

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.

November 8, 2023

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

REGULAR AGENDA

1. Election of the Public Service Board Chair, Vice-Chair and Secretary-Treasurer Officers.

CONSENT AGENDA

2. Consider and approve the minutes of the regularly scheduled meeting held on October 11, 2023.
(ATTACHMENT)
Edith Lara, Executive Services (915) 594-5501
3. Consider and approve an increase in capacity of master contract MC00000658 issued to Americhoice Construction LLC for trenchless technology through ESC Region 19 Allied States Cooperative Contract No. 23-7465 by an additional amount of \$1,000,000 increasing the existing master contract to a cumulative amount of \$1,500,000; and authorize the issuance of future annual master contracts in the amount of \$1,500,000 for as long as the term of ESC Region 19 Allied States Cooperative Contract No. 23-7465 is in place provided that funding is available in the approved budget. **(ATTACHMENT)**
Irazema Rojas, Chief Technical Officer- Technical Services (915) 594-5591
4. Consider and approve an increase in capacity of master contract MC00000614 issued to 4 Rivers Equipment, John Deere's authorized independent dealer, through Sourcewell Cooperative Contract No. 011723-JDC, by an additional amount of \$500,000 to increase the existing master contract to a cumulative amount of \$1,000,000; and authorize the issuance of future annual master contracts in the amount of \$1,000,000 to 4 Rivers Equipment for as long as the term of Sourcewell Cooperative Contract No. 011723-JDC is in place provided funding is available in the approved budget. **(ATTACHMENT)**
Elmer Beeler, Chief Support Logistics Officer- Fleet Maintenance (915) 263-4030
5. Consider and approve an increase in capacity of master contract MC00000380 issued to C.L. North Company through ESC Region 19 Allied States Cooperative Contract Number 22-7434, for the purchase of maintenance, repairs and operation equipment, supplies, materials and services by an additional amount of \$1,000,000 to increase the master contract cumulative amount to \$2,000,000; and authorize the issuance of future annual master contracts in the amount of \$2,000,000 to C.L. North Company under ESC Region 19 Allied States Cooperative Contract No. 22-7434 for as long as the term of the contract is in place provided funding is available in the approved budget. **(ATTACHMENT)**
Martin Noriega, Chief Operations Officer- Operations Management, (915) 621-2085

CONSENT AGENDA (continued)

6. Consider and approve an increase in capacity of master contract MC00000547 issued to B&M Machinery through ESC Region 19 Allied States Cooperative Contract No. 23-7457, for the purchase of maintenance, repair and operation (MRO) equipment, supplies, materials and services, by an additional amount of \$1,500,000 to increase the existing master contract to a cumulative amount to \$2,000,000; and authorize the issuance of future annual master contracts in the amount of \$2,000,000 to B&M Machinery under ESC Region 19 Allied States Cooperative Contract No. 23-7457 for as long as the contract is in place provided funding is available in the approved budget. **(ATTACHMENT)**
Martin Noriega, Chief Operations Officer- Operations Management, (915) 621-2085
7. Consider and approve an increase in capacity of master contract MC00000548 issued to A2Z Supplies through ESC Region 19 Allied States Cooperative Contract No. 23-7457 for the purchase of maintenance, repair and operation (MRO) equipment, supplies, materials and services, by an additional amount of \$750,000 to increase the existing master contract to a cumulative amount to \$1,000,000; and authorize the issuance of future annual master contracts in the amount of \$1,000,000 to A2Z Supplies under ESC Region 19 Allied States Cooperative Contract No. 23-7457 for as long as the term of the contract is in place provided funding is available in the approved budget. **(ATTACHMENT)**
Martin Noriega, Chief Operations Officer- Operations Management, (915) 621-2085
8. Consider and approve an increase in capacity of master contract MC00000699 issued to Black Stallion Construction, Inc. for the maintenance and repair of stormwater infrastructure through ESC Region 19 Allied States Cooperative Contract Number 23-7457 by an additional amount of \$2,500,000 to increase the existing master contract to a cumulative amount to \$3,000,000; and authorize the issuance of future annual master contracts to Black Stallion Construction, Inc. in the amount of \$3,000,000 for the term of ESC Region 19 Allied States Cooperative Contract 23-7457 for as long as the term of the contract is in place provided that funding is available in the approved budget. **(ATTACHMENT)**
Gisela Dagnino, Chief Operations Officer of Stormwater, (915) 594-5553
9. Consider and approve an increase in capacity of sole source master contract MC00000188 with James Cooke and Hobson Inc. for the purchase of maintenance, repair, and operation (MRO) equipment, supplies, material, and services by an additional amount of \$500,000 to a cumulative annual amount to \$1,510,000 and authorize the issuance of a new sole source master contract pursuant to Section 252.022(a)(7)(A) and (D) of the Texas Local Government Code in the estimated annual amount of \$2,000,000 for a term of one year with the option of four one-year extensions contingent upon James Cooke and Hobson Inc. providing yearly documentation attesting their sole source status and that funding is available in the approved budget. **(ATTACHMENT)**
Martin Noriega, Chief Operations Officer- Operations Management, (915) 621-2085
10. Consider and award Bid Number 16-23, Liquid Oxygen Storage Tanks to the sole, responsive, responsible bidder, SYOXSA Inc., in the estimated amount of \$682,146.31. **(ATTACHMENT)**
Martin Noriega, Chief Operations Officer- Operations Management, (915) 621-2085
11. Consider and award Bid 71-23, Cartridge Filters to the lowest responsive, responsible bidder, American Melt Blown & Filtration Inc., in the estimated annual amount of \$372,932 for a term of one year, with the option for four, one-year extensions, provided funding is available in the approved budgets. **(ATTACHMENT)**
Irazema Rojas, Chief Technical Officer- Technical Services (915) 594-5591
12. Consider and approve Change Order Number 3 – GMP1 for the EPWater Main Administration Building project with Hensel Phelps Construction Co., increasing the contract amount by \$174,915 and increasing the contract time by 36 calendar days. **(ATTACHMENT)**
Irazema Rojas, Chief Technical Officer- Technical Services (915) 594-5591
13. Consider and approve Change Order No. 1 Bid Number CSP 50-22, Ranchos Real 6.1 MGD Pump Station and Airport Booster Station Replacement with Smithco Construction, Inc. increasing the contract amount by \$898,497.86; extending the contract duration by 180 days; and authorize the use of commercial paper. **(ATTACHMENT)**
Irazema Rojas, Chief Technical Officer- Technical Services (915) 594-5591

