



WATER AND WASTEWATER COMMISSION REGULAR MEETING MINUTES

The Water and Wastewater Commission convened in a regular meeting on November 10, 2010 at Waller Creek Center, 624 East 10th Street, Room 104, in Austin, Texas.

Commission Members in Attendance:

Chair Mario A. Espinoza, Vice Chair Gwen Webb, Mickey Fishbeck, Aaron Googins, P.E., Chien Lee, P.E., and Sarah Faust. Sarah Faust and arrived at 6:04pm. Chien Lee arrived at 6:10pm and Dale Gray was absent.

Staff in Attendance:

Greg Meszaros, Director, Gopal Guthikonda, David Anders, Dave Juarez, Daryl Slusher, Jane Burazer, John Wepryk, Seyed Miri, Ramesh Swaminathan, Sonja Stefaniw, Phillip Jaeger, Bill Stauber, Dan Pedersen, Bob Egan, Jason Byber, Cole Newton, Hani Michel, Aldo Ranzi, Jason Bybel, Chris Chen, James Grabbs, Rosie Truelove, Denise Avery and Felicia Cancino.

A. CALL TO ORDER

Chairman Espinoza called the meeting to order at 6:01 p.m.

B. CITIZEN COMMUNICATION

Several citizens signed up to speak on items D12, D13, D14, and D15.

C. APPROVAL OF MINUTES

The meeting minutes from the October 13, 2010 Water and Wastewater Commission regular meeting were approved unanimously on Commissioner Googins motion and Commissioner Fishbeck's second. Commissioners Faust and Lee were not present to vote on this item and Commissioner Gray was absent.

D. ITEMS FOR COMMISSION'S REVIEW AND RECOMMENDATION FOR APPROVAL TO CITY COUNCIL

Commissioners consented on items 1, 2, 3, 4, 5, 6, and 7.
Commissioners pulled items 2, 3, 4, 5, 8 and 9 for discussion.

1. Recommend approval to award and execute a 36-month requirements supply agreement with **HD SUPPLY WATERWORKS**, Round Rock, TX, for the purchase of ball and gate valves of various sizes in an amount not to exceed \$614,376, with three 12-month extension options in an amount not to exceed \$204,792 per extension option, for a total contract amount not to exceed \$1,228,752. **Item passed unanimously on Commissioner Webb's motion and Commissioner Fishbeck's second. Commissioner Lee was not present to vote on this item and Commissioner Gray was absent.**
2. Recommend approval to award and execute a 36-month requirements supply agreement for the purchase of miscellaneous utility supplies with **HVERDA ENTERPRISES INC dba ACE CONTRACTOR SUPPLY**, Austin, TX, in an estimated amount not to exceed \$91,365, with three 12-month extension options in an estimated amount not to exceed \$30,455 per extension option, for a total estimated contract amount not to exceed \$182,730. **Item passed unanimously on Commissioner Webb's motion and Commissioner Fishbeck's second. Commissioner Lee was not present to vote on this item and Commissioner Gray was absent.**
3. Recommend approval to award and execute two 36-month requirements supply contract for the purchase of ductile iron fittings and pipe joint restraints of various sizes for the Austin Water Utility with: **TECHLINE PIPE L.P.**, Austin, TX, in an estimated amount not to exceed \$310,836, with three 12-month extension options in an estimated amount not to exceed \$103,612 per extension option, for a total estimated contract amount not to exceed \$621,672, and with **HD SUPPLY WATER WORKS**, Round, TX, in an estimated amount not to exceed \$100,431, with three 12-month extension options in an estimated amount not to exceed \$33,477 per extension option, for a total estimated contract amount not to exceed \$200,862. **Item passed unanimously on Commissioner Webb's motion and Commissioner Fishbeck's second. Commissioner Lee was not present to vote on this item and Commissioner Gray was absent.**
4. Recommend approval to award and execute a 36-month requirements supply contract with **ALLIED WASTE SERVICES OF AUSTIN**, Del Valle, TX, or one of the other qualified bidders for IFB-BV No. SDC0158 for refuse and recycling collection services for city departments in an estimated amount not to exceed \$3,022,770, with three 12-month extension options in an estimated amount not to exceed \$1,007,590 for each extension option, for a total estimated contract amount not to exceed \$6,045,540. **Item passed unanimously on Commissioner Webb's motion and Commissioner Fishbeck's second. Commissioner Lee was not present to vote on this item and Commissioner Gray was absent.**

