AGENDA

MEETING OF THE
SAN ANTONIO WATER SYSTEM
BOARD OF TRUSTEES
June 9, 2020, 9:00 A.M.
6th Floor Board Room #609
Administrative Offices
2800 U. S. Hwy 281 North, San Antonio, Texas 78212

NOTICE TO THE PUBLIC. This meeting will be held in person at SAWS’ Headquarters. The public may attend the meeting in person in the board room and participate in the public comment portion of the meeting. However, SAWS will require that the public follow certain social distancing practices at the meeting, including, those related to the wearing of masks and spacing of attendees. SAWS may require attendees to view the meeting from another room if space within the board room cannot safely accommodate those in attendance.

Members of the public are also encouraged to watch the meeting live online at http://www.saws.org/live. All members of the public, and SAWS’ staff, are strongly encouraged to use this link to watch the meeting live online.

Finally, any member of the public who wants to participate in the public comment portion of the meeting, but does not wish to attend the meeting in person, may do so by submitting written comments by email at PublicComment@saws.org by 3:00 p.m. Monday, June 8th. Please include your name and the number of the agenda item to which your comment applies. All comments must be limited to 300 words or less in total (not per item). All written public comments will be available to the Board prior to and at the meeting and will become a part of the public record. Once the Board has had sufficient time to review and consider the submitted comments, the Board Chair may, in his discretion, have some or all of the submitted comments read aloud.

SAN ANTONIO WATER SYSTEM
HANDICAPPED ACCESSIBILITY STATEMENT
The San Antonio Water System Buildings and Meeting Rooms are accessible to individuals with disabilities. Accessible visitor parking spaces as well as the accessible entrance and ramp are located at the west side main entrance of the SAWS Headquarters Building, Tower I, 2800 U.S. Highway 281 North. Individuals with disabilities in need of auxiliary aids and services, including Deaf interpreters, must request such aids and services forty-eight (48) hours prior to the meeting. For assistance, contact the Board Administrator at 210-233-3537 or 711 (Texas Relay Service for the Deaf).
1. MEETING CALLED TO ORDER.

2. Announcements.
   A. The San Antonio Water System Board of Trustees will, during the Meeting, close the Meeting and hold an Executive Session pursuant to and in accordance with Chapter 551 of the Texas Open Meetings Act. The Board of Trustees may, at any time during the Meeting, close the Meeting and hold an Executive Session for consultation with its attorneys concerning any of the matters to be considered during the Meeting pursuant to Chapter 551 of the Texas Open Meetings Act.

3. Minutes.
   A. Approval of the Minutes of the San Antonio Water System Board of Trustees Regular Board Meeting of April 7, 2020.


5. Public Comment.

CONSENT AGENDA ITEMS

Items  6 – 34

ITEMS CONCERNING THE PURCHASE OF EQUIPMENT, MATERIALS AND SUPPLIES

6. A Resolution accepting recommendations regarding the contracting for certain services, equipment, materials, and supplies, and authorizing the acceptance of bids as follows:  (DOUG EVANSON – YVONNE TORRES)

   A. Award of New One Time Purchases of Materials, Equipment and Services.

      No items for this Meeting.

   B. Award of New and Renewal Annual Goods & Services Requirement Contract and Maintenance Agreements. Estimated annual purchases are based on unit prices bid. Actual totals and quantities may vary from the estimate.

      1. Acceptance of the bid of Freeit Data Solutions, Inc. to provide: annual contract for Nimble storage array hardware and support, (DIR-TSO-4160), Bid No. 20-20035 for a total of $497,270.49.

      2. Acceptance of the best value bid of Gruene Environmental Companies, LLC to provide: annual contract for hazardous/non-hazardous waste transport and disposal services, Bid No. 20-3012, for a total of $460,761.25.
3. Acceptance of the bid of Capitol Aggregates, Inc. to provide: annual contract for concrete aggregates (concrete sand and washed limestone), Bid No. 20-6024, Group 1, for a total of $591,500.00.

4. Acceptance of the bid of Green Dream International, LLC to provide: annual contract for concrete aggregates (concrete sand and washed limestone), Bid No. 20-6024, Group 2, for a total of $94,120.00.

CAPITAL IMPROVEMENT CONTRACTS

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Water and Sewer Line Improvements

7. A Resolution awarding a construction contract to SAK Construction, LLC in an amount not to exceed $681,525.00 in connection with the BPC Central Large Diameter Package 2 Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

8. A Resolution awarding a construction contract to Vortex Services, LLC in an amount not to exceed $1,898,940.80 in connection with the Multiple Sewershed Package 11B Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

9. A Resolution awarding a construction contract to Texas Pride Utilities, LLC in an amount not to exceed $371,704.00 in connection with the Multiple Sewershed Package 12 – CIPP Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

10. A Resolution awarding a construction contract to Facilities Rehabilitation, Inc. in an amount not to exceed $1,993,158.00 in connection with the Multiple Sewershed Package 12 – Open Cut & Pipe Bursting Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

11. A Resolution ratifying the actions of the Vice President of Engineering and Construction in approving Change Order No. 1 in an amount not to exceed $991,233.45 to the construction contract with Qro Mex Construction Co., Inc. in connection with the Alamosa Drive & Hunstock Avenue DR 1131 Project. (ANDREA BEYMER – JOE CARRENO)

12. A Resolution awarding a professional services contract to Halff Associates, Inc. in an amount not to exceed $1,289,353.00 in connection with the FM 1560: FM 471 to SH 16 Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

Production, Transmission and Treatment Improvements

14. A Resolution approving Change Order No. 5 in an amount not to exceed $140,620.16 to the construction contract with Archer Western Construction, LLC in connection with the Wurzbach Pump Station Improvements Project. (ANDREA BEYMER – JOE CARRENO)

15. A Resolution ratifying the actions of the Vice President of Engineering and Construction in approving Change Order No. 4 in an amount not to exceed $512,462.00 to the construction contract with Archer Western Construction, LLC in connection with the Central Water Integration Pipeline – Maltsberger Pump Station Improvements Project. (ANDREA BEYMER – ALISSA LOCKETT)

16. A Resolution awarding a professional services contract to Freese and Nichols, Inc. in an amount not to exceed $1,999,805.00 in connection with the Randolph Pump Station Improvements Project. (ANDREA BEYMER – JUAN GOMEZ)

17. A Resolution approving additional funds to the existing professional services contract with BGE, Inc. in an amount not to exceed $164,832.00 in connection with the Lift Stations Rehabilitation Phase 5 Project. (ANDREA BEYMER – JUAN GOMEZ)

REPLACEMENT AND ADJUSTMENT PROJECTS

18. A Resolution authorizing the expenditure of additional funds in an amount not to exceed $300,000.00 for environmental services by the City of San Antonio in connection with the 2017-2022 Bond Program. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

19. A Resolution authorizing the expenditure of additional funds in an amount not to exceed $1,700,000.00 for engineering services related to water and sewer facility replacements, installations and adjustments the City of San Antonio in connection with the 2017-2022 Bond Program. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

20. A Resolution approving the expenditure of funds in an amount not to exceed $2,784,055.32 for the adjustment and replacement of water and sewer facilities by the City of San Antonio in connection with the West Military & Westmar Area Drainage Improvements Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

21. A Resolution awarding a professional services contract to K Friese & Associates, Inc. in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package I. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

22. A Resolution awarding a professional services contract to BGE, Inc. in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package II. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

23. A Resolution awarding a professional services contract to Lockwood, Andrews & Newnam, Inc. in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package III. (ANDREA BEYMER – GAIL HAMRICK-PIGG)
24. A Resolution awarding a professional services contract to LNV, LLC in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package IV. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

MISCELLANEOUS PROJECTS

25. A Resolution awarding a construction contract to Clark Construction of Texas, Inc. in an amount not to exceed $1,431,250.23 in connection with the C-13 Package B, Phase 1 Pavement Restoration Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

EALEMENT AND REAL PROPERTY

26. A Resolution approving the acquisition of a Joint Use Agreement from the City of San Antonio for a permanent sewer joint use area being approximately 1.5387 acres and a temporary construction Joint Use Agreement being approximately 1.088 acres in connection with the W-6 Upper Segment: Highway 90 to SW Military Drive Sewer Main Project in an amount not to exceed $276,726.00. (NANCY BELINSKY – BRUCE HABY)

27. A Resolution awarding contracts to various appraisal companies in an amount not to exceed $2,000,000.00 for a five-year period with the option of two, one-year renewals to provide real estate appraisal services in connection with capital improvement projects. (NANCY BELINSKY – BRUCE HABY)

MISCELLANEOUS ITEMS

28. A Resolution approving a Settlement Agreement with Tetra Tech, Inc. in connection with the engineering services agreement for the Salado PZ 1295 Booster Station Project; authorizing the President/Chief Executive Officer or his duly appointed designee to execute the Settlement Agreement and to execute all documents and take all actions necessary to implement the Settlement Agreement. (NANCY BELINSKY – ANDREA BEYMER)

29. A Resolution approving a Temporary Emergency Service Interconnect Agreement with SWWC Utilities, Inc. for a period of five years ending on March 30, 2025. (DONOVAN BURTON – DARREN THOMPSON)

30. A Resolution approving additional expenditures to the existing professional services contract with Alan Plummer and Associates, Inc., now known as Plummer, in an amount not to exceed $217,900.00 in connection with the Mitchell Lake Wetlands Water Quality Treatment Initiatives. (DONOVAN BURTON – DAN CROWLEY)

31. A Resolution awarding a consulting services contract to Alliant Insurance Services, Inc. in an amount not to exceed $285,000.00 for the period of July 1, 2020 through June 30, 2023, with the option for two, one-year extensions in connection with the System’s Commercial Insurance Broker of Record and to provide Risk Management Consulting Services. (SHARON DE LA GARZA)
32. A Resolution reappointing returning members to the Disciplinary Action Appeals Committee for the period of July 1, 2020 through June 30, 2025; appointing a new member and an alternate member for the period of July 1, 2020 through June 30, 2025; and authorizing an amount not to exceed $25,000.00 for Disciplinary Action Appeals Committee Hearings. (SHARON DE LA GARZA)

33. A Resolution recommending and requesting that the San Antonio City Council take certain actions with respect to the issuance and sale of one or more series of obligations designated as “City of San Antonio, Texas Water System Junior Lien Revenue Bonds (No Reserve Fund)” as further designated by series, and interest rate convention; the approval of an offering document relating to each series of the aforementioned series of obligations; and other matters in connection therewith. (DOUG EVANSON)

34. A Resolution authorizing and approving the defeasance and redemption of certain currently outstanding City of San Antonio, Texas Water System revenue obligations; recommending and requesting that the San Antonio City Council take action with respect to the redemption of such obligations; and authorizing other matters in connection therewith. (DOUG EVANSON)

ITEMS FOR INDIVIDUAL CONSIDERATION

CAPITAL IMPROVEMENT CONTRACTS

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Developer Customer Contracts

35. A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below requiring potential oversizing of mains (OVR), and/or are located outside the San Antonio Water System water and/or wastewater Certificate of Convenience and Necessity (CCN). (ANDREA BEYMER – TRACEY LEHMANN)

<table>
<thead>
<tr>
<th>No.</th>
<th>Tract Name</th>
<th>Developer</th>
<th>Acres</th>
<th>W EDUs</th>
<th>WW EDUs</th>
<th>CoSA / CoSA ETJ / Outside</th>
<th>EARZ / CZ</th>
<th>JBSA</th>
<th>Board Reason</th>
<th>W CCN</th>
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<td>1</td>
<td>Stevens Ranch Tract</td>
<td>Potranco 2013 Land, Ltd.</td>
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<td>7,090</td>
<td>7,725</td>
<td>CoSA ETJ</td>
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<td>CCN &amp; IFC &amp; OVR</td>
<td>Partially OUTSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>2</td>
<td>Specht Tract</td>
<td>Meritage Homes of Texas, LLC</td>
<td>173.30</td>
<td>430</td>
<td>430</td>
<td>CoSA ETJ</td>
<td>INSIDE</td>
<td>Y</td>
<td>IFC &amp; OVR</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>3</td>
<td>Somerset Tract</td>
<td>Lennar Homes</td>
<td>68.75</td>
<td>362</td>
<td>362</td>
<td>CoSA</td>
<td>OUTSIDE</td>
<td>Y</td>
<td>OVR</td>
<td>INSIDE</td>
<td>INSIDE</td>
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<td>4</td>
<td>Tuscan Oaks Tract</td>
<td>Lee Hagan Partnership, Ltd.</td>
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<td>220</td>
<td>132</td>
<td>COSA &amp; CoSA ETJ</td>
<td>INSIDE</td>
<td>Y</td>
<td>OVR</td>
<td>INSIDE</td>
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<td>Schuchart Tract</td>
<td>Chris Schuchart</td>
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<td>Partially OUTSIDE</td>
<td>Partially OUTSIDE</td>
</tr>
</tbody>
</table>

Total 3,412.93 12,802 13,349
36. **BRIEFING SESSION.**
   A. Briefing and deliberation regarding the Vista Ridge Project
   B. Briefing and deliberation regarding the 2019 Cost of Service and Rate Design Study

37. Inquiries of the Board of Trustees for future briefings and/or follow-up action.

38. The Regular Session of the June 9, 2020 Regular Board Meeting is hereby recessed to hold an Executive Session and discuss the matters listed pursuant to Sections §551.071, §551.072 and §551.074 of the Texas Open Meetings Act.

39. **EXECUTIVE SESSION.**
   A. Deliberation and consultation with attorneys regarding the annual evaluation, performance objectives and duties of the President/Chief Executive Officer pursuant to Texas Government Code §551.074 and §551.071, respectively.
   B. Consultation with attorneys and deliberation regarding real property related to the Mitchell Lake Wetlands Project pursuant to Texas Government Code §551.071 and §551.072, respectively.
   C. Consultation with attorneys regarding advice on legal matters 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, pursuant to Texas Government Code §551.071.

40. The Regular Session of the Regular Board Meeting of June 9, 2020, is hereby reconvened.

41. A Resolution declaring an approximately 5.168 acre tract of land located in the southeast and southwest quadrants of Bexar County, Texas near Mitchell Lake, as surplus to the needs of the System and authorizing the President/Chief Executive Officer to transfer use and control of the property to the City of San Antonio for construction of a public right of way. (NANCY BELINSKY – DONOVAN BURTON)

42. A Resolution declaring an approximately 123.133 acre tract of land located in the southeast and southwest quadrants of Bexar County, Texas near Mitchell Lake, as surplus to the needs of the System; recommending that the San Antonio Planning Commission and City Council consent to such declaration; authorizing the President/Chief Executive Officer to dispose of said property. (NANCY BELINSKY – DONOVAN BURTON)

43. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF JUNE 9, 2020, IS HEREBY ADJOURNED.
This remote teleconference meeting is necessary due to the COVID-19 emergency and to protect the health of the public, SAWS’ staff and Board of Trustees to the best of our ability.

**NOTICE TO THE PUBLIC.** SAWS Headquarters at 2800 Highway 281 North, San Antonio, Texas 78212, is closed to the public due to the COVID-19 emergency. There will not be a physical meeting held at SAWS Headquarters. However, the public may listen to the live meeting by going to http://www.saws.org/live. All members of the public, and SAWS staff are strongly encouraged to use this link to listen to the meeting.