CONSENT AGENDA (continued)

14. Consider and approve Change Order Number 1 for Bid Number 19-22, EDA Northwest Development Sewer Main Extension with Bain Construction, Inc. in the amount of \$294,169 and increase the contract time by 105 days; and authorize the use of commercial paper. **(ATTACHMENT)**
Irazema Rojas, Chief Technical Officer- Technical Services (915) 594-5591
15. Consider and approve Amendment Number 1 to the professional engineering services contracts awarded to Cobb, Fendley and Associates, Inc., Frank X. Spencer and Associates Inc., and H2O Terra, LLC for the On-Call Professional Engineering Services for Subsurface Utility Engineering to increase capacity of each contract by an additional amount of \$750,000 for the remaining contract time and authorize the use of commercial paper. **(ATTACHMENT)**
Irazema Rojas, Chief Technical Officer- Technical Services (915) 594-5591
16. Consider and approve a professional engineering services contract for the Pumping Systems Furnish, Installation, and Maintenance Part 2 project with CDM Smith, Inc. for construction management services in the estimated amount of \$4,000,000 for a term of three years provided that funding is available in the approved budget for the task orders or amendments. **(ATTACHMENT)**
Irazema Rojas, Chief Technical Officer- Technical Services (915) 594-5591

REGULAR AGENDA

17. CEO Monthly Update Regarding Utility Management and/or Operations:
 - Employee Survey
 - Haskell Plant 100th Anniversary
 - Southwest Women’s Leadership Institute “Advocate for Women Leaders” Award
18. Management Report:
 - PeopleSoft Phase 2 – Status Report
 - Strategic Plan Update
 - Construction Update
 - Update on Location for Future PSB Meetings
 - Video from Communications
19. 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.
20. Consider and adopt a resolution authorizing the President/CEO to sign and submit a grant application to the U.S. Bureau of Reclamation under Funding Opportunity R23AS00464 “WaterSMART: Title XVI WIIN Act Water Reclamation and Reuse Projects for Fiscal Years 2023 and 2024” for an estimated amount of \$2,750,000 to complete construction of the Enhanced Arroyo phase of the Aquifer Storage and Recovery project in El Paso, Texas and to authorize EPWater’s commitment to allocate the estimated amount of \$8,250,000 to the project if grant funds are awarded; and to further authorize the President/CEO to provide and sign any other documents in connection with the grant application, acceptance of the grant and grant agreement associated with the project. **(ATTACHMENT)**
Lisa Rosendorf, Chief Communications & Government Affairs, (915) 594-5669
21. Consider and award Bid Number 39-23, Wet and Dry Sand and Silt Removal for line items 1, 2, 3b Option 2 and 4 to G.R.A.C.E. Construction, the lowest responsive, responsible bidder, in the estimated annual amount of \$736,500, for a term of one year, with the option for four one-year extensions, provided funding is available in the approved budgets. **(ATTACHMENT)**
Felipe Lopez, Chief Operations Officer, (915) 594-5530

