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MUNICIPAL
WATER
DISTRICT

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Meeting Our Region's Needs Today
And Tomorrow



WASTEWATER COMMITTEE MEETING

MARCH 26, 2025



Agenda

- I. CALL TO ORDER
- II. PUBLIC COMMENTS
- III. OPENING REMARKS
- IV. ACTION ITEMS
- V. DISCUSSION ITEMS
- VI. ADJOURNMENT



Agenda

IV. ACTION ITEMS

- A. Consider approval of Wastewater Committee meeting minutes – February 26, 2025
- B. Rowlett Creek Trunk Sewer Extension Rehabilitation and Improvements; Project No. 501-0594-24; Tabulation of Bids and Award of Contract, Internal Inspection Services, and Engineering Services Agreement
- C. Wilson Creek Transfer Force Mains; Project No. 501-0495-18; Change Order No. 4
- D. Beck Branch Parallel Interceptor Improvements, Beck Branch Parallel Interceptor Phase II and Plano Spring Creek Force Main Parallel; Additional Legal Services; Project No. 501-0439-16

V. DISCUSSION ITEMS

- A. Update on Rowlett Creek Regional Wastewater Treatment Plant Pretreatment Program
- B. Opportunity for Committee members to provide feedback on Wastewater Committee meeting or request potential future agenda items



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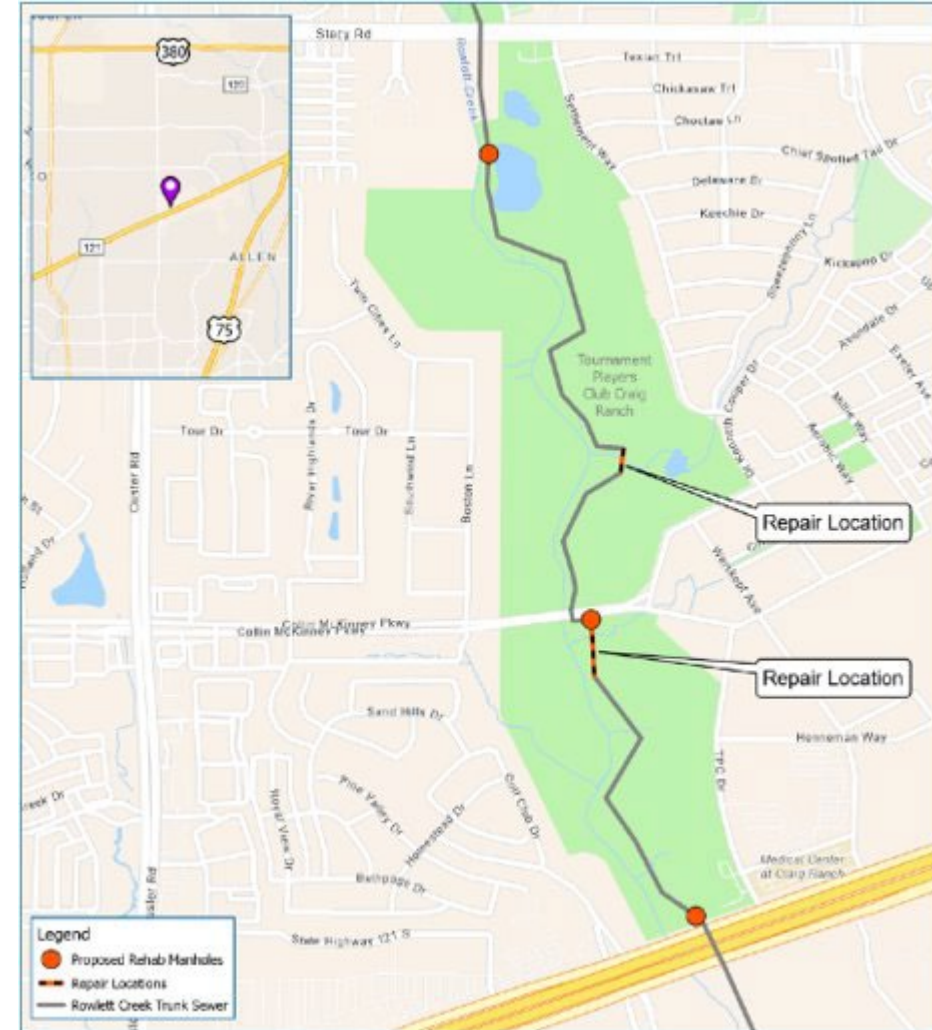
Rowlett Creek Trunk Sewer Extension Rehabilitation and Improvements

