

NOTICE is hereby given that a meeting of the El Paso Water Utilities Public Service Board (PSB) will be open to the public and held on the date and at the time and location listed below. Meetings are also live-streamed at www.epwater.org. The public may sign up to speak on agenda items or to provide public comment on items not on the agenda by using the sign-up form available at the entrance of the board room before the start of the meeting.

**CITY OF EL PASO
PUBLIC SERVICE BOARD**

AGENDA FOR THE REGULAR PSB MEETING

8:00 a.m. M.T.

April 10, 2024

Public Service Board Meeting Room
1154 Hawkins Blvd., El Paso, Texas 79925

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA will be considered by the Public Service Board to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the PSB or persons in the audience request specific items be removed from the CONSENT AGENDA to the REGULAR AGENDA for discussion prior to the time the PSB votes on the motion to adopt the CONSENT AGENDA. The Public Service Board may reconsider an agenda item at any time prior to adjournment. Comments by a member of the public as to any regular agenda item will be allowed by the Chair prior to or during the PSB's consideration of the item. Reasonable time limits may be imposed by the Chair.

CALL TO ORDER
ESTABLISHMENT OF A QUORUM
MOMENT OF SILENT PRAYER
PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. Consider and approve the minutes of the regularly scheduled meeting held on March 13, 2024.
Edith Lara, Executive Secretary-Administration (915) 594-5501 **ATTACHMENT**
2. Consider and approve the Consent to Assignment of the contract for license, support, maintenance, and other additional services related to the Aquadance Advanced Energy Optimization and Aquadance Energy Monitoring software from Derceto, Inc. to SES North America, Inc. **ATTACHMENT**
Martin Noriega, Utility Chief Operations Officer, 915-621-2085
3. Consider and approve a sole source contract with PerkinElmer U.S. LLC pursuant to Section 252.022(a)(7)(A) and (D) of the Texas Local Government Code for the preventive maintenance and repair services of the laboratory's PerkinElmer equipment in the estimated amount of \$363,495 plus an additional allowance of \$300,000 for a term of three years, contingent upon the vendor providing annual documentation attesting to their sole source status.
ATTACHMENT
Ruben Rodriguez, Chief Water Quality Compliance Officer, 915-594-5772
4. Consider and approve a sole source contract with Pinnacle Data Systems dba Doxim Inc. for EPWater bill printing and mailing services pursuant to Section 252.022(a)(7)(A) of the Texas Local Government Code for six months in the estimated amount of \$800,000. **ATTACHMENT**
Art Duran, Chief Financial Officer, 915-594-5549
5. Consider and approve a master contract with Insituform Technologies, LLC through Buyboard Purchasing Cooperative Contract Number 730-24 for Cured in Place Pipe (CIPP) for Pipeline Rehabilitation in the annual amount of \$5,000,000 and authorize the issuance of future master contracts to Insituform Technologies, LLC, Inc. in the annual amount of \$5,000,000 for as long as the term of the Buyboard Purchasing Cooperative Contract Number 730-24 is in place.
ATTACHMENT
Irazema Rojas, Chief Technical Officer, 915-594-5562

CONSENT AGENDA (continued)

6. Consider and approve an increase in the capacity of master contract MC00000802 issued to SHI Government Solutions, Inc. for Adobe and Microsoft software products and related services through Texas DIR Cooperative Contract Number No. DIR-CPO-5237 by an additional amount of \$1,000,000 to increase the existing master contract to a cumulative amount of \$1,500,000 and authorize the issuance of future master contracts in the annual amount of \$1,500,000 to SHI Government Solutions, Inc. for as long as the term of Texas DIR Cooperative Contract No. DIR-CPO-5237 is in place. **ATTACHMENT**
Alfredo Solano, Chief Information Officer, 915-594-5662
7. Consider and ratify Change Order No. 2 Bid No. 12-22 Montana East 36-Inch Water Line Extension Phase II (Homestead, Ranchos Real Pump Station to Edgemere Boulevard) to Oscar Renda Contracting, Inc. increasing the contract amount by \$269,039.94 and extending the contract duration by 191 days. **ATTACHMENT**
Irazema Rojas, Chief Technical Officer, 915-594-5562
8. Consider and approve Amendment Number 1 to agreements for On-Call Professional Engineering Services for Wastewater Treatment Plants awarded to Arcadis U.S., Inc., Brown and Caldwell dba Brown and Caldwell, Inc., Carollo Engineers, Inc., CDM Smith Inc., H2O Terra, LLC, Hazen and Sawyer, P.C., and Parkhill, Smith & Cooper, Inc., to increase capacity of each contract by an additional amount of \$1,000,000 for a total cumulative amount of \$2,000,000 for each firm and authorize the use of commercial paper. **ATTACHMENT**
Irazema Rojas, Chief Technical Officer, 915-594-5562
9. Consider and award professional engineering contracts for On-Call Stormwater Engineering Services – RFQ SW78-23 to AECOM dba AECOM Inc., CEA Engineering Group, Inc., Freese and Nichols, Inc., Garver, LLC, GRV Integrated Engineering Solutions LLC, Huitt - Zollars, Inc. and Moreno Cardenas, Inc., for an amount not to exceed \$1,000,000 for each firm for a term of two years. **ATTACHMENT**
Gisela Dagnino, Utility Chief Operations Officer, 915-594-5553
10. Consider and authorize the President/CEO to sign a Developer Participation Agreement with B&B Socorro LLC for the installation of a proposed water main associated with the Peaceful Valley Subdivision with an EPWater participation in the estimated amount of \$112,832 and authorize the President/CEO or designee to approve change orders without further approval of the PSB, that do not increase EPWater’s participation amount by more than 20% of the current estimated amount. **ATTACHMENT**
Irazema Rojas, Chief Technical Officer, 915-594-5562