REGULAR AGENDA (continued)

22. Deem Viking Painting, LLC as non-responsible, consider and award Bid Number 60-23, Northwest and Northeast Reclaimed Tanks Rehabilitation to the lowest, responsive, responsible bidder, TMI Coatings, Inc. in the estimated amount of \$7,125,500, and authorize the use of commercial paper. **(ATTACHMENT)**
Irazema Rojas, Chief Technical Officer- Technical Services (915) 594-5591
23. Consider and approve a Guaranteed Maximum Price Amendment to the Standard Form of Agreement Between Owner and Construction Manager as Constructor with Hensel Phelps Construction Co., for the EPWater Main Administration Building project and accept the Guaranteed Maximum Price Number 2 (GMP2) in the amount of the amount of \$16,819,063. **(ATTACHMENT)**
Irazema Rojas, Chief Technical Officer- Technical Services (915) 594-5591
24. Presentation and discussion on the proposed updates to Capital Improvements Plan related to the 2024 Impact Fees update. **(ATTACHMENT)**
Irazema Rojas, Chief Technical Officer- Technical Services (915) 594-5591
25. Consider and adopt a resolution accepting Magumo Darwin, LLC.'s offer to purchase approximately 7.006 acres of EPWater property, legally described as a portion of Tracts 3A and 5A, now known as Tracts 3A3 and 5A1, Block 7, Ysleta Grant, in the City of El Paso, El Paso County, Texas, for the amount of \$875,000 and authorize the President/CEO to forward the recommendation to City Council and to sign any and all documents necessary to complete the sale. **(ATTACHMENT)**
Alma De Anda, Land & Water Rights Manager, (915) 594-5513
26. Consider and adopt a resolution accepting RE Shipping Containers, LLC.'s offer to purchase approximately 0.11 acres of EPWater property, legally described as the North 40 feet of Lots 12 to 16, Map No. 3, Block 99, Bassett's Addition, City of El Paso, El Paso County, Texas, for the amount of \$30,500 and authorize the President/CEO to forward the recommendation to City Council and to sign any and all documents necessary to complete the sale. **(ATTACHMENT)**
Alma De Anda, Land & Water Rights Manager, (915) 594-5513
27. Consider and adopt a resolution accepting Raymundo J. Hinojos' offer to purchase approximately 0.025 acres of EPWater property, legally described as Lot 25, Block 3, Colonia Miramonte, Addition Unit One, City of El Paso, El Paso County, Texas, for the amount of \$8,000 and authorize the President/CEO to forward the recommendation to City Council, and to sign any and all documents necessary to complete the sale. **(ATTACHMENT)**
Alma De Anda, Land & Water Rights Manager, (915) 594-5513
28. Consider and adopt a resolution accepting Tyson and Megan Strain's offer to purchase approximately 16.2097 acres of EPWater property, legally described as a Portion of Section 9, Township 27 South, Range 3 East, New Mexico Principle Meridian, Doña Ana Conty, New Mexico, for the amount of \$360,000 and authorize the President/CEO to forward the recommendation to City Council, and to sign any and all documents necessary to complete the sale. **(ATTACHMENT)**
Alma De Anda, Land & Water Rights Manager, (915) 594-5513
29. Presentation and discussion regarding EPWater's procurement of goods and services through Cooperative Purchasing Programs and consider and approve the Amended and Restated Resolution (previously approved by the PSB on November 4, 2020) authorizing the President/CEO or Designee to approve purchases from awarded vendors participating in approved Cooperative Purchasing Programs, for an estimated annual contract amount of \$5,000,000 per individual cooperative program awarded vendor, to sign any and all documents necessary to effectuate the purchase and to approve amendments that do not increase the purchase beyond estimated annual \$5,000,000 and authority to terminate the related purchase contract. **(ATTACHMENT)**
Art Duran, Chief Financial Officer, (915) 594-5549

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. Consultation with attorney regarding special event licenses on EPWater property. (551.071)
- b. In re: Aqueous Film-Forming Foams Products Liability Litigation – United States Judicial Panel on Multi-District Litigation – MDL NO. 2873 (551.071)
- c. Annual Performance Review and Employment Agreement for the President/CEO, John E. Balliew. (551.071) (551.074)

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**