

# AGENDA

## Denver Board of Water Commissioners

Denver Water Administration Building  
1600 West 12<sup>th</sup> Avenue  
Denver, CO  
Board Room, First Floor

**Wednesday, November 20, 2019 9:00 a.m.**

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### I. INTRODUCTORY BUSINESS

#### A. Call to Order and Determination of Quorum

#### B. Public Comment and Communications

At this point in the agenda, the Board may allow members of the public to address the Board on any item of interest within the jurisdiction of the board, and not on the agenda for action. Speakers wishing to address a specific Action Item will be invited to address the board when the item is being considered. Three minutes are allowed for each person unless the President determines otherwise.

1. Distributor Communications
2. Citizen Advisory Committee Communications

#### C. Ceremonies, Awards and Introductions

### II. ACTION ITEMS

#### A. Consent Items

Items listed below are considered routine and may be enacted by one motion and vote. If any Board member desires discussion beyond explanatory questions, or corrections to the Minutes, the President may order that item to be considered in a separate motion and vote.

1. Twelfth Amendment for Additional Contract Funds for Oracle America Inc. – Contract 500409
2. Ranch Creek Canal Cultural Resources Memorandum of Agreement

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**B. Individual Approval Items**

- |  |                |            |
|--|----------------|------------|
| 1. Northwater Treatment Plant Construction Oversight Amendments and Monthly Update | Pete McCormick | 15 minutes |
| 2. Appointment to Citizens Advisory Committee West Slope Candidate                 | Mike King      | 10 minutes |

**III. POLICY MATTERS**

- |   |                 |            |
|---|-----------------|------------|
| <b>A. 3<sup>rd</sup> Quarter Performance Report</b> | Stephanie Abram | 15 minutes |
| <b>B. Lead Service Policy Issues</b>                | Jim Lochhead    | 20 minutes |

**IV. EXECUTIVE UPDATE**

- A. CEO Update**
- B. CFO Update**
- C. Operations Update**

**V. BRIEFING PAPERS & REPORTS**

- A. Briefing Papers**
- B. Reports**

**VI. ADJOURNMENT**

## VII. TRUSTEE MATTERS

### I. ACTION ITEMS

#### A. Action Items as Trustee

1. Minutes from August 28, 2019

#### B. Action Items as Plan Sponsor

- |   |            |                 |
|---|------------|-----------------|
| 1. Amendment No. Six to Denver Water's Supplemental Retirement Savings Plan (401(k) Plan) | 10 minutes | Angela Bricmont |
|---|------------|-----------------|

### II. INFORMATION ITEMS

#### A. Information Items as Trustee

1. The Employees Retirement Plan – Callan's 3Q 2019 Performance Report

#### B. Information Items as Plan Sponsor

- |   |            |             |
|---|------------|-------------|
| 1. Meeting as Plan Sponsor: 401(k) Plan and 457 Plan - Ellwood 3Q 2019 Performance Report | 10 minutes | Andy Fiegel |
|---|------------|-------------|

#### C. Information Items as Trustee and/or Plan Sponsor

1. Meeting as Trustee and/or Plan Sponsor: 3Q 2019 Performance Report and Due Diligence Report for the DB Plan, 401(k) Plan and 457 Plan

## VIII. EXECUTIVE SESSION

The Board may adjourn the regular meeting and reconvene in executive session on topics authorized by D.R.M.C. Sec. 2-34

#### A. Confidential Report D.R.M.C. Sec. 2-34

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: November 20, 2019

Board Item: II-A-1

## Twelfth Amendment for Additional Contract Funds for Oracle America Inc. Contract 500409

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Action by Consent

Individual Action

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### **Purpose and Background:**

Oracle's Customer Care and Billing (CC&B) software is used to manage the full customer lifecycle for Denver Water, including tap sales, meter reading, billing, payments, collections, field work, and customer correspondence. The CC&B software maintenance and support Contract 500409 renews and requires annual funding. This amendment will add funds for renewal period December 28, 2019 to December 27, 2020.

### **Budget and Schedule:**

The requested amendment amount of \$321,465.81 will increase the total amount of this contract to \$5,273,466.33 and the term of the contract is January 1, 2008 to December 27, 2020. Funds for this contract will come from the 2020 budget of the IT Customer Information Systems business unit, which has sufficient funds to pay the \$321,465.81 that is needed in 2020.

### **S/MWBE Information:**

Small/Minority and Women-owned Business Enterprise are not applicable for this item.

### **Recommendation:**

It is recommended that the Board approve the Twelfth Amendment to Contract 500409 with Oracle America Inc. for the CC&B software maintenance and support for an extension of the contract period through Dec. 27, 2020 for an addition of \$321,465.81 for a total amended contract amount not to exceed \$5,273,466.33.