REGULAR AGENDA

11. CEO Monthly Update Regarding Utility Management and/or Operations:
 - GovDeals Milestone
 - Update on funding Flood Warning System
12. Management Report:
 - Construction Update
 - Leak adjustment program presentation
 - Update 2024 Drainage Refunding Bonds
13. Public Comment: The PSB will permit public comment on subjects not on the agenda but may not deliberate on these items if not posted for discussion. The Chair may impose reasonable time limits for each speaker.
14. Consider and adopt a resolution amending Rules and Regulations No. 17 for the approval of the revised EPWater Drought Contingency Plan. **ATTACHMENT**
Lisa Rosendorf, Chief Communications & Government Affairs Officer, 915-594-5669

REGULAR AGENDA (continued)

15. Consider and adopt a resolution approving the adoption of EPWater's five-year 2024 Water Conservation Plan. **ATTACHMENT**
Lisa Rosendorf, Chief Communications & Government Affairs Officer, 915-594-5669
16. Consider and award Competitive Sealed Proposal Number 08-24, Heath De Leon Pump Station Replacement, to the sole offeror, Smithco Construction, Inc., in the amount of \$20,316,180. **ATTACHMENT**
Irazema Rojas, Chief Technical Officer, 915-594-5562
17. Deem Los Fierro Construction Inc as non-responsive and consider and award Competitive Sealed Proposal 12-24, On Call Water Distribution System Construction Contract FY 24-25, and On-Call Sanitary Sewer Construction Contract FY 24-25 to the highest-ranked, responsive, responsible bidder, Karlsruher, Inc. dba CSA Constructors for an estimated annual amount of \$5,643,685.70 for a term of one year, with the option of two one-year extensions. **ATTACHMENT**
Irazema Rojas, Chief Technical Officer, 915-594-5562
18. Consider and approve a Guaranteed Maximum Price Amendment to the Construction Management at Risk (CMAR) Construction Contract with Smithco Construction, Inc. for the Backup Power Generators and Diesel Fuel Storage and Dispensing Systems project and accept the Guaranteed Maximum Price Number 3 in the amount of \$49,224,001.55. **ATTACHMENT**
Irazema Rojas, Chief Technical Officer, 915-594-5562
19. Consider and authorize the President/CEO to enter into the following contracts related to the Emergency Replacement to the Airway Blvd. 12-inch Cast Iron Water Distribution Main project: 1) a Professional Engineering Services Agreement with the most qualified firm, CDM Smith Inc. in an estimated amount of \$250,000 pursuant to the requirements of Chapter 2254 of the Government Code; and 2) a construction contract with Bain Construction, Inc. in an estimated amount of \$5,400,000 pursuant to Section 252.022(a)(2) of the Texas Local Government Code, procurement necessary to preserve or protect the public health or safety of the municipality's residents and Section 252.022(a)(3) of the Texas Local Government Code, procurement necessary because of unforeseen damage to public machinery, equipment, or other property. **ATTACHMENT**
Irazema Rojas, Chief Technical Officer, 915-594-5562
20. Consider and approve a six-month extension to the emergency laboratory services contracts with Pace Analytical Services, LLC, MC00000715, and Eurofins Xenco, LLC, MC00000716, for a total term of one year, and increase each of the two contracts by an estimated amount of \$500,000, for a cumulative amount of \$1,000,000 each, according to Section 252.022(a)(2) of the Texas Local Government Code, procurement necessary to preserve or protect the public health and safety of the municipality's residents. **ATTACHMENT**
Ruben Rodriguez, Chief Water Quality Compliance Officer, 915-594-5772
21. Consider and adopt a resolution requesting the City of El Paso City Council to (1) authorize the establishment of the Water and Wastewater Utility System Extendable Commercial Paper Program to issue Notes in an amount not to exceed \$300,000,000; (2) approve the selection of Morgan Stanley & Co. LLC as the dealer of the Notes for the Extendable Commercial Paper Program; and (3) authorize EPWater's President/CEO, or authorized designees, to negotiate any necessary agreements in connection with the establishment of the Water and Wastewater Utility System Extendable Commercial Paper Program and the issuance of Notes, including an agreement between the City and Morgan Stanley & Co. LLC, as dealer of the Notes. **ATTACHMENT**
Art Duran, Chief Financial Officer, 915-594-5549
22. Consider and adopt a resolution requesting the City of El Paso City Council to adopt an ordinance authorizing the issuance of up to \$303,000,000 of City of El Paso, Texas, Water and Sewer Revenue Refunding Bonds to pay off up to \$300,000,000 of outstanding Extendable Commercial Paper Notes and fund related transaction costs, provided that certain pricing parameters set forth in such ordinance are met. **ATTACHMENT**
Art Duran, Chief Financial Officer, 915-594-5549

