

METRO WASTEWATER RECLAMATION DISTRICT

Minutes of the Regular Meeting of the Board of Directors February 19, 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, February 19, 2019, at 5:30 p.m.

Chairman Baertlein called the meeting to order.

1. 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
Robert Duncanson, Denver
Mark Hunter, Lakewood
Joan Iler, Westridge
Kathryn Jensen, North Table Mountain
Andrew Johnston, Denver
Janet Kieler, Denver
Ingrid Lindemann, Aurora
Charles Long, Thornton
Dan Mikesell, Aurora

Claude Off, East Lakewood
Christopher Pacheco, Denver
Barbara Puls, Denver
Bill Ray, Arvada
Ronald Sanchez, Crestview
Michael Sapp, Denver
Kim Schoen, Brighton
Gerry Schulte, Lakewood
Peter Spanberger, Denver
Delbert Smith, Bancroft-Clover
Amerigo Svaldi, North Washington Street
Dennis Towndrow, North Pecos
Ronald Younger, Denver

Directors Absent:

George Dumas, Aurora
Stephen Gay, Westminster
Craig Kocian, Arvada

Martin Majors, Fruitdale
Jim McClung, Alameda
Mary Beth Susman, Denver

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

2. PUBLIC COMMENT

There was no comment.

3. 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 January 15, 2019.

Director Younger moved and Director Councilman seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held January 15, 2019.

The motion carried unanimously.

4. PROGRESS AND PROJECTION REPORTS

4.a Report by District Manager

District Manager Conway reviewed the written report. Mr. Conway, Ms. Jackson, and Mr. Thomas answered questions regarding 2019 Colorado General Assembly bills HB 19-1082 (Water Rights Easements) and HB 19-1096 (Colorado Right to Rest Act) and any potential impact to the Metro District if the bills are passed.

Director Lindemann asked Chairman Baertlein to send a congratulatory letter to former District Manager Catherine Gerali for her induction into the National Association of Clean Water Agencies' (NACWA) "Hall of Fame."

4.b Report by General Counsel

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

5. REPORTS OF OFFICERS AND COMMITTEES

There were no additions to the following meeting minutes:

Operations Committee	February 5, 2019
Finance Committee	February 7, 2019
Executive Committee	February 12, 2019

6. NEW BUSINESS

Consent Agenda

6.a Consideration of Designating a Memorial Resolution for Jefferson Isom

Director Mikesell moved and Director Hunter seconded the motion to adopt the following resolution which was read by Chairman Baertlein:

WHEREAS, Jefferson Isom passed away on January 25, 2019. Mr. Isom was a valued member of the Board of Directors of the Metro Wastewater Reclamation District representing the Pleasant View Water and Sanitation District from June 1981 to June 2010.

WHEREAS, during his term on the Board of Directors, Mr. Isom was most diligent and faithful to the duties he assumed; and

WHEREAS, he served on the Annual Charges, Bylaws Review, Ethics, Executive, Future Programs, Legislative Review, Litigation, Nitrification Alternatives,

Nominating, Operations, Personnel, Policy Review, Statutory Review, and Water Quality Effluent Management committees; and

WHEREAS, the Metro District was very fortunate to have the expertise Mr. Isom so willingly and unselfishly gave to the Metro District and his community;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors and staff of the Metro Wastewater Reclamation District do hereby record its deep sorrow in the loss of its former member, Jeff Isom, remembering him as a friend and a devoted Director, and by the adoption of this Resolution in his memory express our deep sympathy to the members of his family; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to his family.

Director Councilman stated former Director Isom enjoyed his time on the Board of Directors and, on behalf of his family, he thanked those who attended his memorial service. Chairman Baertlein commended former Director Isom on his dedication during his 29 years of service.

The motion carried unanimously.