Members of the public who wish to speak to the SAWS Board of Trustees during the public comment portion of the agenda may do so by calling SAWS at 210-233-2210, and register to speak by leaving their name, phone number and the item, if any, on which they wish to speak. Registration to speak shall be open for one hour beginning at 8:00 a.m. ending at 9:00 a.m. on April 7, 2020. The SAWS Board meeting will begin at 10:00 a.m. After the meeting begins, each registrant will be invited to speak in the order of registration. Each person must be available to speak when asked or will lose their opportunity to address the Board. Each person will be given up to 2 minutes to speak; however, the Board Chairman will have the discretion to reduce this time allotment and limit the total number of speakers in order to ensure that the meeting is orderly and managed within technological capabilities.

Members of the public who wish to listen to the meeting, but do not have access to the internet may also register to listen to the meeting using the same process above by leaving just their name and phone number. Any registrant who does not specifically request to speak to the Board will be limited to listening only and will not be called upon to speak.

These streamlined meeting standards are based upon the Governor’s temporary suspension of certain open meeting requirements in response to the COVID-19 crisis.
1. MEETING CALLED TO ORDER.

The meeting of the San Antonio Water System Board of Trustees was held on April 7, 2020, and called to order at 10:03 a.m. by Chairman Berto Guerra.

2. Announcements.

A. The San Antonio Water System Board of Trustees may, at any time during the Meeting, close the Meeting and hold an Executive Session for consultation with its attorneys concerning any of the matters to be considered during the Meeting pursuant to Chapter 551 of the Texas Open Meetings Act.

3. Minutes.

A. Approval of the Minutes of the San Antonio Water System Board of Trustees Regular Board Meeting of February 11, 2020.

Chairman Guerra asked if there were any corrections to the minutes. Hearing none, he stated the minutes were approved as presented.

4. Public Comment.

Terry Burns stated he was chairman of the local Sierra Club. He asked the Board to vote against Item 33 that would grant unlimited power to Robert Puente. The Board could have meetings during COVID that would continue to exert some citizen authority over SAWS. There was no time limit so the delegation that could potentially go on for years. He discussed Item 34 that would be the third amendment to the contract in the last four months, and how the city had been totally negligent in oversight. He referenced a statement in the item that the amendment was necessary and essential to present and future operation. He stated SAWS admitted this water was unnecessary at this time, particularly during this crisis and financial hardship on the city. He stated the Board should not add this expensive water at this time, and the Board should seek postponement to benefit ratepayers and taxpayers of the city.

Alan Montemayor discussed the delivery of water to the City of San Antonio from the Vista
Ridge Project on April 15, and the lack of transparency. He referenced a document he sent the Board, and noted all the analysis and forms data had been redacted. He expressed his concern about how the Board was overseeing the safety of the water from the Vista Ridge Project, how the water would mix with Edwards water, and other water issues seen in Tucson and Flint, Michigan. He asked the Board to provide information on the water.

Dr. Meredith McGuire discussed SAWS response to COVID-19 and the implementation of the moratorium on water service turnoffs. The moratorium was appropriate, but was not enough. She previously spoke to the Board about the importance of SAWS rate restructuring process and the value of a good consultant who was an expert on affordability. She thanked SAWS, especially Mary Bailey, for engaging Dr. Manny Teodoro. The Rate Advisory Committee needed to hear much more from him and soon. She referenced Dr. Teodoro’s blog regarding suspending shutoffs and restoring service not solving the affordability problem. SAWS rates must be restructured to make rates affordable even for the poor. Nearly half the workers age 18 to 64 in the San Antonio, New Braunfels MSA earn low wages, and most of these low wage workers were already struggling to pay rent, utilities, food and medicine before the crisis. She urged the Board to work quickly to follow Dr. Teodoro's recommendations for immediate relief during the changing crisis as the best way to tackle water affordability.

Mr. McGee stated he had joined the meeting. Chairman Guerra thanked Mr. McGee for joining.

5. President/Chief Executive Officer’s Report.

SAWS response to the COVID-19 Emergency

Robert Puente provided a briefing on SAWS response to the COVID-19 situation. Item 33 on the Consent Agenda would allow the president to take necessary emergency actions and to make expenditures with the health emergency. He stated he did not take this responsibility lightly. In fact, he hoped he would not need to exercise this authority, but would report back on any action taken at the first board meeting after any action was taken, which was a formal part of the resolution. Informally, he planned to call each board member to advise them of any action taken. Also, knowing that the public had a right to know as soon as possible, he would ask the vice president of communications, Gavino Ramos, to issue statements on social media and with the regular press on actions taken. He looked forward to the day that the Board could end this resolution because it would mean the community, the nation and the world had emerged from this terrible crisis. The potential end day to this authority was whenever the Board wished to suspend the action at any board meeting, special or regular.

He stated he hoped the Board would appreciate the challenges the organization faced as well as how proud he was of SAWS staff and their ability to control SAWS vital mission under these truly difficult circumstances. He stated business continuity planning might seem like an abstract concept that was easy to put off to another day, but we never really put it off. With this planning and the foresight from Doug Evanson and other people in this organization, SAWS cash reserves were paying off today. SAWS continued to be in a very strong financial position. Unrestricted cash balances were more than adequate and construction funds were available for this year’s projects. Through March, both operating
revenues and cash receipts were holding up well. This was noteworthy and worth watching because of the suspension of customer disconnections as of March 12. A more precise and complete reporting would be given at the May meeting.

There had been tremendous progress to protect employees. More than half of SAWS 1,700 member workforce was teleworking with no real reduction in service. The Call Center was operating 100 percent from home and handling approximately 2,100 calls each weekday. Emergency Operations Center was also operating 100 percent from home on a 24/7 schedule. All of the customer service field employees were reporting directly to SAWS via an app without having to physically go into headquarters and to avoid contact with other employees. Employees were also well aware of social distancing when out in the public performing their duties. SAWS and the contractors continued to read over 25,000 meters on average each weekday. With each meter read, customer bills continued to be generated with all the employees working from home except for print shop employees. There had been no major problems in operational areas through March or April. SAWS was working with Metro Health and the City to ensure water and wastewater services were in place, like at the Freeman Coliseum Expo Barn. All construction activities were on track. All SAWS employees who were not working from home would have masks to wear while working with each other and out in the public. Major projects such as Vista Ridge and Mitchell Lake Wetlands remained on track and were expected to keep schedules in place. All human resource issues, risk management, employee benefits, and workers compensation administration had been transitioned for remote handling.

He wanted the Board to be fully aware that the Rate Advisory Committee process had been paused indefinitely. The complexity of information and the need for input and dialogue was not conducive through visual meetings, and would be resumed as soon as possible. Finally, this was the first board meeting under these unique circumstances and why we chose to place every item on the Consent Agenda. He asked to pull Item 7, the Utility Service Agreements, and Item 13, the delegation of additional authority for further discussion.

Chairman Guerra stated he had never been more proud of our staff and how this entire pandemic had been handled. He thanked Mr. Puente and staff for an incredible job, and the executive management team for swiftly moving people to work remotely from home. He recalled Mr. Puente saying he would not make a decision unless he called to discuss it first. And then, they would advise the Board and would try to make a judgment call at the time due to the circumstances. Mr. Puente confirmed. He would also ask the communications staff to make whatever action taken widely known to our customer and to the public in general.

Chairman Guerra assured everyone there would be full transparency and the delegation of authority if approved would not be used unless it was an extreme emergency that had to be dealt with immediately.

Mr. McGee asked if the Consent Agenda except for the few items pulled by Mr. Puente were up for a vote. Chairman Guerra replied the Consent Agenda would be considered momentarily. He was asking the Board, if there were any comments or questions on the President’s Report before moving to the Consent Agenda Items.
Ms. Hardberger asked for an example of the type of decisions that might come up that was motivating the concern to make decisions quickly. Mr. Puente responded this was essentially an insurance policy in case something happened. An example would be a major line break that needed immediate attention. Under state law, SAWS could do emergency procurements. It would be the same scenario but oftentimes, these actions had to be ratified by the Board afterwards when contractors started working. This, in effect, would allow the contractor to start work immediately and not worry about getting paid. If the Board approved this authority, he was still bound by all local and state procurement regulations, so there were a lot of checks and balances.

Ms. Hardberger stated she was still having trouble understanding how the virus was different than any other times. She was trying to tie the current situation in a way that made sense because obviously it was somewhat extraordinary to consider the delegation of authority. Mr. Puente asked Nancy Belinsky, General Counsel, to justify the action.

Ms. Belinsky commented that it was unusual to have a need for this type of an emergency action, but with the Board meeting once a month and the need for a potential emergency action, it would be important for procurement. The second step of the process included the governance of the Board approving a contract and authorizing the expenditure. To ensure that there would be no potential delay of a contractor commencing the actual work required to preserve the distribution of services to the customers, we thought this would be a prudent step to ensure no potential interruption of service to the customers.

Ms. Hardberger inquired about how the delegation would end and whether it would require a special meeting or end once the stay-at-home order ended. She stated the open-endedness was concerning. Chairman Guerra suggested the Board go into detail when Item 33 comes up, and he would pull Item 33 from the Consent Agenda to allow further discussion.

Chairman Guerra commented that this authority was no different from the authority that CPS Energy Board gave Paula Gold-Williams last week.

Mayor Nirenberg commended SAWS staff and Mr. Puente for the quick action with regard to the initial steps taken to stabilize as best we could the household. Obviously, this was uncharted territory, and one of the most urgent needs was to make sure people could keep a roof over their heads and not force people out on the street that included a lot of factors such as rent payments, food, but certainly utilities. He stated when his staff reached out to Robert and his team, they informed us they were working on suspending any disconnects before the discussion even happened on the Council dais. In addition to that was the suspension of late fees associated with folks that were having trouble paying their bills in the interim as well as an option for people who could pay their bills to donate to the affordability programs when paying their utility bills.

Chairman Guerra thanked the Mayor for his comments, and stated the entire Board was proud of our team for the way they have handled this entire pandemic, especially here in San Antonio. He appreciated that City Council and the Board with Robert and the executive management team immediately started working on suspending any disconnects and suspending any late fees. The organization would be cautious and caring before disconnecting any service, when we get back from everything. The bills would have added
up and people would not have been able to put that money together because they were barely able to pay rent, et cetera, et cetera.

Mr. Parra also wanted to thank Robert and the staff for their leadership and ability to make swift decisions and adapt to these situations, and specifically thankful that we could continue the design and construction projects, which were very important to keep folks employed with a paycheck during this abnormal situation.

Chairman Guerra stated he was proud to have the Mayor as part of our team and especially proud of the actions the Mayor had taken to try to flatten the curve and to try to come to some sort of resolution for our city. He would keep the Mayor in his prayers, because he had a heavy load on his shoulders. He thanked the Mayor for everything that he was doing for our city.

Ms. Merritt wanted to thank Mr. Puente and the SAWS team for their work and in stepping up to the plate so quickly and efficiently. She also wanted to thank the Mayor for what he had done for the city in stepping up to the plate so quickly in handling this situation.

CONSENT AGENDA ITEMS

Items 6 – 33

ITEMS CONCERNING THE PURCHASE OF EQUIPMENT, MATERIALS AND SUPPLIES

6. A Resolution accepting recommendations regarding the contracting for certain services, equipment, materials, and supplies, and authorizing the acceptance of bids as follows: (DOUG EVANSON – YVONNE TORRES)

A. Award of New One Time Purchases of Materials, Equipment and Services.

1. Approving a one-time purchase from Lake Country Chevrolet to provide: two each 11,000 GVWR (minimum) single rear wheel, 4x2, extended cab truck with installed service body, Bid No. 20-20009, for a total of $106,562.00.

2. Approving a one-time purchase from Kyrish Holdings, LLC dba Kyrish Truck Centers to provide: three each 30,000 GVWR (minimum) cab-chassis with mounted 8’x16’ platform bed and accessories (single cab), Bid No. 20-20005, for a total of $276,000.00.

3. Approving a one-time purchase from Kyrish Holdings, LLC dba Kyrish Truck Centers to provide: sixteen each 52,000 GVWR cab and chassis (single cab) with installed ten cubic yard minimum (water level) dump body, Bid No. 20-20003, for a total of $1,672,000.00.

4. Approving a one-time purchase from ASCO Equipment to provide: twelve each tractor, four-wheel drive with ROPS/FOPS canopy, front
mounted bucket and rear mounted extendible backhoes (BuyBoard 597-19), Bid No. 20-20021, for a total of $1,014,000.00.

5. Approving a one-time purchase from Donalson-Umphrey Automotive Group, Inc. dba Silsbee Toyota to provide: twenty-six each Toyota Tacoma pickup trucks (BuyBoard 601-19), Bid No. 20-20011, for a total of $713,814.00

B. Award of New and Renewal Annual Goods & Services Requirement Contract and Maintenance Agreements. Estimated annual purchases are based on unit prices bid. Actual totals and quantities may vary from the estimate.

1. Acceptance of the bid of Napeo Chemical Co., Inc. to provide: annual contract for the purchase and delivery of sodium bisulfite solution, Bid No. 20-0501, for a total of $211,750.00.

2. Acceptance of the sole source bid of Xylem Water Solutions USA, Inc. to provide: annual contract for Leopold ClariVac repair components for the Steven M. Clouse Water Recycling Center, Bid No. 20-16066, for a total of $205,792.12.

3. Acceptance of the bid of Buyers Barricades San Antonio, LLC to provide: biennial contract for traffic control device rentals, Bid No. 20-0214, for a total of $1,462,708.00.

4. Acceptance of the bid of D&M Leasing, Ltd. to provide: 60 month contract for leasing of vehicles (BuyBoard 572-18), Bid No. 20-20023, for a total of $428,430.60.