REGULAR AGENDA (continued)

23. Consider and adopt a resolution requesting the City of El Paso City Council to adopt an ordinance authorizing the issuance of up to \$61,200,000 of City of El Paso, Texas, Municipal Drainage Utility System Revenue Refunding Bonds to pay off up to \$60,000,000 of Extendable Commercial Paper Notes and fund related transaction costs, provided that certain pricing parameters outlined in such ordinance are met. **ATTACHMENT**
Art Duran, Chief Financial Officer, 915-594-5549
24. Consider and adopt a resolution requesting the City of El Paso City Council to adopt an ordinance authorizing the issuance of up to \$40,480,000 of City of El Paso, Texas, Water and Sewer Revenue Refunding Bonds to refund up to \$39,335,000 of Series 2015A and 2015C Water and Sewer Revenue Bonds and to fund related transaction costs, provided that certain pricing parameters outlined in such ordinance are met. **ATTACHMENT**
Art Duran, Chief Financial Officer, 915-594-5549
25. Consider and adopt a resolution requesting the City of El Paso City Council to adopt an ordinance authorizing the issuance of up to \$14,000,000 of City of El Paso, Texas, Municipal Drainage Utility System Revenue Refunding Bonds to refund up to \$13,490,000 of the currently outstanding Municipal Drainage Utility Revenue System Bonds Series 2015 and to fund related transaction costs, provided that certain pricing parameters outlined in such ordinance are met. **ATTACHMENT**
Art Duran, Chief Financial Officer, 915-594-5549
26. Presentation and discussion of EPWater's Fourth Quarter and Fiscal Year-Ending Investment Report for the period ending February 29, 2024, and consider and adopt a resolution amending Rules and Regulations No. 10, establishing the Investment Policy, which includes the proposed list of authorized brokers and dealers and certified investment training firms. **ATTACHMENT**
Art Duran, Chief Financial Officer, 915-594-5549
27. Presentation and discussion of EPWater's Fourth Quarter Preliminary Financial and Performance Measures Report for the Fiscal Year 2023-24, period ending February 29, 2024. **ATTACHMENT**
Art Duran, Chief Financial Officer, 915-594-5549
28. Consider and deliberate on the appeal of a customer, Jose Luis Barron, regarding a billing dispute pursuant to Rules and Regulations No. 8.
Daniel Ortiz, General Counsel, 915-594-5607
29. Consider and approve the proposed timeline for the selection of a new PSB member in the area of environmental or health.
Edith Lara, Executive Secretary- Administration (915) 594-5501

EXECUTIVE SESSION

The Public Service Board will retire into Executive Session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 through 551.089. (The items listed below are matters of the sort to be discussed in Executive Session; however, the Public Service Board may move any item of this agenda to Executive Session, consistent with the terms of the Open Meetings Act.)

Section 551.071 Consultation with Attorney
Section 551.072 Deliberation Regarding Real Property
Section 551.073 Deliberation Regarding Prospective Gift
Section 551.074 Personnel Matters
Section 551.076 Deliberations Regarding Security Devices or Security Audits
Section 551.087 Deliberation Regarding Economic Development Negotiations
Section 551.089 Deliberation Regarding Security Devices or Security Audits

- a) The Board will deliberate regarding whether the following property can be declared inexpedient to the stormwater system, the property is legally described as Lots 22, 23, 24, 25, 26, 27, 28 and 29, Block D, Montoya Townsite in El Paso County, Texas, according to the Supplemental Map on file in the Front of Book 451 of the Deed Records of El Paso County, Texas, consisting of approximately 0.4727 acres. (551.071) (551.072)
- b) Legal and property considerations for the provision of utility services to property located north of Montana Avenue and south of Spur 601. (551.071) (551.072)

Any action as a result of these discussions will be taken at the re-opening of this meeting or at a subsequent meeting.

Adjournment.

NOTICE TO THE PUBLIC:

Meetings of the City of El Paso Public Service Board are accessible to individuals with disabilities. Accessible visitor parking spaces as well as the accessible entrance and ramp are located at the main entrance of the El Paso Water Headquarters Building, 1154 Hawkins Blvd. Individuals with disabilities in need of auxiliary aids and services, including interpreters for deaf or hearing impaired, must request such aids or services forty-eight (48) hours prior to the meeting. For assistance, contact the Board Administrator at (915) 594-5501.

ALL PUBLIC SERVICE BOARD AGENDAS ARE PLACED ON THE INTERNET AT
WWW.EPWater.ORG