5. Recommend approval to award and execute a four-month requirements supply contract through The Cooperative Purchasing Network (TCPN) with **GRAINGER, INC.**, Austin, TX, to purchase industrial supplies and equipment in an estimated amount not to exceed \$750,000 with four 12-month extension option in an estimated amount not exceed \$2,250,000 for each extension option, for a total estimated contract amount not to exceed \$9,750,000. **Item passed unanimously on Commissioner Webb's motion and Commissioner Fishbeck's second. Commissioner Lee was not present to vote on this item and Commissioner Gray was absent.**
6. Recommend approval to award and execute a service contract with **EXCEL CONSTRUCTION SERVICES, LLC**, Leander, TX for the replacement and installation of filter backwash valves and actuators for the Austin Water Utility in an estimated amount not to exceed \$85,800. **Item passed unanimously on Commissioner Webb's motion and Commissioner Fishbeck's second. Commissioner Lee was not present to vote on this item and Commissioner Gray was absent.**
7. Recommend approval to award and execute a contract with **THOMAS CONVEYOR COMPANY**, Burleson, TX for the purchase of Lime Slurry Grit Removal systems for the Austin Water Utility, in an estimated amount not to exceed \$199,488. **Item passed unanimously on Commissioner Webb's motion and Commissioner Fishbeck's second. Commissioner Lee was not present to vote on this item and Commissioner Gray was absent.**
8. Recommend approval to execute a construction contract with **CASH CONSTRUCTION CO., INC.**, Pflugerville, TX for the ABIA Reclaimed Water Pipeline Extension project in the amount of \$1,529,581 plus a \$76,479 contingency, for a total contract amount not to exceed \$1,606,060. **Item passed unanimously on Commissioner Googins motion and Commissioner Espinoza's second. Commissioner Lee was not present to vote on this item and Commissioner Gray was absent.**
9. Recommend approval to execute a construction contract with **TEXAS STERLING CONSTRUCTION COMPANY**, San Antonio, TX for the Reconstruction and Utility Adjustments: Group 7 and 9 Project, an **ACCELERATE AUSTIN PROJECT**, in the amount of \$5,691,764 plus a \$284,588.20 contingency, for a total contract amount not to exceed \$5,976,352.20. **This item was postponed by staff.**

10. Recommend approval to negotiate and execute professional services agreements with the following 9 firms: **CP&Y INC.**, Austin, TX; **CH2M HILL INC.**, Austin, TX; **CDM**, Austin, TX; **AECOM TECHNICAL SERVICES, INC.**, Austin, TX; **DAMON S. WILLIAMS ASSOCIATES, LLC**, Round Rock, TX; **MALCOLM PIRNIE, INC.**, Austin, TX; **URS**, Austin, TX; **ALAN PLUMMER ASSOCIATES, INC.**, Austin, TX; and **CAROLLO ENGINEERS, P.C.**, Austin, TX for Professional Engineering Services for the Water and Wastewater Facility Engineering Services Rotation List (2010-2013), for an estimated period of three years or until available funding is expended, each agreement in an amount not to exceed \$1,500,000 per firm, with a total authorization amount not to exceed \$13,500,000. **Item passed on Commissioner Webb's motion and Commissioner Fishbeck' second. Commissioners consenting were Webb, Fishbeck, Faust, Espinoza and Faust and Commissioner Googins recused because his firm is a subconsultant on one of the teams recommended for award. Commissioner Lee was not present to vote on this item and Commissioner Gray was absent.**

11. Recommend approval to negotiate and execute professional services agreements with the following 10 firms: **ESPEY CONSULTANTS, INC.**, Austin, TX; **HALFF ASSOCIATES, INC.**, Austin, TX; **JACOBS ENGINEERING GROUP, INC.**, Austin, TX; **K FRIESE & ASSOCIATES, INC.** (WBE/FW), Austin, TX; **BINKLEY & BARFIELD, INC.**, Austin, TX; **POST, BUCKLEY, SCHUH & JERNIGAN, INC.**, d/b/a **PBS&J**, Austin, TX; **RAYMOND CHAN & ASSOCIATES, INC.** (MBE/MA), Austin, TX; **CAS CONSULTING & SERVICES, INC.** (MBE/MA), Austin, TX; **KING ENGINEERING ASSOCIATES, INC.**, Austin, TX; and **DAVCAR ENGINEERING SERVICES** (MBE/MH), Austin, TX for Professional Engineering Services for the Water and Wastewater Pipeline Engineering Rotation List 2010-2012 for a period of two years or until financial authorization is expended, maximum amount not to exceed \$750,000 per firm, with a total authorization amount not to exceed \$7,500,000. **No recommendation on Commissioner Webb's motion and Commissioner Espinoza's second. Commissioners consenting were Webb, Espinoza and Faust. Commissioner Googins recused because his firm is a prime consultant on one of the teams recommended for award and Commissioner Fishbeck recused because she frequently has subcontract arrangements with Halff, PBS&J and K. Friese and Associates. Commissioner Lee was not present to vote on this item and Commissioner Gray was absent.**