C. CAPITAL IMPROVEMENT CONTRACTS

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Developer Customer Contracts

7. A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below requiring potential oversizing of mains (OVR), and/or are located outside the San Antonio Water System water and/or wastewater Certificate of Convenience and Necessity (CCN). (ANDREA BEYMER – TRACEY LEHMANN)
<table>
<thead>
<tr>
<th>No.</th>
<th>Tract Name</th>
<th>Developer</th>
<th>Acres</th>
<th>W EDUs</th>
<th>WW EDUs</th>
<th>CoSA / CoSA ETJ / Outside</th>
<th>EARZ / CZ</th>
<th>JBSA</th>
<th>Board Reason</th>
<th>W CCN</th>
<th>WW CCN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Lime Stone Ranch Commercial (Revised) Tract</td>
<td>Lime Stone Ranch Commercial, LLC</td>
<td>6.38</td>
<td>55</td>
<td>42</td>
<td>CoSA ETJ</td>
<td>INSIDE</td>
<td>Y</td>
<td>CCN</td>
<td>INSIDE</td>
<td>OUTSIDE</td>
</tr>
<tr>
<td>2</td>
<td>Briggs Ranch East Tract</td>
<td>Convergence Investments</td>
<td>886</td>
<td>2,450</td>
<td>2,180</td>
<td>CoSA ETJ</td>
<td>OUTSIDE</td>
<td>Y</td>
<td>OVR &amp; IFC</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>3</td>
<td>The Orchard Tract</td>
<td>Cumberland 90, Ltd.</td>
<td>564</td>
<td>2,672</td>
<td>2,632</td>
<td>CoSA ETJ</td>
<td>OUTSIDE</td>
<td>Y</td>
<td>OVR &amp; IFC</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>4</td>
<td>Montgomery Road Tract</td>
<td>Howland Engineering and Surveying Co.</td>
<td>750</td>
<td>3,385</td>
<td>3,385</td>
<td>CoSA ETJ</td>
<td>OUTSIDE</td>
<td>Y</td>
<td>OVR &amp; IFC</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>5</td>
<td>Gates Tract</td>
<td>MEH Holding Company, Ltd.</td>
<td>257.33</td>
<td>0</td>
<td>1,425</td>
<td>CoSA ETJ</td>
<td>OUTSIDE</td>
<td>N</td>
<td>CCN &amp; OVR</td>
<td>OUTSIDE</td>
<td>OUTSIDE</td>
</tr>
<tr>
<td>6</td>
<td>Westpointe West (Revised) Tract</td>
<td>Vise Oaks I, LTD</td>
<td>1,503</td>
<td>7,520</td>
<td>7,520</td>
<td>CoSA ETJ</td>
<td>OUTSIDE</td>
<td>N</td>
<td>OVR &amp; IFC</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>7</td>
<td>Medina 372-Acre Tract</td>
<td>Lucra Terra LLC</td>
<td>328.80</td>
<td>1,100</td>
<td>1,100</td>
<td>CoSA ETJ</td>
<td>OUTSIDE</td>
<td>N</td>
<td>CCN &amp; OVR &amp; IFC</td>
<td>OUTSIDE</td>
<td>OUTSIDE</td>
</tr>
<tr>
<td>8</td>
<td>Kinder Ranch Tract</td>
<td>Bitterblue Inc.</td>
<td>597.90</td>
<td>2,393</td>
<td>2,393</td>
<td>CoSA ETJ</td>
<td>INSIDE</td>
<td>Y</td>
<td>OVR &amp; IFC</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
</tbody>
</table>

Total | 4,893.41 | 19,575 | 20,677 |

Water and Sewer Line Improvements

8. A Resolution awarding a construction contract to SAK Construction, LLC in an amount not to exceed $3,131,053.00 in connection with the Central Sewershed Package 7 - UIW Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

9. A Resolution awarding a professional services contract to Lockwood, Andrews, and Newnam, Inc. in an amount not to exceed $423,056.00 in connection with the 2020 Dead End Water Main Elimination Package II Project. (ANDREA BEYMER – JUAN GOMEZ)

10. A Resolution awarding a professional services contract to Kimley-Horn and Associates, Inc. in an amount not to exceed $355,763.00 in connection with the Canyon Golf Rd. Water Main Extension Project. (ANDREA BEYMER – JUAN GOMEZ)

11. A Resolution awarding a professional services contract to Bain Medina Bain, Inc. in an amount not to exceed $551,110.00 in connection with the Highland Hills Water Main Replacement Project. (ANDREA BEYMER – JUAN GOMEZ)

12. A Resolution awarding a professional services contract to Pape-Dawson Engineers, Inc. in an amount not to exceed $401,292.00 in connection with the Overlook Parkway Water Main Extension Project. (ANDREA BEYMER – JUAN GOMEZ)
13. A Resolution awarding a professional services contract to Unintech Consulting Engineers, Inc. in an amount not to exceed $471,590.00 in connection with the Rainbow Hills Water Main Replacement Project. (ANDREA BEYMER – JUAN GOMEZ)

14. A Resolution awarding a professional services contract to Don Durden, Inc. dba Civil Engineering Consultants in an amount not to exceed $384,432.00 in connection with the Ranchland Acres Water Main Replacement Project. (ANDREA BEYMER – JUAN GOMEZ)

Production, Transmission and Treatment Improvements

15. A Resolution awarding a construction contract to MGC Contractors, Inc. in an amount not to exceed $10,550,977.00 in connection with the La Rosa Pump Station Rehabilitation Project. (ANDREA BEYMER – JUAN GOMEZ)

REPLACEMENT AND ADJUSTMENT PROJECTS

Governmental Relocations and Replacements

16. A Resolution approving expenditures in an amount not to exceed $362,000.00 for the adjustment of water and sewer facilities by the City of San Antonio in connection with the 2020 Street Rehabilitation Package 8. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

17. A Resolution approving expenditures in an amount not to exceed $1,352,603.51 for the adjustment and replacement of water and sewer facilities by the City of San Antonio in connection with the Goliad Road: Fair to E. Southcross Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

18. A Resolution approving expenditures in an amount not to exceed $273,790.00 for the adjustment of water and sewer facilities by the City of San Antonio in connection with the Pavement Rehabilitation Task Order Contract Package 14. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

19. A Resolution approving expenditures in an amount not to exceed $228,244.76 for the adjustment of water and sewer facilities by the City of San Antonio in connection with the Rittiman Road: IH 35 to Castle Cross Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

20. A Resolution approving an Interlocal Agreement with Bexar County; authorizing expenditures in an amount not to exceed $76,238.10 for the replacement of water facilities by Bexar County in connection with the North Talley Road Low Water Crossing Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)

21. A Resolution approving additional expenditures in an amount not to exceed $43,132.25 to the existing Advance Funding Agreement with Texas Department of Transportation in connection with the Old Seguin Road Project. (ANDREA BEYMER – GAIL HAMRICK-PIGG)
EASEMENT AND REAL PROPERTY

22. A Resolution approving the acquisition of a permanent sewer line easement being approximately 0.028 acres and a temporary construction easement being approximately 0.390 acres from Coker United Methodist Church for the E-16 Wurzbach Parkway Sewer at Highway 281 Project in an amount not to exceed $54,220.00. (NANCY BELINSKY – BRUCE HABY)

MISCELLANEOUS ITEMS

23. A Resolution awarding a construction contract to Alamo Environmental, Inc. dba Alamo1 in an amount not to exceed $121,131.75 in connection with the Van Dyke Service Center Fuel Dispensing Facilities Demolition Project. (ANDREA BEYMER – JUAN GOMEZ)

24. A Resolution awarding a construction contract to Facilities Rehabilitation, Inc. in an amount not to exceed $1,367,010.00 in connection with the 2020 Annual Water Distribution Leak Repairs Contract - Package 3. (MICHAEL BRINKMANN – LEAMON ANDERSON)

25. A Resolution awarding a construction contract to Facilities Rehabilitation, Inc. in an amount not to exceed $1,345,410.00 in connection with the 2020 Annual Water Distribution Leak Repairs Contract - Package 4. (MICHAEL BRINKMANN – LEAMON ANDERSON)


27. A Resolution awarding a construction contract to Gilbert’s Utility & Concrete Work, Inc. in an amount not to exceed $525,700.00 in connection with the 2020 Annual Concrete Placement Work Order Construction Contract, Package I. (MICHAEL BRINKMANN – LEAMON ANDERSON)

28. A Resolution awarding a professional services contract to Colette Holt & Associates in an amount not to exceed $293,075.00 in connection with consulting services related to the SAWS Minority and Woman-Owned Business Enterprise Disparity Study. (NANCY BELINSKY – PHILIP CAMPOS)

29. A Resolution approving services work orders from Infor Public Sector, Inc. in an amount not to exceed $361,600.00 for fiscal year 2020, in connection with configuring and implementing enhancements to the Infor applications and related processes. (SREE PULAPAKA)

30. A Resolution approving the extension of a contract with Truman Arnold Companies in an amount not to exceed $2,879,889.00 for the period of April 7, 2020 through March 31, 2021, in connection with the purchase of unleaded gasoline with E-10% ethanol blend and ultra-low sulfur diesel fuel. (STEVE CLOUSE – CARLOS MENDOZA)
31. A Resolution approving the extension of a contract with ADS Environmental Services in an amount not to exceed $1,195,631.00 for the period of June 17, 2020 through June 17, 2021, in connection with Wastewater Flow Metering Services. (JEFF HABY – ANNETTE DURON)

32. A Resolution accepting and acknowledging the Comprehensive Annual Financial Report of the San Antonio Water System for the fiscal year ending December 31, 2019, including the report of independent accountants, Baker Tilly Virchow Krause, LLP; directing that the report be made available for public inspection. (DOUG EVANSON)

33. A Resolution delegating authority to the President/Chief Executive Officer to, as allowed by law, approve and execute any and all contracts, amendments and any other agreements, and make expenditures, all as necessary to provide critical infrastructure services for the maintenance and operation of the System and delivery of water and wastewater services during the emergency public health crisis created by the COVID-19 pandemic. (BERTO GUERRA, JR., CHAIRMAN)

Chairman Guerra stated Item 9 was pulled for recusal purposes, and Items 7 and 33 were pulled for individual discussion and consideration. He asked if there were any other items in the Consent Agenda that should be pulled for individual discussion or consideration.

Ms. Jasso made a motion to approve the Consent Agenda Items 6 – 26, except Items 7, 9 and 33. Ms. Merritt seconded the motion.

Consent Agenda Items 6 – 26, except Items 7, 9 and 33, were unanimously approved. Verbal voting.

Chairman Guerra moved to Item 7 that was pulled for further discussion and individual consideration, a resolution approving Utility Services Agreements.

Tracey Lehmann presented the Utility Service Agreements (USA) for the month of April. There were eight USAs for the Board’s consideration that cover mixed-use, commercial and residential development. Two of the USAs were located on the north side and within the recharge or contributing zone, five were on the west side, and one was on the east side. Five of the tracts were within SAWS water and wastewater CCN and included oversizing for water and/or sewer infrastructure in accordance with SAWS Master Plan. Two of the tracts were completely outside of SAWS water and wastewater CCN, and one tract was inside the water CCN but outside of the wastewater CCN.

He reviewed details on the three USAs that were outside of either SAWS water or wastewater CCN. He referenced the agenda packet located on saws.org. Page 69 and 70 of the packet, showed the maps for the Lime Stone Ranch Commercial development. The tract was located off IH-10 on the northwest side of the service area. The developer was requesting 55 water equivalent dwelling units (EDU) and 42 wastewater EDUs. The USA was filed in December 2019, and the developer was requesting to increase the number of EDUs to the amounts shown. The water would connect to the existing infrastructure as previously planned as
shown on page 69. On page 70, the tract was shown west of IH-10 and outside SAWS wastewater CCN. The CCN did not extend on the west side of IH-10, but there was existing wastewater mains located in this area. The developer would connect to infrastructure located on the southeast corner of the tract.

The Gates Tract was located outside of the water CCN and the sewer CCN. He referenced Slide 78 of the packet. The developer was requesting 1,425 sewer EDUs for the 260-acre tract. The developer was not requesting water service at this time. The tract would be provided water service through East Central. SAWS actually had a wholesale agreement with East Central at the service area. For wastewater, the existing SAWS wastewater CCN was closer to Loop 410 at New Sulphur Springs Road above the Gates Tract, as shown on page 78 of the packet. This area did not fall within anyone's CCN, but was within the City of San Antonio’s ETJ. Staff did recommend that a lift station be included to move the sewer over into the SAWS system. The lift station would be oversized to include the Gates Tract as well as the surrounding area. This area was just north of Calaveras Lake. SAWS had been working in conjunction with the San Antonio River Authority on how best to serve this area. At this time, staff believed this would be the best way to serve this tract and to not allow any temporary or small package plant to be developed in this area.

The maps for the Medina 372-Acre Tract were located on pages 82 and 83 of the packet. The tract was outside of SAWS water and wastewater CCNs. Referencing the map on page 82, FM 1283 looped around the tract on the southwest corner, and SAWS water CCN was running just under the road, so the tract was adjacent to existing water and wastewater CCN. In addition to this tract, there were two other tracts that would be coming within the next two or three months in this area for the Board’s consideration. The total of those tracts was approximately 7,300 EDUs, and the infrastructure was intended to serve all those EDUs, not just the 1,100 water and sewer EDUs for the Medina 372-Acre Tract. A 24-inch main would be extended to the tract to provide temporary service until Phase II began. With the remaining number of EDUs on the tract, the developer would participate with the other two developers to build a production facility as well as an elevated storage tank to serve this area. For wastewater, SAWS was working to fund or to construct the 36-inch gravity sewer main. The award of the construction would be on the agenda at the next Board Meeting. The future 36-inch gravity main was in several other USAs to extend the main located in the Medio Outfall. The new infrastructure for the Medina 372-Acre Tract included extending the gravity system up to the Bexar County and Medina County border, where roughly Highway 211 would be extended in the future. The development would require an additional lift station to serve the tract. The developer would be building a lift station and force main extending to the future gravity main. SAWS would participate to oversize the lift station to serve the two other tracts coming in the near future as well as to serve this area, which would be the additional area inside the CCN.

Staff recommended the approval of the USAs.

Mr. Parra made a motion to approve Item 7. Ms. Jasso seconded the motion.

Ms. Jasso inquired about the rationale of a lift station for the Gates Tract. Mr. Lehmann replied staff determined to move forward with a new lift station as we work through the master plan for a possible regional lift station in the future or possible separate treatment
plant. Obviously, staff did not want to put in larger infrastructure immediately as this area developed. Staff decided to go with a lift station instead as a temporary measure for possible long-term growth in the future.

Ms. Jasso asked about the lift station for the Medina 372-Acre Tract. Mr. Lehmann replied there would be a lift station that jumps sewershed, the natural drainage area. The tract was within SAWS CCN, but drained more towards the southwest. The lift station would be required or ultimately a treatment plant in the future, depending on the growth in the area.

After no further discussion, Item 7 was unanimously approved. Verbal voting.

Chairman Guerra moved to Item 9 that was pulled for recusal purposes, a resolution awarding a professional services contract to Lockwood, Andrews, and Newnam, Inc. in an amount not to exceed $423,056.00 in connection with the 2020 Dead End Water Main Elimination Package II Project. Trustee Eduardo Parra had recused himself from any discussion and vote on the item.

Mr. McGee made a motion to approve Item 9. Ms. Merritt seconded the motion.

After no further discussion, Item 9 was unanimously approved. Verbal voting. Trustee Parra recused himself from the vote on Item 9.

Chairman Guerra moved to Item 33 that was pulled for further discussion and individual consideration, a resolution delegating authority to the President/Chief Executive Officer to, as allowed by law, approve and execute any and all contracts, amendments, and any other agreements, and make expenditures, all as necessary to provide critical infrastructure services for the maintenance and operation of the System and delivery of water and wastewater services during the emergency public health crisis created by the COVID-19 pandemic.

Ms. Jasso made a motion to approve Item 33. Mr. Parra seconded the motion.

Ms. Hardberger thought it would be helpful to discuss an appropriate end for the delegation of authority, since there were concerns expressed by the public in the beginning of the meeting. Chairman Guerra asked Nancy Belinsky to address the question. Ms. Belinsky responded the resolution was currently drafted that it continued in effect until rescinded by the Board, which could occur at a regular or specially called board meeting.

Ms. Hardberger commented that the wait and see made her a little uncomfortable without some idea of the type of triggers to rescind the item. Chairman Guerra suggested the authority go until the next board meeting, and the Board could reapprove the authority until the next board meeting, if needed.

Ms. Hardberger stated it would be helpful for the Board to revisit and to see how it was going. She asked that when Robert briefed the Board on any decisions made under the authority that he clearly delineated the emergency component of that particular decision to
ensure that anything that could wait was maintained on the normal agenda. Chairman Guerra confirmed.

Ms. Jasso stated she was speaking in favor of the item. In her experience these last couple of weeks, she had immediately contacted Mr. Puente or anyone on the staff to clarify anything she did not necessarily understand. Her experience was the staff and the EMT reactions to all of the situations had been exemplary. She did not have any concerns about this order because as stated before, when Mr. Puente was willing to take action, he would let the Board know ahead of time and get consensus or get input, if nothing else.

Chairman Guerra added that Robert’s 12 years of experience in running this company gave him a level of comfort, and they talked pretty much daily. He thought a good compromise was to go from meeting to meeting and reissue the authority at every meeting. As Amy suggested, Mr. Puente would give a report on any decisions made since the last meeting.