Project Purpose

- Rehabilitate and repair the Rowlett Creek Trunk Sewer Extension to extend remaining useful life

Project Components

- Rehabilitate three manholes
- Repair two pipeline segments
- Coordinate with Tournament Players Club Craig Ranch Golf Course





Rowlett Creek Trunk Sewer Extension Rehabilitation and Improvements

Tabulation of Bids

Bidder	Total Bid	Recommendation
Buy Dirt II LLC	\$182,821.40	Nonresponsive bidder
Canary Construction, Inc.	\$281,900.00	Lowest Responsible Bidder Recommended for Award
Engineer's OPCC	\$287,860.00	

Internal Inspection Services - \$75,690

Engineering Services During Construction (BGE) - \$68,426



Committee Consideration

The Executive Director and NTMWD staff recommend the Board of Directors authorize the award of contract as follows:

Contractor: Canary Construction, Inc.

Consultant: BGE, Inc.

Scope: Construction Contract, Engineering Services During Construction, and Internal Inspection Services

Project: No. 501-0594-24, Rowlett Creek Trunk Sewer Extension Rehabilitation and Improvements

Amount: Construction Contract: \$281,900
Inspection Services (Internal): \$75,690
Engineering Services During Construction: \$68,426

Funding: Upper East Fork Interceptor System Construction Funds

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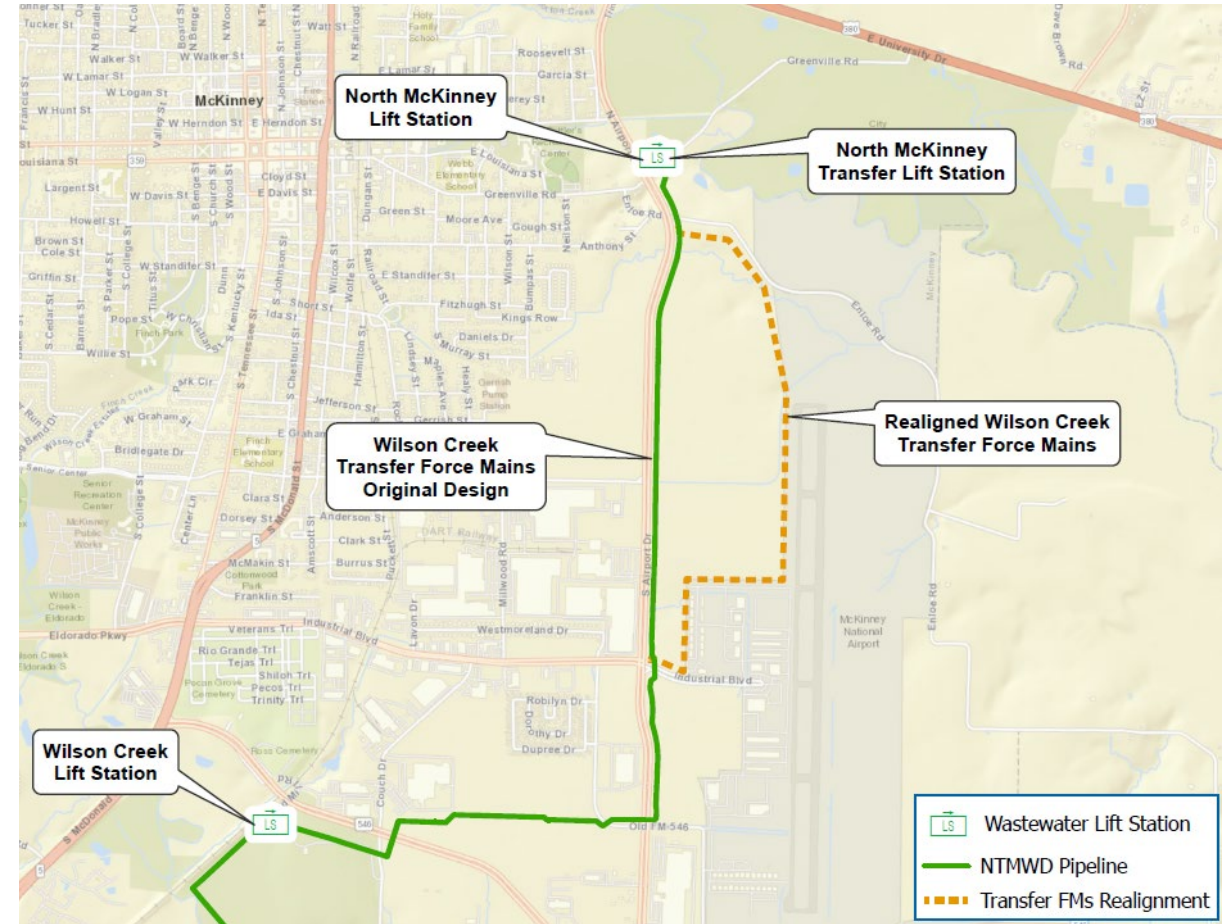
Wilson Creek Transfer Force Mains

