

AGENDA

Denver Board of Water Commissioners

Denver Water Administration Building
1600 West 12th Avenue
Denver, CO
Board Room, Third Floor

Wednesday, July 11, 2018 9:00 a.m.

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. Minutes from June 13, 2018 – Open and Executive
2. Minutes from June 27, 2018 – Open and Executive
3. 2018 Main Replacement - Contract #503114
4. Property Acquisition at 56th Avenue Pump Station and Reservoir from South Adams County Water and Sanitation District - Contract #503412
5. Inter-Governmental Agreement #503350 with the City and County of Denver and Urban Drainage and Flood Control District Authorizing Stormwater into the High Line Canal
6. Ratifications of Construction Change Orders and Amendments and Professional Services Agreement Amendments

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B. Individual Approval Items

- | | | |
|---|-----------------|------------|
| 1. Williams Fork River Restoration Project - Contract #503380 | Amy Turney | |
| 2. Resolution of the Board - Transactions Requiring Board Approval | Angela Bricmont | 10 minutes |

III. POLICY MATTERS

- | | | |
|--------------------------------|----------------|------------|
| A. 2019 Draft Work Plan | Julie Anderson | 30 minutes |
|--------------------------------|----------------|------------|

IV. EXECUTIVE UPDATE

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

V. BRIEFING PAPERS & REPORTS

- A. Briefing Paper**
- B. Report**

VI. ADJOURNMENT

VII. TRUSTEE MATTERS

VIII. EXECUTIVE SESSION

The Board may adjourn the regular meeting and reconvene in executive session on topics authorized by C.R.S. Sec. 24-6-402 or D.R.M.C Sec. 2-34.

- A. Confidential Report § 24-6-402(4)**

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: July 11, 2018

Board Item: II-A-3

2018 Main Replacement Contract 503114

Action by Consent

Individual Action

Purpose and Background:

Water mains get replaced for several reasons, including age, condition, number of leaks, and inadequate size. This 2018 Main Replacement project will focus on replacement of 5,700 feet of 16-inch and 18-inch concrete pipe in South Tamarac Drive between Hampden Avenue and Quincy Avenue. The new main will be 12-inch PVC. Changes in piping configuration will be incorporated into this project which will increase hydraulic capacity in the area and give more flexibility for Operations to isolate and operate the distribution system. Trenchless replacement of an 8-inch main prone to leakage in Princeton Avenue beneath Goldsmith Gulch is also included in this project because of the similar proximity.

Budget and Schedule:

The work begins in 2018 and will be completed in 2019. The 2018 Capital Improvement Plan for 2018 Main Replacement (South Tamarac Drive) and the Specialized Mains (Princeton Avenue) Business Units includes sufficient funds of \$3,704,640 for the estimated \$1,749,900 of 2018 expenditures. The remaining funds in the 2018 budget for these Business Units will be used to fund additional main improvement projects.

Selection of Business Partner:

Denver Water solicited bids from six General Contractors listed on the Prequalified Contractor List under the Pipelines discipline. This Contract was an unrestricted bid process using Invitation to Bids on the QuestCDN platform. On June 28, 2018, bids were received from six General Contractors. B.T. Construction, Inc. of Colorado was selected based on the lowest cost bid.

S/MWBE Information:

The Minority and Women Business Enterprise (MWBE) goal established for this construction project is 8% participation. B.T. Construction, Inc. achieved 8.57% participation.

Recommendation:

It is recommended that the Board approve Contract 503114 with B.T. Construction, Inc. for the 2018 Main Replacement project for the contract period July 11, 2018 to January 31, 2019 for a total contract amount not to exceed \$1,749,900.

Approvals:


Robert J. Mahoney
Chief Engineering Officer

Respectfully submitted,


James S. Lochhead
CEO/Manager


Angela Bricmont
Chief Finance Officer

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: July 11, 2018

Board Item: II-A-4

Property Acquisition at 56th Avenue Pump Station and Reservoir from South Adams County Water and Sanitation District Contract 503412

Action by Consent

Individual Action

Purpose and Background:

The Board has previously entered into two agreements listed below (collectively, "Prior Agreements"):

1. A Water Agreement between the United States Department of the Army, the United States Fish and Wildlife Service, South Adams County Water and Sanitation District ("South Adams"), and the Board, dated November 30, 1998 (Contract No. 05432A), and
2. A Participation Agreement between the Board and South Adams dated February 16, 1999 (Contract No. 05528A).

In these Prior Agreements, the Board agreed, among other things, to lease water to South Adams in exchange for 1.5 acres of real property adjacent to the Board's 56th Avenue Pump Station and Reservoir property, which are used to house the piping necessary to convey the leased water. Contract #503412 completes the conveyance of this 1.5 acres by Special Warranty Deed to the Board, and commits the Board to grant South Adams an easement, and amend the 1999 License Agreement between the parties to reflect this new relationship. This Contract #503412 was approved by South Adams' Board May 7, 2018.

