

AGENDA

Denver Board of Water Commissioners

Denver Water Board Room, 1600 W 12th Avenue, Denver, Co 80204 and

Video Conference: <http://zoom.us/join>, Meeting ID: 882 3417 6376 - Passcode: 600590 or

Dial in (669) 900-6833 - Meeting ID: 882 3417 6376 - Passcode: 600590

Members of the public are welcome to attend either in person or by video conference

Wednesday, March 13, 2024 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	Andrew Hill	5 minutes
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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. Minutes from February 14, 2024
2. Minutes from February 28, 2024
3. Second Amendment to Garland Park Raw Water Supply Agreement 04460A/500045

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B. Individual Approval Items

- | | | |
|--|----------------|------------|
| 1. Lead Reduction Program Update | Alexis Woodrow | 15 minutes |
| a. Third Amendment for Lab Services for Lead Reduction Program – Contract 504256 | | |
| b. Second Amendment to Agreement with 120Water – Contract 504210 | | |

III. POLICY MATTERS

- | | | |
|---------------------------------------|-----------------|------------|
| A. Year-End Performance Report | Stephanie Abram | 15 minutes |
|---------------------------------------|-----------------|------------|

IV. EXECUTIVE UPDATE

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

V. BRIEFING PAPERS & REPORTS

- A. Briefing Paper**
- B. Report**

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: March 13, 2024

Board Item: II-A-3

Second Amendment to Garland Park Raw Water Supply Agreement 04460A/500045

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to amend Contract 04460A/500045, an agreement between Denver Water and Denver Parks and Recreation (Parks) concerning water supplied to certain parks. Under the agreement, Denver Water and Parks approved a project to convert Garland Park's source of irrigation from potable water to a raw non-potable supply, and to help maintain water levels in Lollipop Lake in the park. To supply non-potable water to Garland Park, Denver Water constructed an alluvial well, which pumps groundwater to Lollipop Lake. Denver Water replaces the groundwater depletions created from pumping the well through a decreed plan for augmentation. Under the amendment, Denver Water and Parks will extend the agreement until September 15, 2033. In addition, Denver Water will assist Parks in obtaining a new augmentation plan to replace storm water that is now being captured in Lollipop Lake.

Budget and Schedule:

There is no budgetary impact for this item.

Recommendation:

Staff recommends that the Board approve this Second Amendment to Contract 500045 with Denver Parks and Recreation to provide raw water supply to Lollipop Lake through September 15, 2033.

Approvals

- | | |
|--|--|
| <input checked="" type="checkbox"/> Alan Salazar, CEO/Manager | <input type="checkbox"/> Brian D. Good, Chief Administrative Officer |
| <input type="checkbox"/> Julie Anderson, Chief of Staff | <input checked="" 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 type="checkbox"/> Angela C. Bricmont, Chief Finance Officer | <input type="checkbox"/> Thomas J. Roode, Chief Operations Officer |

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DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: March 13, 2024

Board Item: II-B-1-a

Third Amendment for Lab Services for Lead Reduction Program Contract 504256

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to approve the Third Amendment to Contract 504256. At this time, given the volatility of supply chains and inflationary conditions, we believe amending the current contract with overall pricing remaining the same is the best value for our customers as compared to a new procurement for these services.

Denver Water entered into a Laboratory Services Agreement with 120WaterAudit in 2020 to provide logistical services, including ordering and shipping of lead test kits, doorstep pickup and return for laboratory analysis, inventory management, and generation and distribution of sample result letters to Denver Water customers. Under the same agreement, Colorado Analytical Laboratories, Inc. provides laboratory services, including receiving and processing lead test kits, storage of samples, and coordination with 120WaterAudit to allow for implementation of the scope of work.

Lead service lines (LSLs) can be verified through the collection of water quality samples. Denver Water identifies LSLs and develops its inventory through the distribution of lead sampling kits to customers in advance of LSL replacement. Under the variance, Denver Water offers free lead testing for customers post LSL replacement. In addition, Denver Water continues its practice of providing free water quality lead tests to customers upon request, which also improves the LSL inventory.