Project Background

- In September 2023, the Board authorized award of construction contract to McKee Utility Contractors, LLC (Ad Memo 23-5951)
 - Easement negotiations with Encore Wire Corporation were still ongoing at the time of construction award.
- Per the settlement agreement between Encore Wire Corporation (EWC) and NTMWD, executed on February 26, 2024, NTMWD agreed to realign the proposed force mains from the west to the east side of the EWC property
 - EWC agreed to pay \$2M in cash to NTMWD and provide the easements at no cost to NTMWD valued at \$2M.

Project Purpose

- Convey increased flows (up to 64 MGD) from the Wilson Creek Lift Station to the new North McKinney Transfer Lift Station for treatment at Sister Grove RWRRF
- This project is part of a strategic plan for capacity relief in the UEFIS and Wilson Creek RWWTP



Wilson Creek Transfer Force Mains

Change Order No. 4 Components

- Construct approximately 17,600 LF (8,800 LF parallel force mains) linear feet of 42-inch force mains including 10 plug valves and 8 air valves with odor control units
- Deduct approximately 12,400 LF (6,200 LF of parallel force mains) of 42-inch force mains including 8 plug valves and 8 air valves with odor control units
- Net increase of:
 - Approximately 5,200 LF (2,600 LF of parallel force mains) of 42-inch force mains
 - Two additional plug valves



Committee Consideration

The Executive Director, NTMWD staff and TetraTech, Inc. recommend the Board of Directors authorize a construction change order as follows:

Contractor: McKee Utility Contractors, LLC

Scope: Construction, Change Order No. 4

Project: No. 501-0495-18

Amount: \$6,485,578

Funding: Upper East Fork Interceptor System Construction Fund

IV. ACTION ITEMS

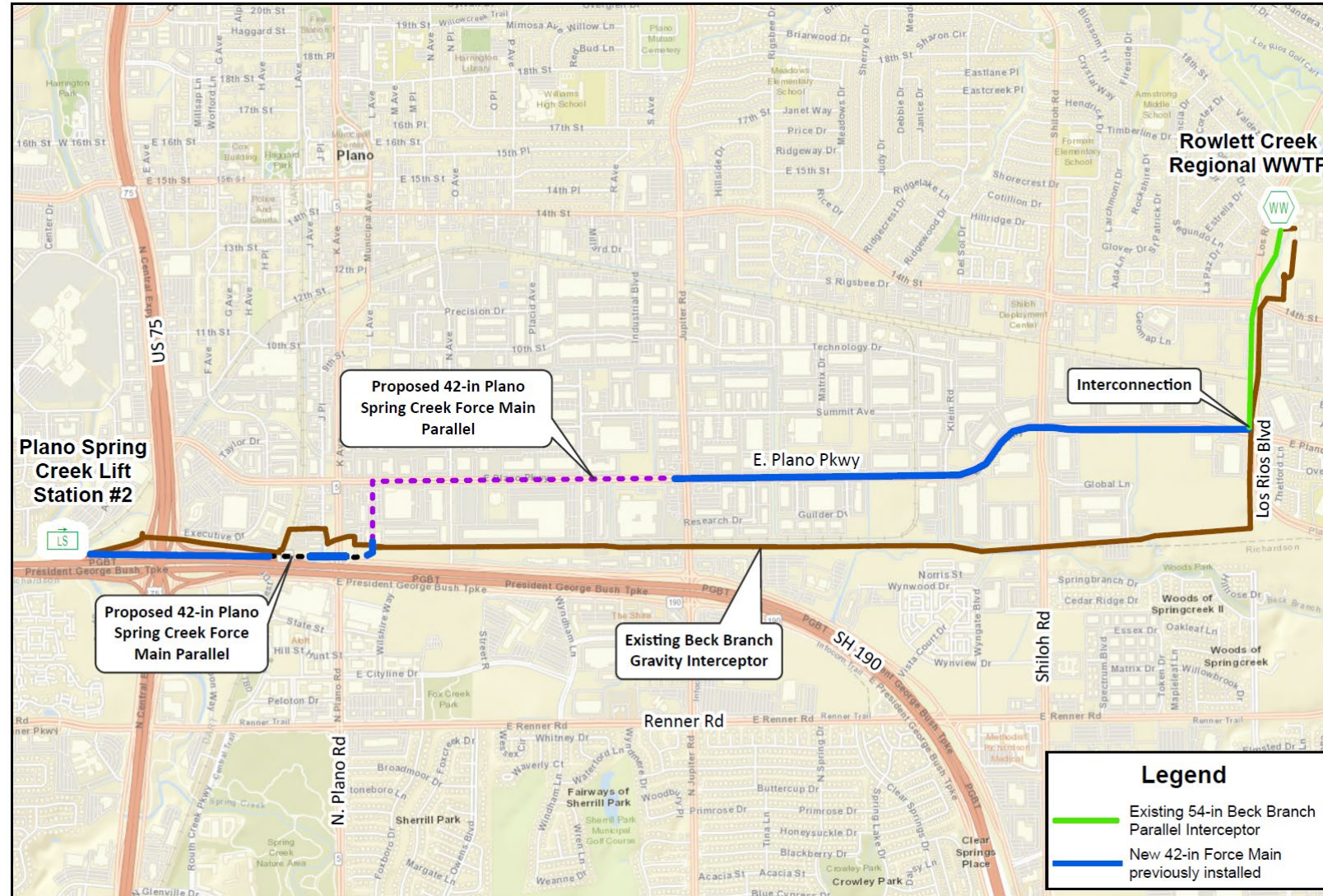
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Beck Branch Parallel Interceptor Phase II and Plano Spring Creek Force Main Parallel