Roll Call Agenda

6.b Consideration of Nuisance Struvite and Dewaterability Improvements Project – Work Package 2 (PAR 1280) Construction Contract, Engineering Amendment, and Funding Appropriation

Director Iler moved and Director Schulte 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 construction contract and amend a professional services agreement for the Nuisance Struvite and Dewaterability Improvements Project (Project); and

WHEREAS, the solids processing systems at the Robert W. Hite Treatment Facility (RWHTF) are in need of improvement to address nuisance struvite and dewaterability issues related to the conversion to full-plant biological phosphorus removal; and

WHEREAS, in August 2016, the Metro District, entered into an Agreement for Professional Services (Agreement) with Stantec Consulting Services Inc. (Stantec) to provide study phase services for the Project which Agreement was amended December 2017 to include final design and bidding phase services for the Project; and

WHEREAS, in June 2018, the Metro District entered into an agreement to procure the Airprex™ System, provided by CNP-Technology Water and Biosolids Corporation, for the RWHTF, estimated to be delivered by August 2019; and

WHEREAS, to expedite the construction schedule, the Project will be delivered through two bidding/construction packages with site civil and structural foundation work to be completed as part of Work Package 1 and the balance of the Project construction work to be completed in Work Package 2; and

WHEREAS, in August 2018, the Metro District entered into a construction contract with Archer Western Construction, LLC, and amended the Agreement with Stantec to include construction engineering, resident engineering, and post-construction services for the Project's Work Package 1 which construction is in progress; and

WHEREAS, due to complex improvements requiring multiple shutdowns and sequencing of work at the RWHTF, general contractors were prequalified to be eligible to bid on the Project's Work Package 2; and

WHEREAS, the Metro District received seven general contractor prequalification applications in October 2018 from which the Metro District prequalified four general contractors; and

WHEREAS, on November 7, 2018, invitations to bid were sent to the four prequalified general contractors and published on *BidNet*, and the Metro District received bids from the four prequalified contractors on December 20, 2018; and

WHEREAS, Metro District staff evaluated the bids and selected PCL Construction, Inc. (PCL) as the lowest responsive, responsible bidder with a bid price of \$10,389,000 for construction of Work Package 2; and

WHEREAS, Metro District staff recommends entering into a construction contract with PCL, in the amount of \$10,389,000, for construction of Work Package 2; and

WHEREAS, Metro District staff further recommends amending the Agreement with Stantec in the amount of \$1,300,000, to provide construction engineering, resident engineering, and post-construction services for the Project's Work Package 2; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend entering into a construction contract with PCL, in the amount of \$10,389,000, for construction of Work Package 2 and amending the Agreement with Stantec to include construction engineering, resident engineering, and post-construction services for Work Package 2, in the amount of \$1,300,000; 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 construction contract with PCL Construction, Inc., in the amount of \$10,389,000, for construction of the Nuisance Struvite and Dewaterability Improvements Project – Work Package 2 (Project – Work Package 2); and

BE IT FURTHER RESOLVED that the District Manager be and hereby is authorized to amend the Agreement for Professional Services with Stantec Consulting Services Inc., in the amount of \$1,300,000, to include construction engineering, resident engineering, and post-construction services for the Project – Work Package 2; and

BE IT FURTHER RESOLVED that the sum of \$13,040,000 (100 percent) be and hereby is appropriated from the General Fund Capital Project Account for these purposes.

Chairman Baertlein called for a roll call vote which carried with 31 Directors voting Yes:

Peter Baertlein	Kathryn Jensen	Ronald Sanchez
Phil Burgi	Andrew Johnston	Michael Sapp
Nadine Caldwell	Janet Kieler	Kim Schoen
Phil Cipri	Ingrid Lindemann	Gerry Schulte
Thomas Colchin	Charles Long	Delbert Smith
David Councilman	Dan Mikesell	Peter Spanberger
John Dingess	Claude Off	Amerigo Svaldi
Robert Duncanson	Christopher Pacheco	Dennis Towndrow
John Ennis	Barbara Puls	Scott Twombly
Mark Hunter	Bill Ray	Ronald Younger
Joan Iler		

7. INDIVIDUAL DIRECTOR COMMENTS

Director Lindemann thanked District Manager Conway and Metro District staff for the presentation to the Aurora Water Policy Committee.

Director Dingess thanked the Metro District for providing a conference call option for the Finance Committee meeting on February 7, 2019, due to bad weather. He also encouraged District staff to research technology to provide similar teleconferencing options for future meetings and asked that the Board consider expanded options for attendance in such cases.

8. OTHER INFORMATION

There was none.

9. ADJOURNMENT

The meeting adjourned at 5:56 p.m.

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