

AGENDA

Denver Board of Water Commissioners

Video Conference: <http://zoom.us/join>, Meeting ID: 831 7233 7338 - Passcode: 075171 or

Dial in (669) 900-6833 - Meeting ID: 831 7233 7338 - Passcode: 075171

Wednesday, January 26, 2022 9:00 a.m.

I. INTRODUCTORY BUSINESS

A. Call to Order and Determination of Quorum

B. Public Comment and Communications

At this point in the agenda, the Board may allow members of the public to address the Board on any item of interest within the jurisdiction of the Board, and not on the agenda for action. Speakers wishing to address a specific Action Item will be invited to address the Board when the item is being considered. Three minutes are allowed for each person unless the President determines otherwise.

1. Distributor Communications
2. Citizen Advisory Committee Communications

C. Ceremonies, Awards and Introductions

D. Legislative Update

II. ACTION ITEMS

A. Consent Items

Items listed below are considered routine and may be enacted by one motion and vote. If any Board member desires discussion beyond explanatory questions, or corrections to the Minutes, the President may order that item to be considered in a separate motion and vote.

1. Confidential Settlement Agreement of Case No. 19-cv-726 – Contract 505146 and Request to Amend the 2022 Budget
2. Customer Care and Billing Software Upgrade to 2.8 – Contract 504946

B. Individual Approval Items

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III. POLICY MATTERS

IV. EXECUTIVE UPDATE

- A. CEO Update**
- B. CFO Update**
- C. Operations Update**

V. BRIEFING PAPERS & REPORTS

- A. Briefing Paper**
- B. Report**
 - 1. LRP Update

VI. ADJOURNMENT

VII. TRUSTEE MATTERS

VIII. EXECUTIVE SESSION

The Board may adjourn the regular meeting and reconvene in executive session on topics authorized by D.R.M.C Sec. 2-34.

- A. Confidential Report**

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 26, 2022

Board Item: II-A-1

Confidential Settlement Agreement of Case No. 19-cv-726 Contract 505146 and Request to Amend the 2022 Budget

Action by Consent

Individual Action

Purpose and Background:

The purposes of this Board item are (1) to recommend Board approval of Contract 505146 to settle monetary damages resulting from case no. 19-cv-726 in the United States District Court for the District of Colorado and (2) to make adjustments to the 2022 budget to account for this settlement as well as an anticipated reduction in litigation-related professional services spending this year. A jury trial in April 2021 in this civil action resulted in a finding for the plaintiff. Prior to a subsequent hearing on damages, the parties mutually agreed upon settlement terms memorialized in Contract 505146.

Budget and Schedule:

The total amount of this contract is \$2,500,000. Funds for this contract will come from the Office of General Counsel/Insurance and Legal Claims business unit, which does not currently have sufficient funds in the 2022 budget. Staff recommends amending the budget for the Office of General Counsel to include the costs of the settlement (\$2,500,000), associated taxes (\$60,000), and to reduce the budget for outside counsel (-\$250,000) due to a reduction in anticipated litigation for a net change of \$2,310,000.

Recommendation:

Staff recommends that the Board approve Contract 505146 for a total contract amount not to exceed \$2,500,000. Staff also recommends that the Board approve an amendment to the 2022 operating budget in the amount of \$2,310,000, increasing the overall 2022 budget for Denver Water from \$718,378,141 to \$720,688,141.

Approvals:

- | | |
|---|---|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input type="checkbox"/> Julie Anderson, Chief of Staff | <input type="checkbox"/> Richard B. Marsicek, Chief Water Resource Strategy Officer |
| <input checked="" type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
| <input checked="" type="checkbox"/> Angela C. Bricmont, Chief Financial Officer | <input type="checkbox"/> Thomas J. Roode, Chief Operations Officer |

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 26, 2022

Board Item: II-A-2

Customer Care and Billing Software Upgrade to 2.8 Contract 504946

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to gain approval for Contract 504946 with TMG Consulting, Inc.

Denver Water utilizes Oracle Utilities Customer Care and Billing (CC&B) software to manage the full customer lifecycle for Denver Water, including the call center, tap sales, meter reading, billing, payments, collections, field work, and customer correspondence. CC&B was implemented at Denver Water in 2009. Denver Water has been on version 2.5 of CC&B since September 2017 and requires an upgrade to version 2.8 to maintain software support with Oracle. This contract will provide that upgrade as well as post-upgrade support services to Denver Water.

Prior to the expiration of this amended contract in 2028, staff plans to evaluate future customer care and billing software needs and to make a recommendation to either migrate to a cloud version of this tool or select a new product and support vendor, taking into consideration the efficacy of available software solutions and associated long-term costs.

Budget and Schedule:

The total amount of this contract is \$750,000 and the term of the contract is January 26, 2022 through March 31, 2028. Funds for this contract will come from the 2022 budget for CC&B Upgrade to 2.8 which has sufficient funds to pay the contracted implementation expenses of \$577,200 estimated to be needed in 2022. The remaining \$172,800 for post-upgrade support services will be budgeted from the IT Customer Information Systems Team budget in years 2023 through 2028.

Selection of Business Partner:

In July 2021, Denver Water issued a Request for Proposals via Rocky Mountain E-Purchasing System (BidNet), Denver Water's Public website, and direct e-mail solicitation to the Small Minority and Women-owned Business Entity (S/MWBE) chambers and to known vendors. Denver Water received seven responses to the RFP, one of which was from an SBE. The selection committee evaluated the proposals and is recommending the award to TMG Consulting, Inc. based on their experience, staffing plan, key staff resumes, proposed pricing, and testing tools and methodology.

S/MWBE Information:

Small/Minority and Women-owned Business Enterprise goals are not applicable for this item.

Recommendation:

Staff recommends that the Board approve Contract 504946 with TMG Consulting, Inc. for upgrade and post-upgrade support services for the contract period January 26, 2022, through March 31, 2028, for a total contract amount not to exceed \$750,000.

Approvals:

- | | |
|---|---|
| <input checked="" type="checkbox"/> James S. Lochhead, CEO/Manager | <input checked="" type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input type="checkbox"/> Julie Anderson, Chief of Staff | <input type="checkbox"/> Richard B. Marsicek, Chief Water Resource Strategy Officer |
| <input type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
| <input checked="" type="checkbox"/> Angela C. Bricmont, Chief Financial Officer | <input type="checkbox"/> Thomas J. Roode, Chief Operations Officer |

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