carried with 35 Directors voting Yes:

Peter Baertlein	Joan Iler	Bill Ray
Phil Burgi	Kathryn Jensen	Ronald Sanchez
Nadine Caldwell	Andrew Johnston	Michael Sapp
Phil Cipri	Janet Kieler	Kim Schoen
Thomas Colchin	Craig Kocian	Delbert Smith
David Councilman	Ingrid Lindemann	Peter Spanberger
John Dingess	Charles Long	Mary Beth Susman
George Dumas	Martin Majors	Amerigo Svaldi
Robert Duncanson	Jim McClung	Dennis Towndrow
John Ennis	Claude Off	Scott Twombly
Stephen Gay	Christopher Pacheco	Ronald Younger
Mark Hunter	Barbara Puls	

8. INDIVIDUAL DIRECTOR COMMENTS

There was none.

9. OTHER INFORMATION

There was none.

10. ADJOURNMENT

The meeting adjourned at 5:43 p.m.

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