### **Approvals:**

- James S. Lochhead, CEO/Manager
- Julie Anderson, Chief of Staff
- Jessica R. Brody, General Counsel
- Angela C. Bricmont, Chief Financial Officer

- Brian D. Good, Chief Administrative Officer
- Mike King, Chief External Affairs Officer
- Robert J. Mahoney, Chief Engineering Officer
- Thomas J. Roode, Chief Operations Officer

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: November 20, 2019

Board Item: II-A-2

## Ranch Creek Canal Cultural Resources Memorandum of Agreement

Action by Consent

Individual Action

### **Purpose and Background:**

The Ranch Creek Canal was built in the 1930s and is part of the Moffat Collection System. The canal will be replaced by a pipeline to reduce seepage and evaporation losses, decrease maintenance (especially in winter), and reduce public and wildlife safety concerns along this section of our raw water system. The Ranch Creek Canal Replacement Project (Project) is scheduled for the summer of 2020 and will replace 4,400 feet of open canal from the Cub Creek Chute to an existing pipe located to the north of the intake for the Moffat Tunnel.

The Project is located on lands managed by the Arapaho and Roosevelt National Forests, which requires Denver Water to obtain a permit from the United States Forest Service (USFS). As part of this permitting process, USFS is conducting environmental review in accordance with the National Environmental Policy Act. Due to the age and historical significance of the canal, it is eligible for the National Register of Historic Places (NRHP). Replacement of the open canal with buried pipe will represent an adverse effect to an NRHP-eligible resource. In accordance with Section 106 of the National Historic Preservation Act (NHPA), USFS has consulted with the Colorado State Historic Preservation Office (SHPO) to determine appropriate measures to mitigate the adverse effect.

USFS and SHPO have determined that installation of interpretive signage on National Forest System lands with information about the history of Denver Water's Collection System would satisfactorily mitigate the adverse effect to this NRHP-eligible resource. The proposed Memorandum of Agreement (MOA) imposes relatively simple terms for mitigating the effects to this NRHP-eligible resource. The MOA will help prevent delays in the permitting process for this critical project, which must be completed during a scheduled water system outage in the 2020 construction season (prior to construction of the Gross Reservoir Expansion Project). The MOA is a critical component of USFS's NEPA process; without it, USFS cannot authorize this Project.

The MOA would require Denver Water to:

1. Provide funding for the planning, design, construction, and installation of one interpretive sign to be placed in the Arapaho-Roosevelt National Forest. A Purchase Order for a selected vendor to make the sign described in the MOA will be issued at a later date.
2. Follow the Unanticipated Discoveries Plan (Plan). The design and installation of the interpretive sign will be completed in cooperation with USFS and SHPO. The Plan represents a protocol to be followed if, during excavation for the pipe, cultural resources are discovered that may be historically significant. This Plan authorizes a certified archaeologist to evaluate and make determinations about findings, preventing potentially significant and costly delays which may otherwise occur while awaiting direction from SHPO. In order to implement this plan, Denver Water will use our on-call archaeologist, Metcalf Archeological Consultants, Inc., to evaluate unexpected discoveries for eligibility for the NRHP during the construction phase of the Project.

### **Budget and Schedule:**

There is no budgetary impact for this item.

### **S/MWBE Information:**

Small/Minority and Women-owned Business Enterprise goals are not applicable for this item.

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**Recommendation:**

It is recommended that the Board approve the MOA, documenting terms for compliance with Section 106 of the NHPA.

**Approvals:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager    | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer          |
| <input type="checkbox"/> Julie Anderson, Chief of Staff               | <input checked="" type="checkbox"/> Mike King, Chief External Affairs Officer |
| <input checked="" type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer         |
| <input type="checkbox"/> Angela C. Bricmont, Chief Financial Officer  | <input type="checkbox"/> Thomas J. Roode, Chief Operations Officer            |

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: November 20, 2019

Board Item: II-B-1

## Northwater Treatment Plant Construction Oversight Amendments

Action by Consent

Individual Action

### **Purpose and Background:**

The purpose of this board item is to present two contract amendments necessary to advance the Northwater Treatment Plant (NTP) project through the construction phase. In accordance with the NTP objectives, the project planning, design, and construction are being completed in a series of tasks as shown in Table 1.

**Table 1: Project Delivery Tasks**

Task	Status
Task 1: Mobilization	Complete
Task 2: Design Services Procurement	
Task 3: Preliminary Design	
Task 4A: 30% Design	
Task 4B: Final Design	
Task 5A: Construction Oversight	In Progress
Task 5B: Construction	In Progress
Task 6: Transfer of Facility Ownership	2024 Target Completion

Amendments within this board item include programming during construction and a reduction in scope initially allocated to Design Package (DP)02 – Treatment Process Systems and Structures in May 2019. These amendments are the last anticipated for Task 5A and 6, with only Task 5B work package amendments remaining to be executed in the future.

In May 2018, the Board approved a contract with Dewberry Engineers for DP09 – NTP Programming. Dewberry Engineers was selected as the prime consultant for DP09 based on best value and the inclusion of two key subconsultants, Golden Automation and RSI, on their team. Since contract execution, Dewberry Engineers' local staff of programmers has disbanded. As a result, the planned contract extension with Dewberry will now be an amendment for programming services with Jacobs Engineering Group and the two key programming subconsultants to complete the DP09 scope of work for \$2,996,994.