David McGee echoed some of the comments. In his couple of years serving on this Board, Robert had proven over and over again his willingness and transparency to reach out to any and all experts before making critical decisions, including the Board. He had never been surprised and Robert had great credibility with all of us. These were extraordinary circumstances and situations were changing almost by the minute. He stated he was completely in favor of the item. No one could contemplate the list of things that would be changing in the next few weeks that would need immediate attention to maintain the health and safety our community. Especially when washing your hands was considered one of the most important things to protect yourself and others.

Mayor Nirenberg stated he was in favor of the item as well. Obviously, with the need for flexibility with regard to convening meetings that were themselves very difficult, he liked the compromise of going meeting to meeting. He was going to suggest perhaps tying it to the state of local emergency and to endure until the next meeting after an emergency declaration was lifted, but if we're going to meeting to meeting, that would suffice as well.

Ms. Merritt stated she trusted Mr. Puente's judgment in this matter, and he could not predict the future, so he would have to make decisions as different tragedies come up during the pandemic.

Mr. Barrera asked that the motion reflects the delegation of authority was not open-ended, but rather would go from meeting to meeting.

Chairman Guerra asked Trustees Jasso and Parra, if they accepted the friendly amendment to the motion on Item 33 that the authority would go from meeting to meeting, and Mr. Puente would report any decision made at the next meeting. Trustees Jasso and Parra accepted the friendly amendment to the original motion.

After no further discussion, Item 33 was unanimously approved. Verbal voting.
ITEM FOR INDIVIDUAL CONSIDERATION

34. A Resolution approving the Sixth Amendment to the Vista Ridge Regional Water Supply Project Water Transmission and Purchase Agreement and authorizing the President/Chief Executive Officer to execute the Sixth Amendment and any related documents. (DONOVAN BURTON)

Donovan Burton presented Item 34, the Sixth Amendment to the Vista Ridge Regional Water Supply Project Water Transmission and Purchase Agreement (WTPA). The amendment was about two specific issues. One was changing the Langelian Saturation Index (LSI) net value in the contract, and the other was removing a 30-day window between substantial completion and acceptance of the project.

LSI was one of several water quality parameters that SAWS was very specific about in the original WTPA. LSI was a measure of the saturation of calcium carbonate in water, but more generally showed whether the water was going to scale or descale the pipeline and the infrastructure, whether it would precipitate calcium, or whether it would descale calcium off the pipeline. The thing to understand about LSI was that it's not the specific measurement of a particle, but rather a calculation based off of several water quality parameters. There were several different ways to measure LSI. Even within the different models, there were ways to change the model to measure LSI within each model. A specific model was used in the WTPA in 2014. The most important thing was that it represented appropriate water quality for the system and for interconnection improvements. Staff wanted to know generally what those parameters were so the system could be designed to treat the water coming in and the water entering into the system was all compatible. In a project like this one, water quality could change as it goes through the system. This project blends two water supplies together in different percentages, Carrizo and Simsboro water. The water goes through several different processes. It goes through a cooling tower process, a couple of different injection points with different chemicals, and through over 140 miles of pipeline. All of those things could change water quality parameters ever so slightly.

When the project was developed in 2014, there were representative samples of individual wells and that sort of thing. January and February was the first opportunity to see the finished water quality parameters in the performance test. The finished water was the most important thing obviously because that's what was going into the system. The project company was using a different model than what was used to design the project. There were several weeks of discussion with the project company and with various Ph.Ds. and operators about how one particular LSI model would match with another particular LSI model. SAWS interest was to make sure there were no negative impacts to the system and to put a stricter enforcement into the WTPA than was there previously. The amendment would add an unacceptable range to the LSI that would make sure the water met all parameters.

The existing LSI values in the contract were no lower than .1 and no higher than .3. The recommended change was to make it no less than .20 and no greater than .42, so a slight increase in the LSI values. TCEQ uses the model to consider the LSI as a corrosivity index and look at LSI towards the negative range as corrosive. SAWS system had hard water primarily from the Edwards Aquifer, but had several different water supplies so the LSI was kept a little bit higher. The amendment increased the LSI numbers up slightly, but not too
high because that might cause calcium the scale off into the pipeline. The small change to the water LSI was still protective of the pipeline and the infrastructure, and was within a range that was comfortable for the integration improvements. Water quality was the utmost priority in this project, and LSI was one of those most important parameters. Several water quality experts and operators were involved in the review of the LSI index, and staff was very comfortable with the change to the numbers.

The second part of the amendment was the commercial or the substantial completion date. The WTPA had specific timelines to lead both parties to commercial operation date and milestones that had to be met within the contract. Substantial completion as defined by the contract required hundreds of pages of documents to be delivered. Due to a change earlier in the year, staff was able to see how performance tests would work in substantial completion. The project company submitted their substantial completion paperwork within the time allotted of 30 days before they delivered the notice of acceptance, and that would kick off the commercial operation. Staff had several questions about parts of the project, and these were resolved in different ways over the week after the project company submitted their document. The amendment would remove the 30-day window between substantial completion and notice of acceptance.

Staff recommended the approval of the Sixth Amendment to the WTPA.

Mr. McGee made a motion to approve Item 34. Ms. Merritt seconded the motion.

Ms. Merritt asked for clarification on reducing calcium build-up. Mr. Burton responded the source water coming in had very little calcium. Calcium would actually be added to the water to match what was in the system. Edwards Aquifer water was high in calcium, and staff wanted to make sure that all of the water looked exactly the same in the pipe so the pipe couldn’t tell the difference in different sources of water. The main focus in terms of the LSI was to make sure that calcium did not precipitate and scale out onto the pipeline.

Mr. Parra commented on the complexity of the item and the concern from people during the Public Comment. He asked staff to elaborate a little more on the consequences of too little or too much calcium, and the different models and different assumptions. Mr. Burton replied in terms of fail-safe, the amendment would put in place an unacceptable water parameter that wasn’t there prior. Water that was outside of these parameters would not be taken into the system. There were a lot of different models, but ultimately, the models all needed to coalesce into one. TCEQ had accepted and recognized this model was the appropriate one for this project. The design had to be submitted to the TCEQ, and they made sure that the water produced was not corrosive to the pipeline. The project company was also a public water supply, and were held to that LSI standard from the TCEQ.

Mr. Parra inquired about the monitoring of the LSI. Mr. Burton replied the monitoring was another change to be made with the amendment. The WTPA currently had a weekly draw, but staff would actually prefer a more daily sample, particularly in the first six months to one year. This would allow staff to get comfortable with all the water quality parameters, and the water to become stable so there were no changes to LSI.

Mr. Parra asked with the daily sample, would we have an opportunity not to take that water
depending on the parameters. Mr. Burton confirmed. Steve Clouse pointed that the LSI measurement that was specified in this item really only dealt with the pipeline from Burleson to Bexar County. It did not involve the water quality seen by customers at their taps and endpoints. Once the water was received at the Agua Vista treatment site, SAWS would be in total control to change the corrosivity and calcium content of the water at that point. The specified range would protect the pipeline over the next 30 years, and make sure the water received at Agua Vista was within the ranges of treatability for the constructed system. There was a perception that this was the same water customers would see at their taps. It was not. Just like the desal system, the water was tapped and then manipulated before it actually was sent to customers to ensure that it matched the Edwards quality. SAWS treatment folks were in total control of what our customers would actually see.

After no further discussion, Item 34 was unanimously approved. Verbal voting. Chairman Guerra stated for the record to show Mr. McGee as not voting, since he did not respond during the vote and may have lost connection.

35. **Inquiries of the Board of Trustees for future briefings and/or follow-up action.**

Chairman Guerra commented on these unprecedented times. He continued to be proud of how the Board and SAWS team handled things for the city, and how the city came together to make things better in the most difficult of times. He appreciated everyone’s flexibility in having the first meeting where we were not altogether in one room. He thanked the Mayor for being on the call and for his leadership. He asked that everyone continue to practice social distancing and to take care of each other. This shall pass and shall make us a stronger city, a stronger team. He asked everyone in their own special way to continue to pray for our city and our leadership and the well-being of our citizens that everyone stayed safe. There would be some really difficult times in the next few months to put this city back together. He was not sure if the next meeting would be held by conference call, but would try to include video for the next meeting.

36. **Adjournment.** THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF APRIL 7, 2020, IS HEREBY ADJOURNED.

The San Antonio Water System Board of Trustees Meeting of April 7, 2020, adjourned at 11:27 a.m.

_________________________________
Berto Guerra, Jr., Chairman

ATTEST:

__________________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees  
FROM: Robert R. Puente, President/Chief Executive Officer  
SUBJECT: Acceptance of Bids for Services, Equipment, Materials and Supplies  

The attached resolution accepts bids and awards contracts for services, equipment and supplies as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>This Board Meeting</th>
<th>Year-to-Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of Contracts</td>
<td>Estimated (SMWB)</td>
</tr>
<tr>
<td>A. Award of New One Time Purchases of Materials, Equipment or Services</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>B. Award of New and Renewal of Annual Goods &amp; Services Requirements Contracts and Maintenance Agreements</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>16</td>
<td>7</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SMWB Purchasing Contracts (percentage)</th>
<th>This Board Meeting</th>
<th>Year-to-Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>25.00%</td>
<td>28.03%</td>
</tr>
<tr>
<td></td>
<td>34.78%</td>
<td>21.90%</td>
</tr>
</tbody>
</table>

Board Action Date: June 9, 2020
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES ACCEPTING BIDS AND AWARDING CONTRACTS FOR THE PROCUREMENT OF CERTAIN SERVICES, EQUIPMENT, MATERIALS AND SUPPLIES; AUTHORIZING EXPENDITURES TO PROCURE THE SAID SERVICES, EQUIPMENT, MATERIALS AND SUPPLIES; AUTHORIZING THE DIRECTOR OF THE PURCHASING DIVISION, OR HER DESIGNEE, TO EXECUTE DOCUMENTS RELATED THERETO; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Director of the Purchasing Division of the San Antonio Water System (the “System”) has recommended certain bids be accepted, that certain contracts be awarded, and that certain other actions be taken to procure services, equipment, materials and supplies which are necessary for the operation of the System; and

WHEREAS, the said recommendations are fully set out in "Attachment I" which is attached hereto and made a part hereof, and said recommendations have been approved by the System’s President/Chief Executive Officer; and

WHEREAS, the appropriate bidding procedures regarding the procurement of goods and services have been adhered to in the compiling of the attached recommendations, as reflected in administrative records supporting this resolution; and

WHEREAS, funds are available in the System’s budget to pay for the required services, equipment, materials and supplies; and

WHEREAS, the Board of Trustees of the San Antonio Water System desires (i) to accept the bids and award the contracts as recommended, (ii) to authorize from available funds of the System the expenditures necessary to carry out the recommended procurements, and (iii) to authorize the Director of the Purchasing Division or her designee to execute all contracts and other documents necessary to carry out the recommended procurements; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the bids are accepted and the contracts are awarded for procurement of the services, equipment, materials and supplies listed in Attachment I, as recommended by the Director of the Purchasing Division.

2. That the expenditure of the necessary funds from the appropriate budget fund of the System for the procurement of the said services, equipment, materials and supplies is hereby authorized.
3. That the Director of the Purchasing Division, or her designee, is hereby authorized to notify bidders of the acceptance of bids, to execute contracts and other documents, and to carry out all other actions necessary to procure the said services, equipment, materials and supplies.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this the 9th day of June, 2020

____________________________
Berto Guerra, Jr., Chairman

ATTEST:

____________________________
Amy Hardberger, Secretary
Award of New One Time Purchases of Materials, Equipment or Services

A. The following items will establish price and delivery for the one time purchase of Materials, Equipment and Services. These items are included in the current budget. Payment will be made from the applicable fund.

<table>
<thead>
<tr>
<th>VENDOR</th>
<th>DESCRIPTION</th>
<th>ITEM NO(s)</th>
<th>TOTAL PURCHASES</th>
<th>REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NO ITEMS TO REPORT

*Indicates vendor is an SMWB, unless otherwise noted vendor is non minority.

Board Date: June 9, 2020
### Award of New and Renewal Annual Goods & Services Requirement Contracts and Maintenance Agreements

B. The following items will establish estimated quantities, unit price and delivery for the Service and Supply Contracts and their extensions. These items are included in the current budget. Payment will be made from the applicable fund. Estimated annual purchase is based on unit price bid; actual total and quantities, may vary from the estimate.

<table>
<thead>
<tr>
<th>Number</th>
<th>VENDOR</th>
<th>DESCRIPTION</th>
<th>NO(s.)</th>
<th>PURCHASES</th>
<th>REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Freit Data Solutions, Inc.</td>
<td>Annual Contract for Nimble Storage Array Hardware and Support</td>
<td>All</td>
<td>$497,270.49</td>
<td>This is a new contract. This contract will be utilized by System to expand our unstructured data storage arrays capacity. Unstructured data is data that is not in databases and make up the H:, I: and other shared drives. This contract will be effective Date of Award (June 9, 2020) through June 1, 2021. If determined that an extension is favorable to the system, price and service considered, the award includes the availability of four (4) additional one-year options to extend as provided for, and approved for in future years budgets.</td>
</tr>
<tr>
<td>2.</td>
<td>Gruene Environmental Companies, LLC (SBE)</td>
<td>Best Value Bid Annual Contract for Hazardous/Non-Hazardous Waste Transport and Disposal Services</td>
<td>All</td>
<td>$460,761.25</td>
<td>This is a new contract. This contract will be utilized for hazardous and non-hazardous waste transportation and disposal but not limited to handling, collecting, containing, and packaging, transporting disposing and managing all waste materials. This contract will be effective Date of Award (June 9, 2020) through May, 2021. If determined that an extension is favorable to the system, price and service considered, the award includes the availability of three (3) additional one-year options to extend as provided for, and approved for in future years budgets.</td>
</tr>
<tr>
<td>3.</td>
<td>Capitol Aggregates, Inc.</td>
<td>Annual Contract for Concrete Aggregates (Concrete Sand and Washed Limestone)</td>
<td>Group 1</td>
<td>$591,500.00</td>
<td>This is a new contract. This contract will be utilized by System for the purchase of Cement Aggregates (Bulk Material) on an as needed basis by the Distribution &amp; Collection Division for various System maintenance and repair projects. This contract will be effective Date of Award (June 9, 2020) through May 31, 2021. If determined that an extension is favorable to the system, price and service considered, the award includes the availability of Four (4) additional one-year options to extend as provided for, and approved for in future years budgets.</td>
</tr>
<tr>
<td>4.</td>
<td>Green Dream International, LLC</td>
<td>Annual Contract for Concrete Aggregates (Concrete Sand and Washed Limestone)</td>
<td>Group 2</td>
<td>$94,120.00</td>
<td>(Same as above)</td>
</tr>
</tbody>
</table>

