

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, January 11, 2023 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 10 minutes

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 December 7, 2022
2. Minutes from December 14, 2022
3. Intergovernmental Agreement for Lead Service Line Replacements with Wheat Ridge – Contract 505562

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B. Individual Approval Items

- | | | |
|---|----------------|------------|
| 1. Sixth Amendment to Agreement with Mott McDonald, LLC – Contract 504012 | Alexis Woodrow | 10 minutes |
|---|----------------|------------|

III. POLICY MATTERS

IV. EXECUTIVE UPDATE

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

V. BRIEFING PAPERS & REPORTS

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

V. 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 11, 2023

Board Item II-A-3

Intergovernmental Agreement for Lead Service Line Replacements with Wheat Ridge Contract 505562

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to request approval of an Intergovernmental Agreement (IGA) with Wheat Ridge Water District involving the reimbursements to Wheat Ridge for lead service line (LSL) replacements. Wheat Ridge is a Denver Water Master Meter distributor and a part of Denver Water's integrated system. The integrated system consists of Denver Water and certain distributors and is organized to achieve efficiencies in compliance with Safe Drinking Water Act parameters, including the variance allowing for implementation of Denver Water's Lead Reduction Program.

Wheat Ridge has approximately 26 suspected LSLs between the 3800 and 4800 blocks of Wadsworth Boulevard. As part of a capital project involving this segment of Wadsworth Boulevard, Wheat Ridge will be relocating a water main, which will require the cutting of LSLs encountered during the project. To achieve efficiencies and to minimize disruption to customers, under the IGA, Wheat Ridge will replace the LSLs encountered during the project and be reimbursed by Denver Water. Additional investigation is ongoing to determine the number of full LSLs using the results of water quality test kits, potholing and visual inspection. Wheat Ridge plans to replace these LSLs in 2023-2024 using a contractor selected through a competitive bid process. Under the IGA, Denver Water will reimburse Wheat Ridge for the cost to replace its LSLs based on a unit cost of \$4,200 per partial LSL and a unit cost of \$9,450 per full LSL replacement, for a total amount not to exceed \$245,700. Denver Water will reimburse Wheat Ridge no earlier than January 15, 2023. Wheat Ridge may only be reimbursed for the replacement of partial LSLs that currently exist and full LSL replacements.

This partnership with Wheat Ridge will allow Denver Water to expedite the removal of LSLs in distributor areas. This distributor partnership will continue to help develop the LSL inventory and reduce the long-term impact to customers.

Budget and Schedule:

The total amount of this agreement is \$245,700 and the term of the agreement extends from the date of approval by the Board through March 1, 2024. Funds for this agreement will be budgeted in 2023 in the Accelerated Lead Service Line Replacement business unit.

Recommendation:

Staff recommends the Board approve Agreement 505562 with Wheat Ridge Water District for lead service line replacements for a total agreement amount not to exceed \$245,700.

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 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 |

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DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 11, 2023

Board Item: II-B-1

Sixth Amendment to Agreement with Mott MacDonald, LLC Contract 504012

Action by Consent

Individual Action

Purpose and Background:

The purpose of this Board item is to approve the Sixth Amendment to Contract 504012.

On May 15, 2019, Denver Water entered into Contract 504012 with Mott MacDonald, LLC (Mott) for program management services in support of Denver Water's effort to secure a variance from the Safe Drinking Water Act's corrosion control treatment requirements under the Lead and Copper Rule. With the U.S. Environmental Protection Agency's (EPA) approval of the variance request on December 16, 2019, Denver Water implemented the Lead Reduction Program and amended the contract to include the program management services necessary to implement the Lead Reduction Program. A new variance was recently issued by EPA on November 30, 2022 for the remaining term of the variance through 2034.

The contract has been amended annually to include the services necessary to execute the program. While the program team has found efficiencies in managing the program each year the scope of services has also increased in response to new protocols implemented during the pandemic, economic, supply chain and labor market issues, assistance required in the preparation of a new variance submittal and additional services to be performed as result of new Federal funding.

The Sixth Amendment to the contract continues program management support for 2023. Mott will perform ongoing program management, program controls and reporting. Additional work under this amendment will include:

- Refinement of the LSL inventory using investigations such as potholing, water quality testing and the predictive mode to meet the requirements of the revised Lead and Copper Rule.
- Implementation of the new variance, including new reporting requirements and changes to achieve greater efficiencies.
- Additional construction management and data support to replace 3,000 lead service lines using Federal funding administered through the State Revolving Fund.
- Other support services as described in the sixth amendment statement of work.

Budget and Schedule:

This amendment of \$20,315,927 will bring the total contract amount to \$56,819,790 and the term of the contract will be modified to May 1, 2019 through January 31, 2024. Funds for this contract will come from the 2023 budget for Lead Reduction Program, which has sufficient funds to pay the \$20,593,308 estimated to be needed in 2023.

Selection of Business Partner:

A Request for Proposal was issued on April 1, 2019 to eight firms and posted on denverwater.org. Proposals were received from five firms on April 15, 2019. Based upon an objective review of proposals, the selection team interviewed four firms. Mott was selected as the program manager for the LRP and has subcontracted with AECOM Technical Services, Inc., GBSM (public relations), and additional sub-contractors necessary to manage the program. Both Mott and AECOM Technical Services, Inc. have

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experience with lead response efforts conducted or currently being conducted in several major U.S. cities.

Staff will be evaluating different approaches to the program management services in 2023, which may include a competitive selection for some or all of the 2024 services and also potentially self-performing the work to gain efficiencies.

S/MWBE Information:

Due to the specialized nature of the work requiring experience with lead programs in other large cities around the U.S. and the expedited schedule, significant opportunities for MWBE participation were not present and participation was not achieved with this contract. Identify goal established for participation if applicable.

Recommendation:

Staff recommends that the Board approve the Sixth Amendment to Contract 504012 with Mott MacDonald, LLC for the Lead Reduction Program Plan for an extension of the contract period through January 31, 2024 and for an addition of \$20,315,927.00 for a total amended contract amount not to exceed \$56,819,790.00.

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 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 |