In May 2019, the DP02 Task 5A and 6 amendments were approved by the Board. Since that time, the opportunity has arisen to shift some of the DP02 scope of work to other members of the team already engaged on the project, thereby reducing overall delivery cost. This amendment reduces the DP02 budget while increasing the owner contingency by \$621,318.

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**Budget and Schedule:**

The net total amount of these amendments is \$2,375,676 and the term of the contracts commences November 20, 2019 with varying end dates as shown in Table 2. Funds for these contracts will come from the 2019 budget for the NTP business unit, which has sufficient funds to pay the \$250,000 estimated to be needed in 2019. The remaining \$2,125,676 will be budgeted in years 2020-2024.

**Table 2: NTP Amendments Summary**

Contract	Contract Number	Amend Number	Firm	Term of Contract (End Date)	Current Contract Value	Proposed Task 5A & 6 Amendment Value	Total Contract Value
DP02 <sup>1</sup>	501559	7	CH2M	7/31/2024	\$10,480,647	\$(621,318)	\$9,859,329
OR	501401	8	Jacobs	12/31/2024	\$43,620,529	\$2,996,994	\$46,617,523
<b>Total</b>						<b>\$2,375,676</b>	<b>\$56,476,852</b>

<sup>1</sup>Includes owner contingency.

**For approval 11/20/19  
\$2,375,676**



**Selection of Business Partner:**

Contracts being amended within this board item were originally procured using competitive selection. Competitive selection of all NTP consultants occurred between 2016 and 2019, after which each was contracted for only the initial phase of work. The number of amendments to date for each contract being amended is shown in Table 2.

**S/MWBE Information:**

Goals were established for each DP contract prior to initiation of procurement, with a composite Small/Minority and Women-owned Business Enterprise (MWBE) participation goal for design of 4% to 8%. To date, all DP consultant contracts are meeting or exceeding their participation goals. There is no MWBE participation associated with the amendments in this board item; however, MWBE participation on the DP contracts during Tasks 5 and 6 is anticipated to produce a combined participation of 7%, in line with the original design goal.

**Recommendation:**

It is recommended that the Board approve the amendments to professional services agreements detailed in Table 2 for construction oversight and transfer of facility ownership. The total project addition is \$2,375,676 to equal a total amended project amount not to exceed \$243,753,782.95, or approximately 47% of the total project budget of \$520,000,000.

**Approvals:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager              | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer             |
| <input type="checkbox"/> Julie Anderson, Chief of Staff                         | <input type="checkbox"/> Mike King, Chief External Affairs Officer               |
| <input type="checkbox"/> Jessica R. Brody, General Counsel                      | <input checked="" type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
| <input checked="" type="checkbox"/> Angela C. Bricmont, Chief Financial Officer | <input checked="" type="checkbox"/> Thomas J. Roode, Chief Operations Officer    |

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: November 20, 2019

Board Item: II-B-2

## Appointment to Citizens Advisory Committee West Slope Candidate

Action by Consent

Individual Action

### **Purpose and Background:**

Denver Water's Citizens Advisory Committee (CAC) is a 10-member volunteer committee that advises Denver Water staff and the Board of Water Commissioners on a variety of issues while encouraging and coordinating public participation in the organization's policy-making process.

The committee was created as a result of the 1979 Foothills Agreement that, among other terms of the agreement, required Denver Water to form a citizens group charged with representing public interests in specific categories of stakeholder groups, including a West Slope representative who resides in either Summit, Grand, or Eagle Counties. The Board has appointing authority for the CAC.

Gary Martinez held this West Slope position, but regretfully resigned his position prior to his term ending. Applications to fill this vacancy were solicited via numerous channels, such as partner organizations, individual professional networks and local news media outlets. The CAC received applications from six candidates and interviewed four of those candidates.

The CAC is recommending the Board appoint either Gary Wilkinson or Alan Hassler for a three-year term for the West Slope representative. The applications for all candidates are attached for reference.

### **Budget and Schedule:**

There is no budgetary impact for this item.

### **S/MWBE Information:**

Small/Minority and Women-owned Business Enterprise goals are not applicable for this item.

### **Recommendation:**

It is recommended the Board support the CAC's nominations and appoint either Gary Wilkinson or Alan Hassler.

### **Approvals:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager   | <input type="checkbox"/> Christopher R. Dermody, Chief Information Officer    |
| <input type="checkbox"/> Julie Anderson, Chief of Staff              | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer          |
| <input type="checkbox"/> Jessica R. Brody, General Counsel           | <input checked="" type="checkbox"/> Mike King, Chief External Affairs Officer |
| <input type="checkbox"/> Angela C. Bricmont, Chief Financial Officer | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer         |
| <input type="checkbox"/> Gail Cagle, Chief Human Resources Officer   | <input type="checkbox"/> Thomas J. Roode, Chief Operations Officer            |

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