



NORTH TEXAS MUNICIPAL WATER DISTRICT

**501 E. Brown Street • Wylie, Texas 75098
(972) 442-5405 – Phone • (972) 295-6440 – Fax**

BOARD OF DIRECTORS REGULAR MEETING THURSDAY, MAY 30, 2019 4:00 P.M.

Notice is hereby given pursuant to V.T.C.A., Government Code, Chapter 551, that the Board of Directors of North Texas Municipal Water District (NTMWD) will hold a regular meeting, open to the public, on Thursday, May 30, 2019, at 4:00 p.m., at the NTMWD Administrative Offices, 501 E. Brown Street, Wylie, Texas.

The Board of Directors is authorized by the Texas Open Meetings Act to convene in closed or executive session for certain purposes. These purposes include receiving legal advice from its attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074); or discussing security personnel or devices (Section 551.076). If the Board of Directors determines to go into executive session on any item on this agenda, the Presiding Officer will announce that an executive session will be held and will identify the item to be discussed and provision of the Open Meetings Act that authorizes the closed or executive session.

AGENDA¹

- I. CALL TO ORDER**
- II. INVOCATION – DIRECTOR LYNN SHUYLER**
- III. PLEDGE OF ALLEGIANCE**
- IV. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG**
- V. ANNOUNCEMENT OF QUORUM**
- VI. PUBLIC COMMENTS**

The Board of Directors allows individuals to speak to the Board. Prior to the meeting, speakers must complete and submit a “Public Comment Registration Form.” The time limit is five (5) minutes per speaker, not to exceed a total of thirty (30) minutes for all speakers. The Board may not discuss these items, but may respond with factual or policy information.

¹Persons with disabilities who plan to attend the NTMWD Board of Directors meeting and who may need auxiliary aids or services are requested to contact Shannon Sauceman in the NTMWD Administrative Offices at (972) 442-5405 as soon as possible. All reasonable efforts will be taken to make the appropriate arrangements.

VII. OPENING REMARKS

- A. Presentations of awards, recognitions, achievements, etc., of the District, Board members, and staff
- B. President's Remarks concerning current events, conduct of meeting, posted agenda items, committee assignments, and related matters
- C. Executive Director's Status Report concerning legislation and regulatory matters, budgets, current projects and ongoing programs of the District including the Regional Water System, Regional Wastewater System, Regional Solid Waste System, Watershed Protection, and Water Conservation

VIII. CONSENT AGENDA ITEMS

The Consent Agenda allows the Board of Directors to approve all routine, noncontroversial items with a single motion, without the need for discussion by the entire Board. Any item may be removed from consent and considered individually upon request of a Board member or NTMWD staff member.

- A. Consider approval of Board of Directors Regular Meeting Minutes – April 25, 2019
(Please refer to Consent Agenda Item No. 19-05-01)
- B. Consider approval of Board of Directors Special Meeting Minutes – April 25, 2019
(Please refer to Consent Agenda Item No. 19-05-02)
- C. Consider approval of Monthly Construction Report – May 2019
(Please refer to Consent Agenda Item No. 19-05-03)
- D. Consider authorizing additional legal services with Saunders, Walsh & Beard in the amount of \$50,000 on Project No. 101-0374-14, Bois d'Arc Lake Program Management
(Please refer to Consent Agenda Item No. 19-05-04)
- E. Consider authorizing additional program management services with Freese and Nichols, Inc., in the amount of \$230,000 on Project No. 101-0374-14, Bois d'Arc Lake Program Management
(Please refer to Consent Agenda Item No. 19-05-05)
- F. Consider authorizing legal services with Saunders, Walsh & Beard in the amount of \$10,000 for Project No. 101-0352-14, Wylie Water Treatment Plant Water System Operations Center
(Please refer to Consent Agenda Item No. 19-05-06)
- G. Consider adoption of Resolution No. 19-25 for conveyance of property at McKinney Lift Station in the form of a 0.161 acre permanent easement to Oncor Electric Delivery Company, LLC, Project No. 501-0502-18
(Please refer to Consent Agenda Item No. 19-05-07)

IX. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

GENERAL/ADMINISTRATIVE SERVICES AGENDA ITEMS

- A. Consider adoption of Resolution No. 19-27 commending Director Bill Lofland for 21 years of service as a member of the NTMWD Board of Directors
- B. Consider election of officers for Board of Directors in 2019-2020
- C. Consider adoption of Resolution No. 19-28 commending Director John Sweeden for service as President of the NTMWD Board of Directors

