

NOTICE: The regular meeting of the Public Service Board will be held at **8:00 a.m. M.T.**, Wednesday, July 13, 2022 at the Public Service Board Meeting Room, 1154 Hawkins Boulevard, El Paso, Texas.

**CITY OF EL PASO
PUBLIC SERVICE BOARD**

July 13, 2022

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 June 8, 2022. **(ATTACHMENT)**
2. Consider and adopt a resolution authorizing the President/CEO's submission of a grant application to the U.S. Bureau of Reclamation under Funding Opportunity Number R23AS00008 "WaterSMART Grants: Water and Energy Efficiency Grants for Fiscal Year 2023", authorize El Paso Water's funding commitment to allocate an estimated \$8,890,000 to the project if grant funds are awarded and further authorize the President/CEO to provide and sign any documents in connection with the grant application, grant agreement and the funds for this project. **(ATTACHMENT)**
3. Consider and approve an increase in capacity of the master contract MC00000282 issued to TMG Utility Advisory Services, Inc. dba TMG Consulting, Inc. for additional information technology professional services through GSA Contract Number GS-35F-474GA, for an additional \$2,500,000 to increase the master contract cumulative amount to \$3,000,000. **(ATTACHMENT)**
4. Consider and approve an increase in capacity of the master contract MC00000300 issued to Infosys Public Services, Inc. for additional information technology professional services through General Services Administration (GSA) Contract Number 47QTCA20D0032, for an additional \$2,500,000 to increase the master contract cumulative amount to \$3,000,000. **(ATTACHMENT)**
5. Consider and approve a sole source contract in accordance with Section 252.022(a)(7)(A) of the Texas Local Government Code with 120 Water Audit, Inc. for services required to comply with the revised lead and copper rule in the estimated annual amount of \$300,000 for a term of one year, with two one-year options, provided that funding is available in the appropriate budget and contingent upon vendor providing annual documentation attesting to their sole source status. **(ATTACHMENT)**

REGULAR AGENDA

6. Safest Section of the Quarter Awards- First Quarter 2022
7. Consider and adopt amendments to the Public Service Board Rules and Regulations No. 5 to change the processes described in Section V – Leak Adjustments. **(ATTACHMENT)**
8. Consider and adopt a resolution requesting City Council to authorize the issuance of up to \$25,330,000 of City of El Paso, Texas, Municipal Drainage Utility Revenue Refunding Bonds to pay off \$25,000,000 in Direct Funded Revolving Loan notes and fund interest and related transaction costs, provided that certain parameters approved by the Board are met. **(ATTACHMENT)**

REGULAR AGENDA (continued)

