

NOTICE: The regular meeting of the Public Service Board will be held at **8:00 a.m. M.T.**, Wednesday, August 9, 2023 at the Public Service Board Meeting Room, 1154 Hawkins Boulevard, El Paso, Texas.

**CITY OF EL PASO
PUBLIC SERVICE BOARD**

August 9, 2023

8:00 a.m. M.T.

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 Board 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 Public Service Board votes on the motion to adopt the CONSENT AGENDA. The Public Service Board may reconsider an agenda item at any time prior to adjournment. Comment by a member of the public as to any regular agenda item will be allowed by the Chair prior to or during the Board'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 July 12, 2023. **(ATTACHMENT)**
2. Consider and award Bid Number 24-23 Trash Collection Services to the sole bidder El Paso Disposal, LP in the estimated annual amount of \$245,090.20 for a term of one year with four one-year options to extend, and authorize the President/CEO or designee to approve change orders, provided that the amount of the change order does not exceed \$50,000 and the cumulative amount of all change orders does not exceed the 25 percent of the original estimated annual amount, provided that funding is available in the approved budget. **(ATTACHMENT)**
3. Consider and approve an increase in capacity of master contract MC00000360 issued to Melloy Brothers Enterprises Inc. for the purchase of new replacement fleet trucks class 2 - 5 for the budgeted replacement of aging fleet vehicles through Region 16 TexBuy Purchasing Cooperative AEPA IFB Contract No. 020-G by an additional \$500,000 to increase the existing master contract cumulative amount to \$1,000,000 and authorize the issuance of future annual master contracts in the amount of \$1,000,000 for the term of Region 16 TexBuy AEPA IFB No. 020-G Purchasing Cooperative Contract No. 020-G provided that funding is available in the approved budget. **(ATTACHMENT)**
4. Consider and award a professional services contract for internal audit services pursuant to Chapter 2254 of the Texas Government Code to Porch & Associates, LLC, in the estimated annual amount of \$100,000 for a term of one year with three one-year options to extend. **(ATTACHMENT)**
5. Consider and approve Change Oder Number 2 - Bid Number 18-22, Country Club and Sunset Lift Station Rehabilitation Improvements to Smithco Construction, Inc., increasing the contract price by \$213,808.81 and extending the contract duration by 45 days; and authorize the use of commercial paper. **(ATTACHMENT)**

REGULAR AGENDA

6. CEO Monthly Update Regarding Utility Management and/or Operations.
7. Public Comment: The PSB will permit public comment on any item not on the agenda. The Chair may impose reasonable time limits for each speaker.

REGULAR AGENDA (continued)

8. Consider and reject the proposals received for Bid Number RFP58-23, Miscellaneous Chemicals, and Supplies for IWQL and authorize staff to rebid. Consider and approve an emergency contract with Midland Scientific, Inc. in the estimated amount of \$200,000 until the new bid is awarded, 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, provided funding is available in the approved budget. **(ATTACHMENT)**
9. Consider and approve a Construction Manager At-Risk construction contract with Smithco Construction, Inc. for the Back-up Power Generators and Diesel Fuel Storage and Dispensing Systems project and accept the Guaranteed Maximum Price (GMP1) in the amount of \$29,884,016.18 and authorize the use of commercial paper. **(ATTACHMENT)**
10. Consider and approve Amendment 1 to the Agreement for Professional Engineering Services with ECM International, Inc. for the Preconstruction and Construction Management Services for the New Main Administration Building project for additional construction phase services in the estimated amount of \$112,166. **(ATTACHMENT)**
11. Consider and approve Amendment 1 to the Agreement for Professional Engineering Services for the Emergency Backup Power at Wastewater Treatment Plants – Part 2 project with Bath Group, Inc. for construction phase services in the amount of \$1,514,963 and authorize future task orders or amendments to be issued under this contract for additional design, bid, and construction phase services in the estimated amount of \$500,000 provided that funding is available in the approved budget for the task orders or amendments, and authorize the use of commercial paper. **(ATTACHMENT)**
12. Consider and adopt a resolution accepting Edwardo Antonio Rangel's offer to purchase approximately 0.11 acres of land, legally described as being the North 40 feet of Lots 12 to 16, Map No. 3, Block 99, Bassett's Addition, which is more commonly known as 1016 Maple Street in the City and County of El Paso, Texas, for the amount of \$30,500 and authorize the President and CEO to forward the recommendation to City Council to sell the land, and to sign any and all documents necessary to complete the sale. **(ATTACHMENT)**
13. Consider and accept the El Paso Water Utilities/Public Service Board Annual Comprehensive Financial Report for Fiscal Year ending February 28, 2023. **(ATTACHMENT)**
14. Presentation of State Legislative Update by Hillco Partners, LLC. **(ATTACHMENT)**
15. Management Report:
 - Construction Contracts Update
 - Monsoon Season Preparedness Update
 - Video from Communications

EXECUTIVE SESSION

The Public Service Board will retire in 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 to Executive Session any item of this agenda, 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. Double H Contracting Inc. and Hector Hinojos, Sr. vs. El Paso Public Service Board (El Paso Water Utilities) As Agent for the City of El Paso; The City of El Paso and ZTEX Construction Inc.; and Tao Industries, Inc. D/B/A/ Hawk Construction, Cause No. 2023DCV1654. (551.071)
- b. Consultation with attorney regarding procurement policy, practices, and recommendations. (551.071)
- c. Consultation with attorney on companies that are advertising water quality testing and treatment services (551.071)

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**