WATER SYSTEM AGENDA ITEMS

- D. Consider authorizing execution of engineering services agreement with Halff Associates, Inc., in the amount of \$315,800 for preliminary engineering design on Project No. 101-0519-18, North Garland Pipelines Condition Assessment
(Please refer to Administrative Memorandum No. 5403)
- E. Consider adoption of Resolution No. 19-29 authorizing use of competitive sealed proposal procurement method under Texas Government Code, Chapter 2269, for the Wylie Water Treatment Plant IV Filter Gallery Wall Structural Evaluation, Project No. 101-0422-16
(Please refer to Administrative Memorandum No. 5404)
- F. Consider authorizing award of construction contract with McKee Utility Contractors, Inc., in the amount of \$6,279,290 on Project No. 101-0462-17, Renner Road to Plano Delivery Point No. 2 Pipeline
(Please refer to Administrative Memorandum No. 5405)
- G. Consider authorizing award of construction contract with Canary Construction, Inc., in the amount of \$3,680,919 on Project No. 101-0467-17, South System Air Valve Improvements, Phase II
(Please refer to Administrative Memorandum No. 5406)
- H. Consider authorizing execution of engineering services agreement with Kimley-Horn and Associates, Inc., in the amount of \$252,000 on Project No. 101-0427-16, Kaufman 20-Inch Waterline Assessment, Phase II
(Please refer to Administrative Memorandum No. 5407)
- I. Consider authorizing execution of a post-termination, final payment, and release agreement and authorization to issue final payment to Ratcliff Constructors, LP, in the final payment amount of \$181,974.95 and (\$9,795,025.05) credit for termination of contract, on Project No. 101-0352-14, Wylie Water Treatment Plant Water System Operations Center
(Please refer to Administrative Memorandum No. 5416)

WASTEWATER SYSTEM AGENDA ITEMS

- J. Consider authorizing award of construction contract with Mart, Inc., in the total amount of \$4,875,000 on Project No. 301-0499-18, Wilson Creek Regional Wastewater Treatment Plant Maintenance Facility and Solids Operation Facility, and Project No. 501-0522-18, Upper East Fork Interceptor System Storage and Parking Facilities
(Please refer to Administrative Memorandum No. 5408)
- K. Consider authorizing execution of inspection services agreement with Dietz Engineering, in the total amount of \$274,571 for inspection services on Project No. 301-0499-18, Wilson Creek Regional Wastewater Treatment Plant Maintenance Facility and Solids Operations Facility, and Project No. 501-0522-18, Upper East Fork Interceptor System Storage and Parking Facilities
(Please refer to Administrative Memorandum No. 5409)
- L. Consider authorizing award of construction contract with Eagle Contracting, LP, in the amount of \$14,193,000 for Project No. 301-0432-16, Floyd Branch Regional Wastewater Treatment Plant Process Optimization Improvements
(Please refer to Administrative Memorandum No. 5410)
- M. Consider authorizing execution of inspection services agreement with Dietz Engineering in the amount of \$187,480 and authorizing future additional inspection services not exceeding five percent of the current rate through the Monthly Construction Report on Project No. 301-0432-16, Floyd Branch Regional Wastewater Treatment Plant Process Optimization Improvements
(Please refer to Administrative Memorandum No. 5411)
- N. Consider authorizing award of construction contract with Flow-Line Construction, Inc., in the amount of \$408,350 on Project No. 501-0478-17, McKinney and Upper Cottonwood Creek Lift Stations Metering Improvements
(Please refer to Administrative Memorandum No. 5412)
- O. Consider authorizing execution of Wastewater Regionalization Agreement with East Fork Partners, LLC, for the proposed East Fork Wastewater Treatment Plant located in Weston, Texas
(Please refer to Administrative Memorandum No. 5413)

BOIS D'ARC LAKE AGENDA ITEMS

- P. Consider authorizing Amendment No. 13 to the Construction Manager At-Risk (CMAR) Agreement with Archer Western Construction, LLC, on Project No. 101-0344-13, Bois d'Arc Lake Dam and Intake Structure, establishing a partial guaranteed maximum price (GMP) of \$44,687,897.67 for construction of the terminal storage reservoir and allocate additional funding in that amount; establishing the final GMP for the entire CMAR 1 project scope in the amount of \$216,714,595.64; set the CMAR's substantial completion deadline to December 15, 2020 and set the final completion deadline to May 30, 2021; and set liquidated damages to \$4,000 per day from substantial completion and \$2,500 per day from final completion
(Please refer to Administrative Memorandum No. 5414)

- Q. Consider adoption of Resolution No. 19-26 authorizing approval of settlement of pending litigation styled Knight et al v. U.S. Army Corps of Engineers et al, Cause No. 4:18-cv-00352-ALM pending in the U.S. District Court for the Eastern District of Texas
(Please refer to Administrative Memorandum No. 5415)

X. DISCUSSION ITEMS

- A. 86th Texas legislative session update
- B. Bois d’Arc Lake project
1. Construction update
 2. Bois d’Arc Lake land acquisition program update
- C. Discuss status of Member City contract matters including:
1. *Petition of the Cities of Garland, Mesquite, Plano and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District*, Docket No. 46662 before the Public Utility Commission of Texas
 2. *Petition of the Cities of Garland, Mesquite, Plano and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District*, Docket No. 47863 before the Public Utility Commission of Texas
 3. *Petition of the Cities of Garland, Mesquite, Plano, and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District*, Docket No. 49043 before the Public Utility Commission of Texas
 4. *Ex Parte, North Texas Municipal Water District*, Cause No. 429-02251-2018 in the 429th Judicial District, District Court of Collin County, Texas
 5. Facilitation with Member Cities Regarding Alternate Cost Methodologies to the Amendatory Water Supply Contract
- D. Review of items for follow up raised during meeting
- E. Opportunity for Board members to request potential future agenda items
(No substantive discussion of items will take place at this time)

XI. ADJOURNMENT