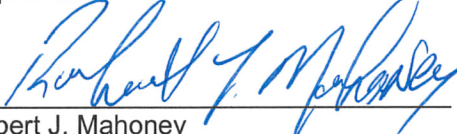
Budget Information:

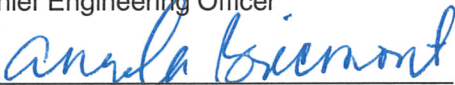
The Board and South Adams have agreed to split the title insurance premiums and other closing costs, if either of these apply. Closing costs will not exceed the Chief Engineering Officer's spending authority and are estimated to be under \$5,000.00.

Recommendation:


It is recommended that the Board approve Contract #503412, Agreement for the Conveyance of Real Estate and Management of Related Facilities with South Adams, including the authorization for the CEO/Manager or Chief Engineering Officer, subject to the approval of the Board's General Counsel, to enter into associated subsequent easement and license amendment agreements, in an amount not to exceed \$5,000.00.

Approvals:


Robert J. Mahoney
Chief Engineering Officer


Angela Brimont
Chief Finance Officer

Respectfully submitted,


James S. Lochhead
CEO/Manager

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: July 11, 2018

Board Item: II-A-5

Inter-Governmental Agreement #503350 with the City and County of Denver and Urban Drainage and Flood Control District Authorizing Stormwater into the High Line Canal

Action by Consent

Individual Action

Purpose and Background:

For several years Denver Water has worked cooperatively with other governmental entities and the High Line Canal Conservancy to develop a future vision for the High Line Canal that will preserve the Canal's natural character and unique recreational experience. One potential use of the Canal could be to detain stormwater to improve water quality and drainage. Recent studies performed by Urban Drainage and Flood Control District ("UDFCD"), Denver Water and other governmental entities show that the Canal has the potential to serve as an effective stormwater treatment and conveyance facility. As a result of the studies, the City and County of Denver ("City") desires to use the Canal to convey and treat stormwater in the Canal, and UDFCD desires to partner with Denver Water and the City to provide additional technical support as needed.

Inter-Governmental Agreement ("IGA") #503350 formally authorizes the City and County of Denver to install stormwater outfalls into the Canal for the segment between approximately Colorado Blvd and Interstate 25.

Under the IGA between Denver Water, the City, and UDFCD:

- The City may use the Canal to carry stormwater within an authorized reach of the Canal beginning near Colorado Boulevard.
- Before discharging to the Canal, the City will pre-treat stormwater to comply with its municipal separate storm sewer system (MS4) permit.
- The City may construct bio-retention facilities to temporarily detain stormwater within the Canal to perform additional treatment in the Canal. Under Colorado water law, the bio-retention facilities can detain the stormwater for no more than 72 hours.
- The City will undertake responsibility for maintaining the Canal within the authorized reach.
- UDFCD will model and monitor the volume and quality of the City's stormwater in the Canal and approve all outfall flows and bio-retention facilities proposed by the City.

In approving the IGA, the Board will be making an exception to a May 4, 1999 Policy ("Policy"), in which the Board prohibited developed stormwater from entering irrigation facilities, including the Canal. Based on the location of the segment of the Canal authorized to carry the City's stormwater and the terms of the IGA, an exception to the Board's Policy for this IGA is appropriate.

Recommendation:

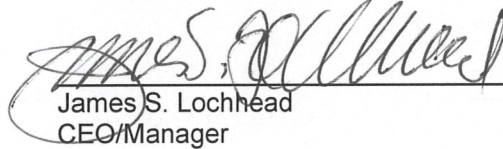
It is recommended that the Board approve Inter-Governmental Agreement #503350 with the City and UDFCD to authorize stormwater outfalls, water quality features, and long-term maintenance access into the Board's High Line Canal.

Approvals:



Thomas J. Roode
Chief Operations Maintenance Officer

Respectfully submitted,



James S. Lochhead
CEO/Manager

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: July 11, 2018

Board Item: II-A-6

Ratification of Construction Contract Change Orders and Amendments and Professional Services Agreement Amendments

Action by Consent

Action

Purpose and Background:

The attached are Construction Contracts Change Orders and Amendments and Professional Services Agreement Amendments for Board ratification for May 2018 through June 2018.

Recommendation:

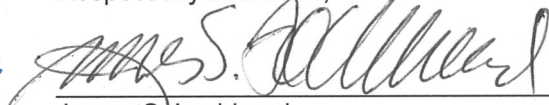
It is recommended that the Board ratify these Construction Contract Change Orders and Amendments and Professional Services Agreement Amendments.

Approvals:



Robert J. Mahoney
Chief Engineering Officer

Respectfully submitted,



James S. Lochhead
CEO/Manager

This list of Change Orders and Amendments is required per the September 13, 2017 resolution which raised the CEO's signing authority to \$750,000. These requirements may be modified by a future Board resolution.