*Indicates vendor is an SMWB unless otherwise noted vendor is non minority. Board Date: June 9, 2020
<table>
<thead>
<tr>
<th>No.</th>
<th>Part Number</th>
<th>Description</th>
<th>Description and Approximate Quantity</th>
<th>Price</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Q08J27A</td>
<td>HPE NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
<tr>
<td>2</td>
<td>Q09G48B</td>
<td>HPE NS 1Y FC 4H Parts Exchange Support</td>
<td>EA</td>
<td>$3,260.28</td>
<td>$3,260.28</td>
</tr>
<tr>
<td>3</td>
<td>Q09G48C</td>
<td>HPE NS NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
<tr>
<td>4</td>
<td>Q09G48D</td>
<td>HPE NS NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
<tr>
<td>5</td>
<td>Q09G48E</td>
<td>HPE NS NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
<tr>
<td>6</td>
<td>Q09G48F</td>
<td>HPE NS NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
<tr>
<td>7</td>
<td>Q09G48G</td>
<td>HPE NS NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
<tr>
<td>8</td>
<td>Q09G48H</td>
<td>HPE NS NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
<tr>
<td>9</td>
<td>Q09G48I</td>
<td>HPE NS NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
<tr>
<td>10</td>
<td>Q09G48J</td>
<td>HPE NS NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
<tr>
<td>11</td>
<td>Q09G48K</td>
<td>HPE NS NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
<tr>
<td>12</td>
<td>Q09G48L</td>
<td>HPE NS NS C13 w/C14 FIO Power Cord</td>
<td>EA</td>
<td>$4,748.36</td>
<td>$4,748.36</td>
</tr>
</tbody>
</table>

**TOTAL BASE TERM**

- **Price:** $4,072,704.89
- **Extended Price:** $4,072,704.89

**TOTAL EXTENSION OPTIONS**

- **Description:** Options Extended for Support
- **Price:** $1,194,912.00
- **Extended Price:** $1,194,912.00

**GRAND TOTAL HARDWARE AND FIVE YEAR SUPPORT:**

- **Price:** $5,267,616.89
- **Extended Price:** $5,267,616.89

**TERMS**

- **12 payments of $434,001.72 net 30 days
- 4.6 weeks
- Net 30 days**
<table>
<thead>
<tr>
<th>Company Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abacus Computers, Inc.</td>
</tr>
<tr>
<td>Accudata Systems, Inc.</td>
</tr>
<tr>
<td>AT&amp;T Corp.</td>
</tr>
<tr>
<td>Bridgehead IT, Inc</td>
</tr>
<tr>
<td>Broadleaf IT, LLC</td>
</tr>
<tr>
<td>Carahsoft Technology Corporation</td>
</tr>
<tr>
<td>CDW Government LLC</td>
</tr>
<tr>
<td>Centre Technologies, Inc.</td>
</tr>
<tr>
<td>CIMA Solutions Group, LLC</td>
</tr>
<tr>
<td>CompuCom Systems, Inc.</td>
</tr>
<tr>
<td>Computer Solutions, Inc.</td>
</tr>
<tr>
<td>Computer, Inc</td>
</tr>
<tr>
<td>Critical Start, Inc</td>
</tr>
<tr>
<td>CVE Technologies</td>
</tr>
<tr>
<td>Datavox, Inc</td>
</tr>
<tr>
<td>DB Computer Solutions /dba Computer Solutions, Inc.</td>
</tr>
<tr>
<td>Dekcom Group, LP</td>
</tr>
<tr>
<td>Desert Communications</td>
</tr>
<tr>
<td>Dice Communications Inc.</td>
</tr>
<tr>
<td>DISYS Solutions, Inc.</td>
</tr>
<tr>
<td>Exebridge, Inc</td>
</tr>
<tr>
<td>Flair Data Systems</td>
</tr>
<tr>
<td>Freeit Data Solutions, Inc.</td>
</tr>
<tr>
<td>Frontier Consulting, LLC</td>
</tr>
<tr>
<td>Future Com LTD</td>
</tr>
<tr>
<td>General Datatech, L.P.</td>
</tr>
<tr>
<td>GovConnection, Inc</td>
</tr>
<tr>
<td>GTS Technology Solutions, Inc.</td>
</tr>
<tr>
<td>Hewlett-Packard State &amp; Local Enterprise Services, Inc</td>
</tr>
<tr>
<td>HIEd Inc.</td>
</tr>
<tr>
<td>Howard Technology Solutions</td>
</tr>
<tr>
<td>Insight Public Sector, Inc</td>
</tr>
<tr>
<td>Intech Southwest Services, LLC</td>
</tr>
<tr>
<td>Intras LLC</td>
</tr>
<tr>
<td>Kudelski Security, Inc.</td>
</tr>
<tr>
<td>Layer 3 Communications, LLC</td>
</tr>
<tr>
<td>Logicalis, Inc</td>
</tr>
<tr>
<td>Mainline Information Systems Inc</td>
</tr>
<tr>
<td>Mark III Systems Incorporated</td>
</tr>
<tr>
<td>MDL Enterprise, Inc</td>
</tr>
<tr>
<td>Mobius Partners, LLC</td>
</tr>
<tr>
<td>Netsync Network Solutions, Inc.</td>
</tr>
<tr>
<td>Nordstar Group, LLC</td>
</tr>
<tr>
<td>NWN Corporation</td>
</tr>
<tr>
<td>Office Evolutions</td>
</tr>
<tr>
<td>PCMG Gov Inc.</td>
</tr>
<tr>
<td>PCPC Direct, Ltd</td>
</tr>
<tr>
<td>Peak Methods, Inc</td>
</tr>
<tr>
<td>Pegasus Technology Solutions</td>
</tr>
<tr>
<td>Prescriptive Data Solutions, LLC</td>
</tr>
<tr>
<td>Presidio Networked Solutions Group, LLC</td>
</tr>
<tr>
<td>Red River Technology LLC</td>
</tr>
<tr>
<td>Resilient Intelligent Networks</td>
</tr>
<tr>
<td>RFP, Inc.</td>
</tr>
<tr>
<td>Secure Data Solutions, Inc</td>
</tr>
<tr>
<td>Sequel Data Systems, Inc</td>
</tr>
<tr>
<td>Set Solutions, Inc</td>
</tr>
<tr>
<td>SHI Government Solutions, Inc</td>
</tr>
<tr>
<td>Sigma Technology Solutions, Inc.</td>
</tr>
<tr>
<td>SMP Distribution</td>
</tr>
<tr>
<td>Socour Solutions</td>
</tr>
<tr>
<td>Solid Border, Inc</td>
</tr>
<tr>
<td>Solid IT Networks, Inc</td>
</tr>
<tr>
<td>Solutions II, Inc</td>
</tr>
<tr>
<td>Southern Computer Warehouse, Inc</td>
</tr>
<tr>
<td>Storage Assessments, LLC</td>
</tr>
<tr>
<td>Technical &amp; Scientific Application</td>
</tr>
<tr>
<td>Technology Assets, LLC dba Global Asset Online</td>
</tr>
<tr>
<td>Technology for Education LLC dba TFE</td>
</tr>
<tr>
<td>The Personal Computer Store, Inc. dba Avinext</td>
</tr>
<tr>
<td>Topping Technologies LLC</td>
</tr>
<tr>
<td>Trust Digital, LLC</td>
</tr>
<tr>
<td>United Data Technologies, Inc.</td>
</tr>
<tr>
<td>Zones, Inc.</td>
</tr>
<tr>
<td><strong>NETSYNC: NO BID</strong></td>
</tr>
</tbody>
</table>
BEST VALUE BID
FOR
ANNUAL CONTRACT FOR HAZARDOUS/NON-HAZARDOUS WASTE TRANSPORT AND DISPOSAL SERVICES
SAWS Bid #20-3012

SUPPLEMENTARY COMMENTS:
Staff recommends that the contract be awarded to *Gruene Environmental Companies, LLC. Non-Local/SMB SMWVB firm*, as the bidder who will provide the services at the best value for the System based on the selection criteria set forth below. Price and other factors have been considered. In determining the “best value”, the Evaluation Criteria listed below have been considered and weighted as shown.

A) Evaluation Committee: All properly submitted proposals were reviewed by an Evaluation Committee.

B) Weighted Evaluation Criteria: The following weighted criteria were considered to determine which proposal offers the “best value” to the System.

<table>
<thead>
<tr>
<th>Evaluation Criteria</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Proposed Methods of Disposal</td>
<td>20</td>
</tr>
<tr>
<td>b. Experience, Qualifications and Safety Record</td>
<td>20</td>
</tr>
<tr>
<td>c. Safety and Training Plan</td>
<td>15</td>
</tr>
<tr>
<td>d. Financial/Operational</td>
<td>5</td>
</tr>
<tr>
<td>e. Bidder’s Pricing</td>
<td>30</td>
</tr>
<tr>
<td>f. Small, Minority and Woman Business Program Compliance</td>
<td>10</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

System received proposals from the following companies:

<table>
<thead>
<tr>
<th>NO</th>
<th>BIDDER</th>
<th>BID AMOUNT</th>
<th>BEST VALUE SCORE</th>
<th>LOCAL/ SMWB</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>*Gruene Environmental Companies, LLC</td>
<td>$460,761.25</td>
<td>205 points</td>
<td>Non-Local/SMB</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ext 1: $460,761.25</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ext 2: $460,761.25</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ext 3: $460,761.25</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total: $1,843,045.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>NRC Gulf Environmental Services Inc. dba US</td>
<td>$587,946.58</td>
<td>182 points</td>
<td>Non-Local/ Non-SMWB</td>
</tr>
<tr>
<td></td>
<td>ecology</td>
<td>Ext 1: $587,946.58</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ext 2: $587,946.58</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ext 3: $587,946.58</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total: $2,351,786.40</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Additionally, the overall SMWB analysis is shown in the following table:

<table>
<thead>
<tr>
<th>Request for Proposal SAWS Bid No. 20-3012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Contract for Hazardous/Non-Hazardous Waste Transport and Disposal Services</td>
</tr>
<tr>
<td>GRUENE ENVIRONMENTAL COMPANIES, LLC</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SMWB ANALYSIS – BOARD AWARD</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SBE</td>
<td>5.00%</td>
</tr>
<tr>
<td>MBE - African American</td>
<td>0.00%</td>
</tr>
<tr>
<td>MBE – Asian</td>
<td>0.00%</td>
</tr>
<tr>
<td>MBE - Hispanic</td>
<td>0.00%</td>
</tr>
<tr>
<td>MBE – Other</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE - Minority</td>
<td>5.00%</td>
</tr>
<tr>
<td>WBE - Non-Minority</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>SMWB Total</strong></td>
<td><strong>10.00%</strong></td>
</tr>
</tbody>
</table>

PERIOD OF AWARD:

Contract period shall begin on June 1, 2020 and shall end on May 31, 2021. The contract shall include three (3) additional one-year options to extend subject to future years budgets.

In determining the best value, staff considered relevant criteria specifically listed in the request for proposal. Staff has determined that Gruene Environmental Companies, LLC will provide services at the best value to System.
## SAN ANTONIO WATER SYSTEM

**P. O. BOX 2449**
**SAN ANTONIO, TEXAS  78298-2449**

**TABULATION OF BIDS**

**PROPOSAL**

**Annual Contract for**

**Concrete Aggregates (Bulk Materials)**

**TIME & DATE:**

(June 1, 2020 through May 31, 2021)

3:00 p.m., March 30, 2020

**GROUP 1**

*(Load Bulk Bins at SAWS Location; Vendor Delivery)*

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION AND APPROXIMATE QUANTITY</th>
<th>PRICE PER TON</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GROUP 1</strong></td>
<td><strong>Concrete Sand</strong></td>
<td><strong>18,000 TN</strong></td>
<td><strong>455,400.00</strong></td>
</tr>
<tr>
<td><strong>1.</strong></td>
<td><strong>Eastside Service Center (3930 E. Houston St.), SAWS #1408</strong></td>
<td><strong>25.30</strong></td>
<td><strong>27.00</strong></td>
</tr>
<tr>
<td><strong>2.</strong></td>
<td><strong>Northeast Reclamation Site (12536 O'Connor Rd.), SAWS #42034</strong></td>
<td><strong>26.50</strong></td>
<td><strong>31.24</strong></td>
</tr>
<tr>
<td><strong>3.</strong></td>
<td><strong>Rilling Road Site (1718 Rilling Rd.), SAWS 45522</strong></td>
<td><strong>25.30</strong></td>
<td><strong>28.89</strong></td>
</tr>
<tr>
<td><strong>4.</strong></td>
<td><strong>Northside Operations Center (15103 Capitol Port), SAWS #45523</strong></td>
<td><strong>25.30</strong></td>
<td><strong>26.31</strong></td>
</tr>
<tr>
<td><strong>5.</strong></td>
<td><strong>West Side Operations (2903 Hunt Lane), SAWS #45524</strong></td>
<td><strong>23.00</strong></td>
<td><strong>30.18</strong></td>
</tr>
<tr>
<td><strong>TOTAL (GROUP 1)</strong></td>
<td><strong>591,500.00</strong></td>
<td><strong>648,190.00</strong></td>
<td></td>
</tr>
</tbody>
</table>

**GROUP 2**

*(Load Bulk Bins at SAWS Location; Vendor Delivery)*

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION AND APPROXIMATE QUANTITY</th>
<th>PRICE PER TON</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GROUP 2</strong></td>
<td><strong>Concrete Sand</strong></td>
<td><strong>1,500 TN</strong></td>
<td><strong>31,500.00</strong></td>
</tr>
<tr>
<td><strong>1.</strong></td>
<td><strong>Eastside Service Center (3930 E. Houston St.), SAWS #1408</strong></td>
<td><strong>21.00</strong></td>
<td><strong>20.70</strong></td>
</tr>
<tr>
<td><strong>2.</strong></td>
<td><strong>Northeast Reclamation Site (12536 O'Connor Rd.), SAWS #42034</strong></td>
<td><strong>20.86</strong></td>
<td><strong>20.19</strong></td>
</tr>
<tr>
<td><strong>3.</strong></td>
<td><strong>West Side Operations (2903 Hunt Lane), SAWS #45524</strong></td>
<td><strong>21.00</strong></td>
<td><strong>20.20</strong></td>
</tr>
<tr>
<td><strong>4.</strong></td>
<td><strong>Northside Operations Center (15103 Capitol Port), SAWS #45523</strong></td>
<td><strong>21.18</strong></td>
<td><strong>18.99</strong></td>
</tr>
<tr>
<td><strong>5.</strong></td>
<td><strong>Rilling Road Site (1718 Rilling Rd.), SAWS 45522</strong></td>
<td><strong>20.66</strong></td>
<td><strong>22.46</strong></td>
</tr>
<tr>
<td><strong>6.</strong></td>
<td><strong>Steven M. Clouse WRC (3495 Valley Rd.), SAWS #45527</strong></td>
<td><strong>24.00</strong></td>
<td><strong>24.10</strong></td>
</tr>
<tr>
<td><strong>TOTAL (GROUP 2)</strong></td>
<td><strong>95,850.00</strong></td>
<td><strong>94,120.00</strong></td>
<td></td>
</tr>
</tbody>
</table>

**EXTENSION 1**

591,500.00

591,500.00

**EXTENSION 2**

591,500.00

591,500.00

**EXTENSION 3**

591,500.00

591,500.00

**EXTENSION 4**

591,500.00

591,500.00

Terms

Net

30 days

Net

30 days

Delivery Days
SAN ANTONIO WATER SYSTEM
P. O. BOX 2449
SAN ANTONIO, TEXAS  78298-2449

TABULATION OF BIDS

PROPOSAL FOR:
Annual Contract for
Concrete Aggregates (Bulk Materials)

TIME & DATE:
(June 1, 2020 through May 31, 2021)
3:00 p.m., March 30, 2020

ITEM NO. DESCRIPTION AND APPROXIMATE QUANTITY

*LOW BIDDER

BID INVITATIONS E-MAILED TO AND/OR PICKED UP BY:

Alamo 1
Alamo Cement Co.
Capitol Aggregates
Cemex
Green Dream International
Keller Material, Ltd.
Madden Materials
Martin Marietta
Statewide Materials Transport
Texstar Enterprises, Inc.
Vulcan Construction Materials, LP

Demandstar
SAWS Website
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF CONSTRUCTION CONTRACT IN CONNECTION WITH THE BPC CENTRAL LARGE DIAMETER PACKAGE 2 PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a construction contract to SAK Construction, LLC, a local, non-SMWVB contractor, in an amount not to exceed $681,525.00 in connection with the BPC Central Large Diameter Package 2 Project.