12. Recommend approval to execute Work Authorization Amendment No. 3 to Construction Manager at Risk contract with **MWH CONSTRUCTORS, INC.**, Broomfield, CO, for a Guaranteed Maximum Price of \$22,422,968 for Work Packages No. S-303 Filters and Upflow Clarifiers 1 and 2 and No. S-305 Walls, Conveyances, and Miscellaneous Site Work for the Water Treatment Plant No. 4, plus a contingency in the amount of \$1,121,148, for a total not-to-exceed authorization amount of \$23,544,116. **Bill Stauber addressed the Commissioners questions and concerns. No recommendation on Commissioner Webb's motion and Commissioner Espinoza's second. Commissioners consenting were Webb, Fishbeck and Espinoza.**

Commissioners Faust and Googins dissented. Commissioner Lee recused because his firm participated in preparing response to the RFQ and Commissioner Gray was absent.

13. Recommend approval to negotiate and execute all required Work Authorization amendments for the remainder of the construction phase services with **MHW CONSTRUCTORS, INC.**, Broomfield, CO., construction manager-at-risk for the Water Treatment Plant No. 4 project, and authorize funding in the amount of \$299,758,773, which is the remaining balance of the Construction Cost Limitation of \$359,000,000 for all remaining construction phase services for the Water Treatment Plant No. 4 project. **The vote was on the motion not to recommend approval on Commissioner Faust's motion and Commissioner Fishbeck's second. Commissioners consenting were Faust, Fishbeck, Webb and Googins. Commissioner Espinoza dissented, Commissioner Lee recused because his firm is a subconsultant to the CM@R and Commissioner Gray was absent.**

14. Recommend approval to negotiate and execute a developer agreement with **LAND ACCELERATOR, LLC** to reimburse costs to construct oversized 24-inch and 36-inch water transmission mains and appurtenances related to Service Extension Request No. 2955 to provide water service to the Formula 1 United States Austin, Texas development located at 7700 Elroy Road for a total reimbursement not to exceed \$5,373,734.00. **Item passed by Commissioner Googins' motion to recommend this item with the requirement that the applicant compiles with the Third Party Agreement, if applicable, as determined by the legal opinion requested from the Law Department and Commissioner Webb's second. Commissioners consenting were Webb, Lee, Espinoza, Fishbeck and Googins. Commissioner Faust dissented and Commissioner Gray was absent.**

15. Recommend approval to negotiate and execute a developer agreement with **LAND ACCELERATOR, LLC** to reimburse costs to construct an oversized 30-inch wastewater main and appurtenances related to Service Extension Request No. 2956 to provide wastewater service to the Formula 1 United States Austin, Texas development located at 7700 Elroy Road for a total reimbursement not to exceed \$8,126,619.00. **Item passed by Commissioner Webb's motion to recommend this item with the requirement that the applicant compiles with the Third Party Agreement, if applicable, as determined by the legal opinion requested from the Law Department and Commissioner Lee's second. Commissioners consenting were Webb, Lee, Espinoza, Fishbeck and Googins. Commissioner Faust dissented and Commissioner Gray was absent.**

E. VOTING ITEMS FROM COMMISSION

1. Water Treatment Plant 4 Report as requested at the October W&WW Commission meeting. **Commissioners suggested that staff provide them with additional time to review the report and bring this back to the Commission at the December 8, 2010 WWW Commission meeting.**

F. REPORTS BY COMMISSION SUBCOMMITTEE

None

G. NON VOTING DISCUSSION ITEMS

1. Review items approved by Council on October 28, 2010:
 - a. Construction Contract with **L.D. TEBBEN CO. INC.**, Austin, TX, through the Local Government Purchasing Cooperative for the Ullrich Water Treatment Plant Roof Improvements 2010 project in the amount of \$680,926 plus a \$34,000 contingency, for a total contract amount not to exceed \$714,926.
Greg Meszaros addressed the Commissioners questions and concerns.

H. STAFF BRIEFINGS, PRESENTATIONS, AND OR REPORTS

I. FUTURE AGENDA ITEMS

J. ADJOURN

Chair Espinoza adjourned the meeting at 9:20pm with no objection.