Budget and Schedule:

The total amount of this amendment is \$1,600,000, bringing the total contract value to \$7,612,129. The term of the contract will be extended through April 30, 2025. Funds for this contract will come from the 2024 budget for Lead Reduction Program, which has sufficient funds to pay the \$1,000,000 estimated to be needed in 2024. The remaining \$600,000 will be budgeted in 2025.

Selection of Business Partner:

In 2019, Denver Water conducted a competitive selection process through a formal request for proposals to select 120WaterAudit and Colorado Analytical Laboratories Inc.

S/MWBE Information:

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

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Recommendation:

Staff recommends that the Board approve the Third Amendment to Contract 504256 with 120WaterAudit and Colorado Analytical Laboratories, Inc. for laboratory services for an extension of the contract period through April 30, 2025 and for an addition of \$1,600,000 for a total amended contract amount not to exceed \$7,612,129.

Approvals

- | | |
|---|---|
| <input checked="" type="checkbox"/> Alan Salazar, 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 type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
| <input checked="" type="checkbox"/> Angela C. Bricmont, Chief Finance Officer | <input checked="" type="checkbox"/> Thomas J. Roode, Chief Operations Officer |

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: March 13, 2024

Board Item: II-B-1-b

Second Amendment to Agreement with 120Water Contract 504210

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to amend the existing contract with 120Water to extend time for the Lead Program. Given the volatility of supply chains and inflationary conditions, we believe amending the current contract with the pricing kept constant is the best value for our customers compared to a new procurement for these services.

On December 16, 2019, the U.S. Environmental Protection Agency (EPA) granted Denver Water a variance from the Safe Drinking Water Act's corrosion control treatment requirements under the Lead and Copper Rule. As a condition of the variance, Denver Water must distribute pitcher filters and ongoing replacement cartridges to all eligible customers with a known, suspected, or possible lead service line until six months after their service line is replaced.

On January 8, 2020, Denver Water entered into Agreement 504210 with 120Water for filter supply and distribution services as a part of the Lead Reduction Program (LRP). 120Water is responsible for procuring goods in the form of pitcher filters and cartridges; receiving, inspecting, storing, and managing inventories of filters and replacement cartridges; packaging of shipments; management of shipments directly to Denver Water customers; and receiving and processing returns, in accordance with a distribution schedule provided by Denver Water. 120Water subcontracted with Brita to provide filters and replacement cartridges that meet Denver Water's specifications, however, 120Water is responsible for ensuring that the filters meet specifications and filters, and replacement cartridges are provided in amounts and frequencies to meet Denver Water's requirements.

Budget and Schedule:

This amendment will add \$8,300,000, bringing the total contract value to \$35,140,000, and extend the term through April 30, 2025. Funds for this contract will come from the 2024 budget for Lead Reduction Program, which has sufficient funds to pay the \$5,000,000 estimated to be needed in 2024. The remaining \$3,300,000 will be budgeted in 2025.

Selection of Business Partner:

In the fall of 2019, Denver Water received proposals from seven (7) vendors and were evaluated based upon meeting the minimum criteria including certification for lead reduction, not adjusting the water chemistry and the product being a pitcher that could hold at least 8 cups of filtered water.

The results of the evaluation reveal that Brita (supplier) combined with 120Water (distributor) were the preferred supplier and distributor for the LRP Filter Program.

S/MWBE Information:

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

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Recommendation:

Staff recommends that the Board approve the Second Amendment to Contract 504210 with 120Water for ongoing pitcher filter supply and distribution for an extension of the contract period through April 30, 2025, and for an addition of \$8,300,000 for a total amended contract amount not to exceed \$35,140,000.

Approvals

- | | |
|---|---|
| <input checked="" type="checkbox"/> Alan Salazar, 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 type="checkbox"/> Jessica R. Brody, General Counsel | <input type="checkbox"/> Robert J. Mahoney, Chief Engineering Officer |
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