- The contract that is the subject of the attached resolution, if approved, will authorize work required by the Consent Decree between the San Antonio Water System (the “System”), the United States of America, and the State of Texas that was lodged in the United States District Court for the Western District of Texas on July 23, 2013.

- This contract will address mains in need of repair due to condition assessment within the System’s central sewershed and are necessary to comply with the EPA Consent Decree. This contract consists of rehabilitating approximately 670 feet of existing 24-inch and 36-inch sewer mains using cured in place pipe method and will rehabilitate or replace associated manholes.

- SAK Construction, LLC has submitted the lowest responsible bid of $681,525.00.

Staff recommends that the Board approve this resolution.

FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. This project is included in the Wastewater Core Business budget line item. The amount is $681,525.00 for wastewater related construction work. The job number is 19-4510.

SUPPLEMENTARY COMMENTS:

RJN Group, Inc. prepared the bid proposal and specifications for the project. The engineer’s estimated construction cost was $699,642.75.
A bid opening was held on April 24, 2020, at 10:00 AM. The following bids were submitted:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Bid Amount</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>SAK Construction, LLC*</td>
<td>$681,525.00</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td>$699,642.75</td>
<td></td>
</tr>
<tr>
<td>Texas Pride Utilities, LLC</td>
<td>$769,300.00</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Cruz Tec, Inc.</td>
<td>$910,104.25</td>
<td>Local/MBE-Hispanic</td>
</tr>
</tbody>
</table>

*Lowest Responsible Bidder

The bid amount represents a 2.59 percent decrease from the engineer’s estimated construction cost.

Additionally, the overall SMWVB analysis is shown in the table below:

<table>
<thead>
<tr>
<th>BPC Central Large Diameter Package 2 Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>SAK Construction, LLC</td>
</tr>
<tr>
<td>SMWVB Analysis – Board Award</td>
</tr>
<tr>
<td>SBE</td>
</tr>
<tr>
<td>MBE – African American</td>
</tr>
<tr>
<td>MBE – Asian</td>
</tr>
<tr>
<td>MBE – Hispanic</td>
</tr>
<tr>
<td>MBE – Other</td>
</tr>
<tr>
<td>WBE – Minority</td>
</tr>
<tr>
<td>WBE – Non–Minority</td>
</tr>
<tr>
<td>SMWVB Total</td>
</tr>
</tbody>
</table>

Attachments:
1. Project Area Map
2. Project Site Map
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AWARDS A CONSTRUCTION CONTRACT TO SAK CONSTRUCTION, LLC IN AN AMOUNT NOT TO EXCEED $681,525.00 IN CONNECTION WITH THE BPC CENTRAL LARGE DIAMETER PACKAGE 2 PROJECT; APPROVING THE EXPENDITURE OF FUNDS AND MAKING AVAILABLE AN AMOUNT NOT TO EXCEED $681,525.00 FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A CONSTRUCTION CONTRACT WITH SAK CONSTRUCTION, LLC, AND TO PAY SAK CONSTRUCTION, LLC AN AMOUNT NOT TO EXCEED $681,525.00 FOR THE PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, this contract will be used to rehabilitate sewer mains in need of repair based on condition assessment; and

WHEREAS, the San Antonio Water System (the “System”) has solicited bids for the project work; and

WHEREAS, SAK Construction, LLC, a local, non-SMWVB contractor, has submitted a bid of $681,525.00 for the project work and has been determined to be the lowest responsible bidder; and

WHEREAS, System funds in an amount not to exceed $681,525.00 are required for the project work; and

WHEREAS, the amount of $681,525.00 is available from the Project Fund for the project work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a construction contract to SAK Construction, LLC in an amount not to exceed $681,525.00 in connection with the BPC Central Large Diameter Package 2 Project, (ii) to approve the expenditure of funds and make available an amount not to exceed $681,525.00 from the Project Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute a construction contract with SAK Construction, LLC, and to pay SAK Construction, LLC an amount not to exceed $681,525.00 for the project work; now, therefore:
BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a construction contract in an amount not to exceed $681,525.00 is hereby awarded to SAK Construction, LLC, who is determined to be the lowest responsible bidder, in connection with the BPC Central Large Diameter Package 2 Project.

2. That the expenditure of funds in an amount not to exceed $681,525.00 for the project work is hereby approved and made available from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a construction contract with SAK Construction, LLC, and to pay SAK Construction, LLC an amount not to exceed $681,525.00 in connection with the BPC Central Large Diameter Package 2 Project.

4. It is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public, and that the public notice of the time, place, and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

Berto Guerra, Jr., Chairman

ATTEST:

Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF CONSTRUCTION CONTRACT IN CONNECTION WITH THE MULTIPLE SEWERSHED PACKAGE 11B PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a construction contract to Vortex Services, LLC, a non-local, non-SMWVB contractor, in an amount not to exceed $1,898,940.80 in connection with the Multiple Sewershed Package 11B Project.

- The contract that is the subject of the attached resolution, if approved, will authorize work required by the Consent Decree between the San Antonio Water System (the “System”), the United States of America, and the State of Texas that was lodged in the United States District Court for the Western District of Texas on July 23, 2013.

- This contract will address mains in need of repair due to condition assessment within the System’s multiple sewersheds and is necessary to comply with the EPA Consent Decree. This contract consists of rehabilitating approximately 5,785 feet of 8-inch and 10-inch existing sanitary sewer main via pipe bursting method, 1,473 feet of 8-inch and 10-inch existing sanitary sewer main via open cut method, and will rehabilitate or replace associated manholes throughout the city of San Antonio.

- Vortex Services, LLC has submitted the lowest responsible bid of $1,898,940.80.

Staff recommends that the Board approve this resolution.

FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. This project is included in the Wastewater Core Business budget line item. The amount is $1,898,940.80 for wastewater related construction work under job number 19-4516.
SUPPLEMENTARY COMMENTS:

RPS Infrastructure, Inc. prepared the bid proposal and specifications for this project. The engineer’s estimated construction cost was $2,729,947.58.

A bid opening was held on May 6, 2020 at 2:00 PM. The following bids were submitted:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Bid Amount</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vortex Services, LLC*</td>
<td>$1,898,940.80</td>
<td>Non-Local/Non-SMWVB</td>
</tr>
<tr>
<td>Pronto Sandblasting &amp; Coating &amp; Oil-Field</td>
<td>$2,171,239.00</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Services Co., Inc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PM Construction &amp; Rehab, LLC dba IPR South</td>
<td>$2,540,007.07</td>
<td>Non-Local/Non-SMWVB</td>
</tr>
<tr>
<td>Central</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Texas Pride Utilities, LLC</td>
<td>$2,543,524.00</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Nerie Construction, LLC</td>
<td>$2,713,147.17</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td>$2,729,947.58</td>
<td></td>
</tr>
<tr>
<td>D Guerra Construction, LLC</td>
<td>$3,087,846.25</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>T Construction, LLC</td>
<td>$3,185,746.40</td>
<td>Non-Local/Non-SMWVB</td>
</tr>
<tr>
<td>Cruz Tec Inc.</td>
<td>$3,226,234.90</td>
<td>Local/MBE-Hispanic</td>
</tr>
</tbody>
</table>

*Lowest Responsible Bidder

The bid amount represents a 30.4 percent decrease from the engineer’s estimated construction cost.

Additionally, the overall SMWVB analysis is shown in the following table:

<table>
<thead>
<tr>
<th>Multiple Sewershed Package 11B Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vortex Services, LLC</td>
</tr>
<tr>
<td>SMWVB Analysis – Board Award</td>
</tr>
<tr>
<td>SBE</td>
</tr>
<tr>
<td>MBE – African American</td>
</tr>
<tr>
<td>MBE – Asian</td>
</tr>
<tr>
<td>MBE – Hispanic</td>
</tr>
<tr>
<td>MBE – Other</td>
</tr>
<tr>
<td>WBE – Minority</td>
</tr>
<tr>
<td>WBE – Non–Minority</td>
</tr>
<tr>
<td>Total SMWVB</td>
</tr>
</tbody>
</table>

Attachments:
1. Project Area Map
2. Project Site Map
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AWARDING A CONSTRUCTION CONTRACT TO VORTEX SERVICES, LLC IN AN AMOUNT NOT TO EXCEED $1,898,940.80 IN CONNECTION WITH THE MULTIPLE SEwershed PACKAGE 11B PROJECT; APPROVING THE EXPENDITURE OF FUNDS AND MAKING AVAILABLE AN AMOUNT NOT TO EXCEED $1,898,940.80 FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A CONSTRUCTION CONTRACT WITH VORTEX SERVICES, LLC, AND TO PAY VORTEX SERVICES, LLC AN AMOUNT NOT TO EXCEED $1,898,940.80 FOR THE PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, this contract will be used to rehabilitate sewer mains in need of repair based on condition assessment; and

WHEREAS, the San Antonio Water System (the “System”) has solicited bids for the project work; and

WHEREAS, Vortex Services, LLC, a non-local, non-SMWVB contractor, has submitted a bid of $1,898,940.80 for the project work and has been determined to be the lowest responsible bidder; and

WHEREAS, System funds in an amount not to exceed $1,898,940.80 are required for the project work; and

WHEREAS, the amount of $1,898,940.80 is available from the Project Fund for the project work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a construction contract to Vortex Services, LLC in an amount not to exceed $1,898,940.80 in connection with the Multiple Sewershed Package 11B Project, (ii) to approve the expenditure of funds and make available an amount not to exceed $1,898,940.80 from the Project Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute a construction contract with Vortex Services, LLC, and to pay Vortex Services, LLC an amount not to exceed $1,898,940.80 for the project work; now, therefore:
BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a construction contract in an amount not to exceed $1,898,940.80 is hereby awarded to Vortex Services, LLC, who is determined to be the lowest responsible bidder, in connection with the Multiple Sewershed Package 11B Project.

2. That the expenditure of funds in an amount not to exceed $1,898,940.80 for the project work is hereby approved and made available from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a construction contract with Vortex Services, LLC, and to pay Vortex Services, LLC an amount not to exceed $1,898,940.80 in connection with the Multiple Sewershed Package 11B Project.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020

______________________________
Berto Guerra, Jr., Chairman

ATTEST:

______________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF CONSTRUCTION CONTRACT IN CONNECTION WITH THE MULTIPLE SEWERSHED PACKAGE 12 - CIPP PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a construction contract to Texas Pride Utilities, LLC, a local, MBE-Hispanic contractor, in an amount not to exceed $371,704.00 in connection with the Multiple Sewershed Package 12 – CIPP Project.

- The contract that is the subject of the attached resolution, if approved, will authorize work required by the Consent Decree between the San Antonio Water System (the “System”), the United States of America, and the State of Texas that was lodged in the United States District Court for the Western District of Texas on July 23, 2013.

- This contract will address mains in need of repair due to condition assessment within the System’s sewershed infrastructure and is necessary to comply with the EPA Consent Decree. This contract consists of the rehabilitation of approximately 1,692 feet of 8-inch to 12-inch existing sanitary sewer main via cured in place pipe and will rehabilitate or replace associated manholes at multiple locations throughout the city.

- Texas Pride Utilities, LLC has submitted the lowest responsible bid of $371,704.00.

Staff recommends that the Board approve this resolution.

FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. This project is included in the Wastewater Core Business budget line item. The amount is $371,704.00 for wastewater related construction work. The job number is 19-4544.
SUPPLEMENTARY COMMENTS:

Lockwood, Andrews, & Newman, Inc. prepared the bid proposal and specifications for the project. The engineer’s estimated construction cost was $432,946.00.

A bid opening was held on April 17, 2020, at 2:00 PM. The following bids were submitted:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Bid Amount</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas Pride Utilities, LLC*</td>
<td>$371,704.00</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>PM Construction &amp; Rehab, LLC dba IPR South Central</td>
<td>$406,459.00</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td>$432,946.00</td>
<td></td>
</tr>
<tr>
<td>SAK Construction, LLC</td>
<td>$579,604.00</td>
<td>Local/Non-SMWVB</td>
</tr>
</tbody>
</table>

*Lowest Responsible Bidder

The bid amount represents a 14.1 percent decrease from the engineer’s estimated construction cost.

Additionally, the overall SMWVB analysis is shown in the table below:

<table>
<thead>
<tr>
<th>SMWVB Analysis – Board Award</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SBE</td>
<td>2.69%</td>
</tr>
<tr>
<td>MBE – African American</td>
<td>0.00%</td>
</tr>
<tr>
<td>MBE – Asian</td>
<td>0.00%</td>
</tr>
<tr>
<td>MBE – Hispanic</td>
<td>89.24%</td>
</tr>
<tr>
<td>MBE – Other</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE – Minority</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE – Non–Minority</td>
<td>0.00%</td>
</tr>
<tr>
<td>SMWVB Total</td>
<td>91.93%</td>
</tr>
</tbody>
</table>

Attachments:
1. Project Area Map
2. Project Site Map
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AWARDING A CONSTRUCTION CONTRACT TO TEXAS PRIDE UTILITIES, LLC IN AN AMOUNT NOT TO EXCEED $371,704.00 IN CONNECTION WITH THE MULTIPLE SEWERSHED PACKAGE 12 - CIPP PROJECT; APPROVING THE EXPENDITURE OF FUNDS AND MAKING AVAILABLE AN AMOUNT NOT TO EXCEED $371,704.00 FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A CONSTRUCTION CONTRACT WITH TEXAS PRIDE UTILITIES, LLC, AND TO PAY TEXAS PRIDE UTILITIES, LLC AN AMOUNT NOT TO EXCEED $371,704.00 FOR THE PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, this contract will be used to rehabilitate sewer mains in need of repair based on condition assessment; and

WHEREAS, the San Antonio Water System (the “System”) has solicited bids for the project work; and

WHEREAS, Texas Pride Utilities, LLC, a local, MBE-Hispanic contractor, has submitted a bid of $371,704.00 for the project work and has been determined to be the lowest responsible bidder; and

WHEREAS, System funds in an amount not to exceed $371,704.00 are required for the project work; and

WHEREAS, the amount of $371,704.00 is available from the Project Fund for the project work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a construction contract to Texas Pride Utilities, LLC in an amount not to exceed $371,704.00 in connection with the Multiple Sewershed Package 12 - CIPP Project, (ii) to approve the expenditure of funds and make available an amount not to exceed $371,704.00 from the Project Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute a construction contract with Texas Pride Utilities, LLC, and to pay Texas Pride Utilities, LLC an
amount not to exceed $371,704.00 for the project work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a construction contract in an amount not to exceed $371,704.00 is hereby awarded to Texas Pride Utilities, LLC, who is determined to be the lowest responsible bidder, in connection with the Multiple Sewershed Package 12 - CIPP Project.

2. That the expenditure of funds in an amount not to exceed $371,704.00 for the project work is hereby approved and made available from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a construction contract with Texas Pride Utilities, LLC, and to pay Texas Pride Utilities, LLC an amount not to exceed $371,704.00 in connection with the Multiple Sewershed Package 12 - CIPP Project.