Beck Branch Parallel Interceptor Phase II and Plano Spring Creek Force Main Parallel

Background

- On or about May 28, 2020, NTMWD entered into a construction contract for the Beck Branch Parallel Interceptor Improvements, which consists of the Phase II portion of the Beck Branch Parallel Interceptor and the Plano Spring Creek Force Main Parallel, with ARK Contracting Services, LLC (ACS) (reference Administrative Memorandum No. 5557).
- On December 2022, the Board approved \$15,000 of legal services to SW&B to assist with negotiations and to attend a pre-suit mediation with ACS (reference Consent Agenda Item No. 22-12-06).
- On May 26, 2023, ACS filed lawsuit seeking \$10M in alleged damages. SW&B filed a response on behalf of NTMWD.



Beck Branch Parallel Interceptor Phase II and Plano Spring Creek Force Main Parallel

Background (continued)

- On July 21, 2023, ACS sent NTMWD a notice of contract termination, abandoning the project.
- On August 2023, the Board authorized \$100,000 of additional legal services to SW&B to defend and prosecute claims in pending litigation with ACS, to assist in managing response to ACS's abandonment of project including making demands upon ACS's surety to complete the remaining work for the project (reference Consent Agenda Item No. 23-08-04).
 - Those demands were rejected and claims against ACS's surety are also pending in this litigation.



Beck Branch Parallel Interceptor Phase II and Plano Spring Creek Force Main Parallel

Additional Legal Services (Current Request)

- Additional funding in the estimated amount of \$150,000 for outside expert consulting and support services to assist in reviewing and responding to a damages report received from ACS.
- Additional funding of approximately \$50,000 per month from March through trial in November 2025 (9 months) for additional legal services. There is currently approximately \$75,000 remaining in the budget through January 2025 for legal services. Requested additional funding in the estimated amount of \$375,000 ($\$50,000/\text{month} \times 9 \text{ months} - \$75,000 = \$375,000$)
- Total additional legal services requested are \$525,000 ($\$150,000 + \$375,000$).



Committee Consideration

The Executive Director and NTMWD staff recommend the Board of Directors authorize additional services as follows:

Consultant: Saunders, Walsh & Beard, Attorneys & Counselors

Scope: Additional Legal Services

Project: No. 501-0439-16, Beck Branch Parallel Interceptor Improvements; Beck Branch Parallel Interceptor Phase II and Plano Spring Creek Force Main Parallel

Amount: \$525,000

Funding: Upper East Fork Interceptor System Construction Funds

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Executive Session

Section 551.071, Consultation with Attorney

- Authorizes a government body to consult with its attorney in an Executive Session to seek advice on legal matters regarding pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.
- A government body may not invoke this Section to convene a closed session and then discuss matters outside of that provision.
- General discussion of policy, unrelated to legal matters, is not permitted under the language merely because an attorney is present.
- Items discussed during Executive Session are privileged and should remain confidential.

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