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DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: July 11, 2018

Board Item: II-B-1

Williams Fork River Restoration Project Contract 503380

Action by Consent

Individual Action

Purpose and Background:

The Williams Fork River Restoration Project (Project) serves as compensatory mitigation for the Gross Reservoir Expansion Project ("GRE" or "Moffat Collection System Project"), described in the 2017 Final Mitigation Plan required by the U.S. Army Corps of Engineer's Section 404 Permit. The overall goal of the Project is to restore aquatic resource functions and habitat complexity to two reaches of the Williams Fork River, above and below the Williams Fork Reservoir in Grand County. Restoration will total approximately 2-river miles and will result in improved low flow conditions, instream diversity, channel stability, and streamside vegetation. The Upper and Lower Reaches occur on land owned and managed by Denver Water.

This contract includes providing all labor, materials, and equipment including: site mobilization and demobilization, obtaining any necessary local permits, construction of instream aquatic habitat features including a low flow thalweg, riffles and pools, planting of riparian vegetation, progress meetings, preparation of Final for Construction (FCC) documents and final Record Drawings (as-builts) in accordance with Denver Water's CAD Standards. The design and construction will be phased over 1.5 years and would begin following a notice to proceed by late July 2018 and continue through December of 2019.

Construction of this project and fulfillment of the pre- and post-construction monitoring and reporting requirements is necessary for Denver Water to comply with the terms of the 404 Permit for the GRE. The GRE is crucial to providing a secure water future to Denver Water's customers and protecting against potential catastrophic events such as fires, landslides, drought, and infrastructure failures that could impact the ability for Denver Water to deliver water to its customers. With demand expected to increase in the coming years, expanding Gross Reservoir will add a new element of sustainability to Denver Water's multi-pronged approach to meeting its customers' future needs, which includes: conservation, recycled water, and developing additional supply.

Therefore, it is requested that the Board approve Contract 503380 with Tezak Heavy Equipment Company, Inc. (Tezak) for design and construction of the Williams Fork River Restoration Project.

Budget and Schedule:

The total amount of this contract is \$983,680.88, and the term of the contract is July 11, 2018 to December 1, 2019. Funds for this contract will come from the 2018 budget for GRE, which has a budget of \$6,415,697.00 with a reforecast of \$10,250,000.00 as reported to the Board on June 27, 2018. The budget has sufficient funds to pay the \$454,712.27 estimated to be needed in 2018. The remaining \$528,968.61 will be budgeted in 2019.

Selection of Business Partner:

Denver Water issued an initial Request for Proposals (RFP) for this project on April 13, 2018. At the time of bid opening, only one proposal was received, which subsequently was not opened. In light of receiving a single proposal, Denver Water re-scoped the project, adjusted the project timeline, and re-posted the RFP on May 18, 2018. Denver Water published the revised RFP on its website, the Gross Reservoir Expansion Project website, and provided notice to a list of river restoration firms recommended by Environmental Planning. This contract was a Quality Based Selection (QBS) proposal process using Instruction to Proposers on the QuestCDN platform. Six proposals were received on June 18, 2018 and all were judged as responsive proposals.

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Tezak's proposal included significant value to Denver Water by proposing to combine phases 1 and 2 of construction for completion in 2018. Tezak's thorough project execution plan and well-articulated understanding of the project's goal to meet the required U.S. Army Corps of Engineers performance standards were clearly demonstrated. Tezak's construction approach emphasized durable instream structures for withstanding high flows without maintenance.


S/MWBE Information:

The Minority and Women Business Enterprise (MWBE) goal established for this construction project is 8% participation. Tezak Heavy Equipment Company achieved 8.02% participation.

Recommendation:

It is recommended that the Board approve Contract 503380 with Tezak Heavy Equipment Company for design and construction of the Williams Fork River Restoration Project for the contract period July 11, 2018 to December 1, 2019 for a total contract amount not to exceed \$983,680.88.

Approvals:



Robert J. Mahoney
Chief Engineering Officer

Respectfully submitted,



James S. Lochhead
CEO/Manager



Angela Brimont
Chief Finance Officer

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: July 11, 2018

Board Item: II-B-2

Resolution of the Board Transactions Requiring Board Approval

Action by Consent

Individual Action

Purpose and Background:


The Board has defined the types of transactions requiring its approval and the spending authority of the CEO/Manager in several resolutions beginning in 1999. Most recently in September 2017, the Board establishing a generic spending authority of \$750,000. At its meeting on June 27, 2018, the Board discussed with staff a revised approach that would established different spending authority limits based on the type of transaction involved. For example, the Board determined that certain recurring transactions involving nondiscretionary functions would not require individual Board approval, except for sole source contracts.

The attached Resolution formalizes the Board's direction from the June 27 discussion and supersedes all previous resolutions related to spending authority of the CEO/Manager.

Recommendation:

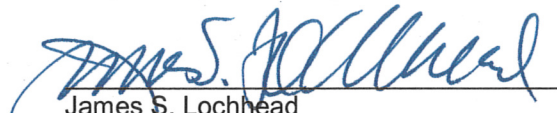
It is recommended that the Board approve the attached Resolution regarding Transactions Requiring Board Approval.

Approvals:

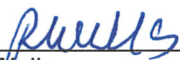


Angela Bricmont
Chief Finance Officer

Respectfully submitted,



James S. Lochhead
CEO/Manager



Patricia Wells
General Counsel