4. It is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public, and that the public notice of the time, place, and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

______________________________
Berto Guerra, Jr., Chairman

ATTEST:

______________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF CONSTRUCTION CONTRACT IN CONNECTION WITH THE MULTIPLE SEWERSHED PACKAGE 12 – OPEN CUT & PIPE BURSTING PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a construction contract to Facilities Rehabilitation, Inc., a local, MBE-Hispanic contractor, in an amount not to exceed $1,993,158.00 in connection with the Multiple Sewershed Package 12 – Open Cut & Pipe Bursting Project.

- The contract that is the subject of the attached resolution, if approved, will authorize work required by the Consent Decree between the San Antonio Water System (the “System”), the United States of America, and the State of Texas that was lodged in the United States District Court for the Western District of Texas on July 23, 2013.

- This contract will address mains in need of repair due to condition assessment within the System’s sewershed infrastructure and is necessary to comply with the EPA Consent Decree. This contract consists of the replacement of approximately 1,261 feet of 8-inch existing sanitary sewer main by pipe bursting method and 1,811 feet of 8-inch to 12-inch existing sanitary sewer main by open cut method and will rehabilitate or replace associated manholes at multiple locations throughout the city.

- Facilities Rehabilitation, Inc. has submitted the lowest responsible bid of $1,993,158.00.

Staff recommends that the Board approve this resolution.

FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. This project is included in the Wastewater Core Business budget line item. The amount is $1,993,158.00 for wastewater related construction work. The job number is 18-4531.
SUPPLEMENTARY COMMENTS:

Lockwood, Andrews, & Newman, Inc. prepared the bid proposal and specifications for the project. The engineer’s estimated construction cost was $2,801,964.00.

A bid opening was held on April 17, 2020, at 11:00 AM. The following bids were submitted:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Bid Amount</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facilities Rehabilitation, Inc.*</td>
<td>$1,993,158.00</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Texas Pride Utilities, LLC</td>
<td>$2,041,454.60</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Pronto Sandblasting &amp; Coating &amp; Oil Field Services Co., Inc.</td>
<td>$2,646,259.00</td>
<td>Local/MBE-Hispanic</td>
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<tr>
<td>T Construction, LLC</td>
<td>$2,656,173.95</td>
<td>Non-Local/Non-SMWVB</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td>$2,801,964.00</td>
<td></td>
</tr>
</tbody>
</table>

*Lowest Responsible Bidder

The bid amount represents a 28.9 percent decrease from the engineer’s estimated construction cost.

Additionally, the overall SMWVB analysis is shown in the table below:

<table>
<thead>
<tr>
<th>Multiple Sewershed Package 12 – Open Cut &amp; Pipe Bursting Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facilities Rehabilitation, Inc.</td>
</tr>
<tr>
<td>SMWVB Analysis – Board Award</td>
</tr>
<tr>
<td>SBE</td>
</tr>
<tr>
<td>MBE – African American</td>
</tr>
<tr>
<td>MBE – Asian</td>
</tr>
<tr>
<td>MBE – Hispanic</td>
</tr>
<tr>
<td>MBE – Other</td>
</tr>
<tr>
<td>WBE – Minority</td>
</tr>
<tr>
<td>WBE – Non–Minority</td>
</tr>
<tr>
<td>SMWVB Total</td>
</tr>
</tbody>
</table>

Attachments:
1. Project Area Map
2. Project Site Map
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AWARDING A CONSTRUCTION CONTRACT TO FACILITIES REHABILITATION, INC. IN AN AMOUNT NOT TO EXCEED $1,993,158.00 IN CONNECTION WITH THE MULTIPLE SEWERSHED PACKAGE 12 – OPEN CUT & PIPE BURSTING PROJECT; APPROVING THE EXPENDITURE OF FUNDS AND MAKING AVAILABLE AN AMOUNT NOT TO EXCEED $1,993,158.00 FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A CONSTRUCTION CONTRACT WITH FACILITIES REHABILITATION, INC., AND TO PAY FACILITIES REHABILITATION, INC. AN AMOUNT NOT TO EXCEED $1,993,158.00 FOR THE PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, this contract will be used to rehabilitate sewer mains in need of repair based on condition assessment; and

WHEREAS, the San Antonio Water System (the “System”) has solicited bids for the project work; and

WHEREAS, Facilities Rehabilitation, Inc., a local, MBE-Hispanic contractor, has submitted a bid of $1,993,158.00 for the project work and has been determined to be the lowest responsible bidder; and

WHEREAS, System funds in an amount not to exceed $1,993,158.00 are required for the project work; and

WHEREAS, the amount of $1,993,158.00 is available from the Project Fund for the project work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a construction contract to Facilities Rehabilitation, Inc. in an amount not to exceed $1,993,158.00 in connection with the Multiple Sewershed Package 12 – Open Cut & Pipe Bursting Project, (ii) to approve the expenditure of funds and make available an amount not to exceed $1,993,158.00 from the Project Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute a construction contract with Facilities Rehabilitation, Inc., and to
pay Facilities Rehabilitation, Inc. an amount not to exceed $1,993,158.00 for the project work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a construction contract in an amount not to exceed $1,993,158.00 is hereby awarded to Facilities Rehabilitation, Inc., who is determined to be the lowest responsible bidder, in connection with the Multiple Sewershed Package 12 – Open Cut & Pipe Bursting Project.

2. That the expenditure of funds in an amount not to exceed $1,993,158.00 for the project work is hereby approved and made available from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a construction contract with Facilities Rehabilitation, Inc., and to pay Facilities Rehabilitation, Inc. an amount not to exceed $1,993,158.00 in connection with the Multiple Sewershed Package 12 – Open Cut & Pipe Bursting Project.

4. It is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public, and that the public notice of the time, place, and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

______________________________
Berto Guerra, Jr., Chairman

ATTEST:

______________________________
Amy Hardberger, Secretary
TO:       San Antonio Water System Board of Trustees

FROM:     Joe L. Carreno, P.E., Senior Director, Construction, and Andrea L.H. Beymer, P.E.,
          Vice President, Engineering and Construction

THROUGH:  Robert R. Puente, President/Chief Executive Officer

SUBJECT:  RATIFICATION OF CHANGE ORDER NO. 1 IN CONNECTION WITH THE
          ALAMOSA DRIVE & HUNSTOCK AVENUE DR 1131 PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution ratifies the actions of the Vice President of Engineering and Construction in approving Change Order No. 1 in an amount not to exceed $991,233.45 to the construction contract with Qro Mex Construction Co., Inc., a local, MBE-Hispanic contractor, in connection with the Alamosa Drive & Hunstock Avenue DR 1131 Project.

- On August 6, 2019, the San Antonio Water System’s (the “System”) Board of Trustees, by Resolution 19-172, authorized a construction contract with Qro Mex Construction Co., Inc., (the “Contractor”) in an amount not to exceed $1,869,744.00 for the project work in connection with the Alamosa Drive & Hunstock Avenue DR 1131 Project.

- During construction, the contractor was connecting the new 48-inch sewer main to an existing 48-inch sewer main and it was discovered that the existing 48-inch sewer main was deteriorated and in need of replacement.

- The scope of work consists of the replacement of an additional 721 feet of 48-inch sewer main to include bypass pumping, asphalt pavement work and all necessary appurtenances to complete the project.

- Change Order No. 1 in an amount not to exceed $991,233.45 will add the project work to the Alamosa Drive & Hunstock Avenue DR 1131 Project.

Staff recommends that the Board approve this resolution.
Ratification of Change Order No. 1
Alamosa Drive & Hunstock Avenue DR 1131 Project

FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. This project is included in the Wastewater Core Business, Main Replacement – Sewer budget line item. Funds for Change Order No. 1 will be transferred from the 2020 Owner Controlled Construction Changes line item. The total amount requested for this change order is $991,233.45. The job number is 17-4538.

<table>
<thead>
<tr>
<th></th>
<th>Amount Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount (Resolution No. 19-172 )</td>
<td>$1,869,744.00</td>
</tr>
<tr>
<td>Proposed Change Order No. 1</td>
<td>991,233.45</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$2,860,977.45</td>
</tr>
</tbody>
</table>

The revised construction contract amount for the System’s work as a result of this change order is $2,860,977.45, which represents an increase of 53.01 percent from the original contract amount.

The original completion date for this contract was May 16, 2020. As a result of this change order, the contract has been extended and the completion date is July 15, 2020.

Attachments:
1. Project Area Map
2. Project Site Map
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES RATIFYING THE ACTIONS OF THE VICE PRESIDENT OF ENGINEERING AND CONSTRUCTION IN APPROVING CHANGE ORDER NO. 1 IN AN AMOUNT NOT TO EXCEED $991,233.45 FOR THE ADDITIONAL PROJECT WORK IN CONNECTION WITH THE ALAMOSA DRIVE & HUNSTOCK AVENUE DR 1131 PROJECT; AMENDING RESOLUTION NO. 19-172 BY APPROVING AN ADDITIONAL AMOUNT NOT TO EXCEED $991,233.45 FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE CHANGE ORDER NO. 1, AND TO PAY QRO MEX CONSTRUCTION CO., INC. AN ADDITIONAL AMOUNT NOT TO EXCEED $991,233.45 FOR ADDITIONAL PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on August 6, 2019, the San Antonio Water System’s (the “System”) Board of Trustees, by Resolution 19-172, authorized a construction contract with Qro Mex Construction Co., Inc. (the “Contractor”) in an amount not to exceed $1,869,744.00 for the project work in connection with the Alamosa Drive & Hunstock Avenue DR 1131 Project; and

WHEREAS, Change Order No. 1 is for the replacement of an additional 721 feet of existing 48-inch sewer main and appurtenances; and

WHEREAS, negotiations between the System and Qro Mex Construction Co., Inc. resulted in a cost of $991,233.45 for Change Order No. 1 for the additional project work; and

WHEREAS, additional System funds in an amount not to exceed $991,233.45 are required in connection with the project work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to ratify the actions of the Vice President of Engineering and Construction in approving Change Order No. 1 in an amount not to exceed $991,233.45 payable to Qro Mex Construction Co., Inc. in connection with the Alamosa Drive & Hunstock Avenue DR 1131 Project, (ii) to amend Resolution No. 19-172 by approving the expenditure of funds in an amount not to exceed $991,233.45 from the Project Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute Change Order No. 1, and to pay an additional amount not to exceed $991,233.45 to Qro Mex Construction Co., Inc. for the project work; now, therefore:
BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the actions of the Vice President of Engineering and Construction in approving Change Order No. 1 in an amount not to exceed $991,233.45 for the additional project work in connection with the Alamosa Drive & Hunstock Avenue DR 1131 Project are hereby ratified.

2. That Resolution No. 19-172 is hereby amended by approving an additional amount not to exceed $991,233.45 from the Project Fund for additional project work.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute Change Order No. 1, and to pay Qro Mex Construction Co., Inc. an additional amount not to exceed $991,233.45 for the project work.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place, and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid, or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

____________________________________
Berto Guerra, Jr., Chairman

ATTEST:

____________________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF PROFESSIONAL SERVICES CONTRACT IN CONNECTION WITH THE FM 1560: FM 471 TO SH 16 PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a professional services contract to Halff Associates, Inc., a local, Non-SMWVB firm, and authorizes funds in an amount not to exceed $1,289,353.00 in connection with the FM 1560: FM 471 to SH 16 Project.

- The Texas Department of Transportation (TxDOT) plans to expand FM 1560 from two lanes to four lanes from FM 471 to SH 16. The improvements will be located within the area illustrated on the attached maps. TxDOT selected Halff Associates, Inc. to provide engineering services in connection with their street and drainage improvements.

- The FM 1560: FM 471 to SH 16 Project will be constructed in two phases. Phase I starts at FM 471 (Culebra Road) and ends at Galm/Shaenfield Road. Phase II is from Galm/Shaenfield Road to SH 16 (Bandera Road).

- Due to the improvements on the FM 1560: FM 471 to SH 16 Project, the existing water mains within the project boundaries require adjustment due to the proposed street and drainage improvements.

- The existing sewer mains within the project boundaries require adjustment due to the proposed street and drainage improvements.

- The water work will consist of the adjustment of approximately 11,400 feet of 12-inch through 42-inch water main at an estimated cost of $4,060,500.00.

- The sewer work will consist of the adjustment of approximately 3,300 feet of 12-inch and 18-inch sewer main at an estimated cost of $1,218,750.00.

- TxDOT utilized a selection process that meets State requirements for the procurement of professional services.

- The San Antonio Water System’s (the “System”) Architect/Engineer selection procedure
provides the option to contract with the consulting engineer selected by another agency.

- The System has elected to contract separately with Halff Associates, Inc. to design sewer and water facility adjustments within this project to meet schedule constraints. TxDOT is expediting the design of this project to allow time for non-joint bid utilities to develop and construct their improvements based on a conformed set of final joint bid construction plans.

- The scope of services includes standard engineering contract services for a lump sum fee of $961,726.00.

- Supplemental services include, but may not be limited to, preparation of Interlocal Agreements, Agreement Assemblies, preparation of Exception Requests, temporary water main design, scour and buoyancy analysis, Geotechnical Data Report, corrosion protection study, development of a TCEQ Sewage Collection System permit application for sewer work over the Edwards Aquifer Recharge Zone, and any additional design services associated with adjustment work for a not to exceed fee of $327,627.00.

- The total fee for engineering design services is not to exceed $1,289,353.00.

- The System staff will review the design documents and coordinate with TxDOT for the development of the joint bid construction plans. The System will joint bid the construction of this project with TxDOT.

Staff recommends that the Board approve this resolution.

**FINANCIAL IMPACT:**

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. The project work is included in the Water Delivery Core Business, Governmental – Water Category, and Governmental Water Replacements budget line item. The amount is $691,443.00 under job number 17-5141 for Phase I and $212,767.00 under job number 19-5034 for Phase II.

The sewer work is included in the Wastewater Delivery Core Business, Governmental – Wastewater Category, and Governmental Wastewater Replacements budget line item. The amount is $135,759.00 under job number 17-5621 for Phase I and $249,384.00 under job number 19-5534 for Phase II.

Attachments:
1. Project Area Map
2. Project Site Map
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AWARDING A PROFESSIONAL SERVICES CONTRACT TO HALFF ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED $1,289,353.00 FOR THE DESIGN OF WATER AND SEWER FACILITY ADJUSTMENTS IN CONNECTION WITH THE FM 1560: FM 471 TO SH 16 PROJECT; APPROVING AN AMOUNT NOT TO EXCEED $1,289,353.00 BE MADE AVAILABLE AND EXPENDED FROM THE PROJECT FUND FOR THE PROJECT ENGINEERING WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH HALFF ASSOCIATES, INC., AND TO PAY HALFF ASSOCIATES, INC. AN AMOUNT NOT TO EXCEED $1,289,353.00 FOR THE PROJECT ENGINEERING WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the FM 1560: FM 471 to SH 16 Project is a Texas Department of Transportation (TxDOT) project; and

WHEREAS, the FM 1560: FM 471 to SH 16 Project requires the adjustment of certain water and sewer facilities of the San Antonio Water System (the “System”); and

WHEREAS, the System requires professional engineering services for the design of water and sewer facility adjustments in connection with TxDOT’s project (the “project engineering work”); and

WHEREAS, the project engineering work will consist of basic and supplemental services necessary for the design and construction of the project; and

WHEREAS, TxDOT selected Halff Associates, Inc. to provide engineering services in connection with their street and drainage improvements; and

WHEREAS, the System’s Architect/Engineer selection procedure provides the option to contract with the consulting engineer selected by another agency; and

WHEREAS, Halff Associates, Inc. has submitted a proposal in an amount not to exceed $1,289,353.00 to perform the project engineering work; and
WHEREAS, the amount of $1,289,353.00 is available from the Project Fund for the project engineering work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a professional services contract to Halff Associates, Inc. in an amount not to exceed $1,289,353.00 for the project engineering work in connection with the FM 1560: FM 471 to SH 16 Project, (ii) to approve the expenditure of funds and make available an amount not to exceed $1,289,353.00 from the Project Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute a professional services contract with Halff Associates, Inc., and to pay Halff Associates, Inc. an amount not to exceed $1,289,353.00 to for the project engineering work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a professional services contract in an amount not to exceed $1,289,353.00 is hereby awarded to Halff Associates, Inc. for the project engineering work in connection with the FM 1560: FM 471 to SH 16 Project.