9. Consider and adopt a resolution requesting City Council to authorize the issuance of up to \$441,000,000 of City of El Paso, Texas, Water and Sewer System Revenue Improvement and/or Refunding Bonds to pay off up to \$240,000,000 in commercial paper notes, fund approximately \$193,154,000 of Capital Improvement Program Projects approved for Fiscal Year 2022-23, and approximately \$7,846,000 to fund interest and related transaction costs, provided that certain parameters approved by the Board are met. **(ATTACHMENT)**
10. Consider and approve the sole source contract in accordance with Section 252.022(a)(7)(A) of the Texas Local Government Code with Thatcher Company, Inc. to continue supplying the TI-2904 Poly/Orthophosphate blend to EPWater in the estimated annual amount of \$1,790,000 for a one-year term with the option for two, one-year extensions, provided that funding is available in the appropriate budget, and contingent upon vendor providing annual documentation attesting to their sole source status. **(ATTACHMENT)**
11. Consider and award Bid Number 75-22, Engine and Generator Maintenance Services, to Intertech Power Systems LLC, as the primary contractor, the lowest responsive, responsible bidder, in the estimated annual amount of \$1,082,160, and Wagner Equipment as the secondary lowest responsive, responsible bidder on an as-needed-basis at the Utility's discretion, in an estimated annual amount of \$1,386,350, with a term, for each of the two awarded bidders, of one-year with the option for two, one-year extensions, provided that funding is available in the approved budget. **(ATTACHMENT)**
12. Consider and award a pre-construction services contract for Construction Manager-At-Risk for the Roberto R. Bustamante Wastewater Treatment Plant Expansion and Improvements Project – RFP 62-22 to PCL Construction, Inc. / Sundt Construction, Inc. in the amount of \$1,750,000; authorize future task orders or amendments to be issued under this contract for additional pre-construction services in the estimated amount of \$500,000, provided that funding is available in the approved budget for the additional task orders or amendments. **(ATTACHMENT)**
13. Consider and award Bid Number 40-22, 24 to 36-Inch Steel Cylinder Concrete Pipeline Replacement El Paso International Airport Corridors D and E to the lowest responsive, responsible bidder, Spiess Construction Company, Inc., in the amount of the Base Bid of \$8,047,295, and award an allowance for Alternative Bid Item 28C of \$500,000 for a total contract amount of \$8,547,295 and reject all bids for Alternative Bid Items 28A and 28B. **(ATTACHMENT)**
14. Consider and award Bid Number 18-22, Country Club and Sunset Lift Stations Rehabilitation Improvements, to Smithco Construction, Inc., as the lowest responsive, responsible bidder in the amount of \$7,213,665. **(ATTACHMENT)**
15. Consider and adopt a Drought Resolution accepting the report of the President/CEO regarding the expected limited Rio Grande water deliveries for 2023 and authorize the President/CEO or designee to contract and purchase without further action of the Public Service Board, pursuant to any and all applicable exemptions to the bid statute under Texas Local Government Code Section 252.022(a), including Texas Local Government Code Section 252.022(a)(2), an exemption to the competitive bidding requirements, for procurements necessary to preserve and protect the health and safety of the customers of EPWater. **(ATTACHMENT)**
16. Consider and accept the El Paso Water Utilities Public Service Board Annual Comprehensive Financial Report for Fiscal Year ending February 28, 2022. **(ATTACHMENT)**
17. Consider and accept the EPWater's First Quarter Financial and Performance Measures Report for period ending May 31, 2022. **(ATTACHMENT)**
18. Consider and accept EPWater's First Quarter Investment Report FY 22-23 for the period ending May 31, 2022. **(ATTACHMENT)**

REGULAR AGENDA (continued)

19. Consider and authorize the President/CEO to sign a Third Amendment to the AguaCares Agreement with Amistad, increasing the term by one year, with an option to extend for an additional year, and authorize an additional \$150,000 for administrative costs if Amistad receives outside grant funding that can benefit EPWater customers. **(ATTACHMENT)**
20. Management Report:
 - Construction Contracts Update
 - Video from Communications (Illegal dumping campaign)
21. 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.

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 551.076. (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

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

- a. The Board will deliberate regarding potential land purchases. (551.072)
- b. The Board will deliberate regarding whether the following property can be declared inexpedient to the water, wastewater and stormwater system: the property is legally described as Tract 8F6, S.A. & M.G. Railroad Co. Survey No. 268, Abstract 4707, El Paso County, Texas El Paso, El Paso County Texas, approximately 0.42 acres. (551.071, 551.072)
- c. The Board will deliberate whether approximately 1,052 acres of Utility land in northeast El Paso can be sold or transferred to the State of Texas and whether to allow a conservation easement to be placed on the land, legally described as Section 15, and a portion of Sections 9, 16, 17, and 18, Block 81, Township 1, T&P RR Surveys, City of El Paso, El Paso County, Texas. (551.071, 551.072)
- d. New Mexico Environment Department's June 2022 administrative compliance orders against El Paso Water, pending before the Water Quality Control Commission of the State of New Mexico. (551.071)
- e. Paseo Del Este Municipal Utility District No. 1 Appeal of the Wholesale Water Rate Imposed by El Paso Water, pending in the Public Utility Commission of Texas and 210th District Court of El Paso (PUC Docket No. 52260/53706, SOAH Docket No. 473-22-1454. WS, and Cause No. 2021DCV3996.) (551.071)
- f. The claim of Project Amistad from May 12th, 2022. (551.071)
- g. Consultation with legal counsel regarding El Paso Water's cyber security. (551.071) (551.076)

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**