2. That an amount not to exceed $1,289,353.00 for the project engineering work is hereby made available and is to be expended from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a standard professional services contract for architect/engineer services with Halff Associates, Inc., and to pay Halff Associates, Inc. an amount not to exceed $1,289,353.00 for the project engineering work.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.
PASSED AND APPROVED this 9th day of June, 2020.

__________________________________________
Berto Guerra, Jr., Chairman

ATTEST:

__________________________________________
Amy Hardberger, Secretary
AGENDA ITEM NO. 13

TO: San Antonio Water System Board of Trustees

FROM: Joe L. Carreno, P.E., Senior Director, Construction, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: APPROVAL OF CHANGE ORDER NO. 4 IN CONNECTION WITH THE FEATHERCREST AND STONE RIDGE LIFT STATIONS UPGRADES PROJECT – PHASES 1 AND 2 THOUSAND OAKS AND WETMORE

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution approves Change Order No. 4 in an amount not to exceed $152,174.51 to the construction contract with D Guerra Construction, LLC, a local, non SMWVB contractor, in connection with the Feathercrest and Stone Ridge Lift Stations Upgrades Project – Phases 1 and 2 Thousand Oaks and Wetmore.

- On October 1, 2019, the San Antonio Water System’s (the “System”) Board of Trustees, by Resolution 19-247, authorized a construction contract with D Guerra Construction, LLC (the “Contractor”) in an amount not to exceed $7,846,638.00 for the project work in connection with the Feathercrest and Stone Ridge Lift Stations Upgrades Project – Phases 1 and 2 Thousand Oaks and Wetmore.

- During construction, it was determined that additional grout is required at seven boring locations throughout the project. The grout is necessary to fill the annular space between the sewer pipe and the casing.

- The project work consists of the installation of approximately 222 cubic yards of grout at seven bore locations throughout this project.

- Change Order No. 4 in an amount not to exceed $152,174.51 adds this work to the Feathercrest and Stone Ridge Lift Stations Upgrades Project – Phases 1 and 2 Thousand Oaks and Wetmore.

Staff recommends that the Board approve this resolution.
FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. This project is included in the Wastewater Core Business, Main Replacement – Sewer budget line item. Funds for Change Order No. 4 will be transferred from the 2020 Owner Controlled Construction Changes line item. The total amount requested for this change order is $152,174.51. The job number is 17-2505.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount Authorized</th>
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<tbody>
<tr>
<td>Original Contract Amount (Resolution No. 19-247)</td>
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<td>Previous Change Orders (1 through 3)</td>
<td>28,970.73</td>
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<td>Proposed Change Order No. 4</td>
<td>152,174.51</td>
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<tr>
<td>Revised Contract Amount</td>
<td>$8,027,783.24</td>
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</tbody>
</table>

The revised construction contract amount for the System’s work as a result of this change order is $8,027,783.24, which represents an increase of 2.31 percent from the original contract amount.

The original completion date for this contract was December 31, 2020. As a result of the previous change orders and this proposed change order, the contract has been extended and the completion date is February 6, 2021.

Attachments:
1. Project Area Map
2. Project Site Map
SAN ANTONIO WATER SYSTEM
PROJECT AREA MAP
ATTACHMENT I

FEATHERCREST AND STONE RIDGE
LIFT STATIONS UPGRADES - PHASES 1 AND 2
THOUSAND OAKS AND WETMORE

LEGEND

★ PROJECT SITE

EDWARDS AQUIFER RECHARGE ZONE
SAN ANTONIO WATER SYSTEM
PROJECT SITE MAP
ATTACHMENT II

FEATHERCREST AND STONE RIDGE
LIFT STATIONS UPGRADES - PHASES 1 AND 2
THOUSAND OAKS AND WETMORE

LEGEND
PROJECT LIMITS
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING CHANGE ORDER NO. 4 IN AN AMOUNT NOT TO EXCEED $152,174.51 FOR THE ADDITIONAL PROJECT WORK IN CONNECTION WITH THE FEATHERCREST AND STONE RIDGE LIFT STATIONS UPGRADES Project – PHASES 1 AND 2 THOUSAND OAKS AND WETMORE; AMENDING RESOLUTION NO. 19-247 BY APPROVING AN ADDITIONAL AMOUNT NOT TO EXCEED $152,174.51 FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE CHANGE ORDER NO. 4, AND TO PAY D GUERRA CONSTRUCTION, LLC AN ADDITIONAL AMOUNT NOT TO EXCEED $152,174.51 FOR ADDITIONAL PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on October 1, 2019, the San Antonio Water System’s (the “System”) Board of Trustees, by Resolution 19-247, authorized a construction contract with D Guerra Construction, LLC (the “Contractor”) in an amount not to exceed $7,846,638.00 for the project work in connection with the Feathercrest and Stone Ridge Lift Stations Upgrades Project – Phases 1 and 2 Thousand Oaks and Wetmore; and

WHEREAS, Change order No. 4 is required to install additional grout at seven bore locations; and

WHEREAS, negotiations between the System and the Contractor resulted in a cost of $152,174.51 for Change Order No. 4 for the additional project work; and

WHEREAS, additional System funds in an amount not to exceed $152,174.51 are required in connection with the project work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve Change Order No. 4 in an amount not to exceed $152,174.51 payable to D Guerra Construction, LLC in connection with the Feathercrest and Stone Ridge Lift Stations Upgrades Project – Phases 1 and 2 Thousand Oaks and Wetmore, (ii) to amend Resolution No. 19-247 by approving the expenditure of funds in an amount not to exceed $152,174.51 from the Project Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to
execute Change Order No. 4, and to pay D Guerra Construction, LLC an additional amount not to exceed $152,174.51 for the project work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That Change Order No. 4 in an amount not to exceed $152,174.51 to the construction contract with D Guerra Construction, LLC in connection with the Feathercrest and Stone Ridge Lift Stations Upgrades Project – Phases 1 and 2 Thousand Oaks and Wetmore is hereby approved.

2. That Resolution No. 19-247 is hereby amended by approving an additional amount not to exceed $152,174.51 from the Project Fund for additional project work.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute Change Order No. 4, and to pay D Guerra Construction, LLC an additional amount not to exceed $152,174.51 for the project work.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place, and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid, or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

____________________________________
Berto Guerra, Jr., Chairman

ATTEST:

____________________________________
Amy Hardberger, Secretary
AGENDA ITEM NO.  14

TO: San Antonio Water System Board of Trustees

FROM: Joe L. Carreno, P.E., Senior Director, Construction, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: APPROVAL OF CHANGE ORDER NO. 5 IN CONNECTION WITH THE WURZBACH PUMP STATION IMPROVEMENTS PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution approves Change Order No. 5 in an amount not to exceed $140,620.16 to the construction contract with Archer Western Construction, LLC, a non-local, non-SMWVB firm, in connection with the Wurzbach Pump Station Improvements Project.

- On December 4, 2018, the San Antonio Water System’s (the “System”) Board of Trustees, by Resolution No. 18-304, authorized a construction contract with Archer Western Construction, LLC (the “Contractor”) in an amount not to exceed $16,047,000.00 in connection with the Wurzbach Pump Station Improvements Project.

- This project included replacement of all electrical equipment including all wiring, switchgear, transformers in a new electrical building complete with power distribution, SCADA, and security equipment; construction of new electrical duct banks to serve pumps, wells, lighting, security equipment, and construction of a new fluoride system facility, high service pump station facility, access to roadways, and civil site improvements.

- During construction of the Wurzbach Pump Station, it was determined an upgrade to the CPS Energy transformers are necessary to support several upgrades including a new electrical building.

- Change Order No. 5 in an amount not to exceed $140,620.16 adds this work to the Wurzbach Pump Station Improvement Project.

Staff recommends that the Board approve this resolution.

FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. This project is included in the Water Delivery Core Business budget line item. The amount is $140,620.16 for additional project work and funds will be transferred from the 2020 Owner Controlled Construction Changes line item. The job number is 15-6003.
The revised contract amount for the System’s work as a result of this change order is $16,668,181.61, which represents an increase of 3.87 percent from the original contract amount.

The original completion date for this contract was September 30, 2020. As result of previous change orders and this proposed change order, the contract has been extended and completion date is January 31, 2021.

Attachments:
1. Project Area Map
2. Project Site Map
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING CHANGE ORDER NO. 5 IN AN AMOUNT NOT TO EXCEED $140,620.16 FOR THE ADDITIONAL PROJECT WORK IN CONNECTION WITH THE WURZBACH PUMP STATION IMPROVEMENTS PROJECT; AMENDING RESOLUTION NO. 18-304 BY APPROVING AN ADDITIONAL AMOUNT NOT TO EXCEED $140,620.16 FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE CHANGE ORDER NO. 5, AND TO PAY ARCHER WESTERN CONSTRUCTION, LLC AN ADDITIONAL AMOUNT NOT TO EXCEED $140,620.16 FOR THE PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on December 4, 2018, the San Antonio Water System’s (the “System”) Board of Trustees, by Resolution No. 18-304, authorized a construction contract with Archer Western Construction, LLC (the “Contractor”) in an amount not to exceed $16,047,000.00 for the project work in connection with the Wurzbach Pump Station Improvements Project; and

WHEREAS, Change Order No. 5 is required to upgrade the existing CPS Energy transformers; and

WHEREAS, negotiations between the System and Archer Western Construction, LLC resulted in a cost of $140,620.16 for Change Order No. 5 for the additional project work; and

WHEREAS, additional System funds in an amount not to exceed $140,620.16 are required in connection with the project work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve Change Order No. 5 in an amount not to exceed $140,620.16 payable to Archer Western Construction, LLC in connection with the Wurzbach Pump Station Improvements Project, (ii) to amend Resolution No. 18-304 by approving the expenditure of funds in an amount not to exceed $140,620.16 from the Project Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute Change Order No. 5, and to pay Archer Western Construction, LLC an additional amount not to exceed $140,620.16 for the project work; now, therefore:
BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That Change Order No. 5 in an amount not to exceed $140,620.16 to the construction contract with Archer Western Construction, LLC in connection with the Wurzbach Pump Station Improvements Project is hereby approved.

2. That Resolution No. 18-304 is hereby amended by approving an additional amount not to exceed $140,620.16 from the Project Fund for additional project work.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute Change Order No. 5, and to pay Archer Western Construction, LLC an additional amount not to exceed $140,620.16 for the project work.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place, and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid, or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

____________________________________
Berto Guerra, Jr., Chairman

ATTEST:

____________________________________
Amy Hardberger, Secretary
AGENDA ITEM NO. 15

TO: San Antonio Water System Board of Trustees

FROM: Alissa R. Lockett, P.E., Director, Vista Ridge Integration, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: RATIFICATION OF CHANGE ORDER NO. 4 IN CONNECTION WITH THE CENTRAL WATER INTEGRATION PIPELINE – MALTSBERGER PUMP STATION IMPROVEMENTS PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution ratifies the actions of the Vice President of Engineering and Construction in approving Change Order No. 4 in an amount not to exceed $512,462.00 to the construction contract with Archer Western Construction, LLC, a local, non-SMWVB contractor, in connection with the Central Water Integration Pipeline – Maltsberger Pump Station Improvements Project.

- On October 9, 2018, the San Antonio Water System’s (the “System”) Board of Trustees, by Resolution No. 18-243, authorized a construction contract with Archer Western Construction, LLC (the “Contractor”) in an amount not to exceed $11,144,100.00 for the project work in connection with the Central Water Integration Pipeline – Maltsberger Pump Station Improvements Project (the “Project”).

- The Project includes replacement of the existing outdoor medium voltage switchgear and motor control centers, a new electrical building, flow control valve assemblies to accept the Vista Ridge water at the Maltsberger and Basin Pump Stations, and two pressure reducing valve assemblies in the water distribution system.

- Change Order No. 4 includes the piping, traffic control, and restoration changes required to construct the pressure reducing valve at Jones Maltsberger Road to avoid conflicts with existing gas infrastructure located within the roadway.

- Change Order No. 4 in an amount not to exceed $512,462.00 provides the additional funds to the construction contract with the Contractor for the costs associated with the additional work.

Staff recommends that the Board approve this resolution.
FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. This project is included in the Water Supply Core Business budget line item. Funds for Change Order No. 4 will be transferred from the 2020 Owner Controlled Construction Changes line item. The total amount requested for this change order is $512,462.00. The job number is 18-8617.

<table>
<thead>
<tr>
<th></th>
<th>Amount Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount</td>
<td>$11,144,100.00</td>
</tr>
<tr>
<td>Previous Change Orders (1 through 3)</td>
<td>2,764,411.00</td>
</tr>
<tr>
<td>Proposed Change Order No. 4</td>
<td>512,462.00</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$14,420,973.00</td>
</tr>
</tbody>
</table>

The revised construction contract amount for the System’s work as a result of this change order is $14,420,973.00, which represents an increase of 29.4 percent from the original contract amount.

The original completion date for this contract was June 30, 2020. As a result of this proposed change order, the contract has been extended and the completion date is August 4, 2020.

Attachments:
1. Project Area Map
2. Project Site Map
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES RATIFYING THE ACTIONS OF THE VICE PRESIDENT OF ENGINEERING AND CONSTRUCTION IN APPROVING CHANGE ORDER NO. 4 IN AN AMOUNT NOT TO EXCEED $512,462.00 FOR THE ADDITIONAL PROJECT WORK IN CONNECTION WITH THE CENTRAL WATER INTEGRATION PIPELINE – MALTSBERGER PUMP STATION IMPROVEMENTS PROJECT; AMENDING RESOLUTION NO. 18-243 BY APPROVING AN ADDITIONAL AMOUNT NOT TO EXCEED $512,462.00 FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE CHANGE ORDER NO. 4, AND TO PAY ARCHER WESTERN CONSTRUCTION, LLC AN ADDITIONAL AMOUNT NOT TO EXCEED $512,462.00 FOR THE ADDITIONAL PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on October 9, 2018, the San Antonio Water System’s (the “System”) Board of Trustees, by Resolution 18-243, authorized a construction contract with Archer Western Construction, LLC (the “Contractor”) in an amount not to exceed $11,144,100.00 for the project work in connection with the Central Water Integration Pipeline – Maltsberger Pump Station Improvements Project; and

WHEREAS, Change Order No. 4 includes the piping, traffic control, and restoration changes required to construct the pressure reducing valve at Jones Maltsberger Road to avoid conflicts with existing gas infrastructure located within the roadway; and

WHEREAS, negotiations between the System and the Contractor resulted in a cost of $512,462.00 for Change Order No. 4 for the additional project work; and

WHEREAS, additional System funds in an amount not to exceed $512,462.00 are required in connection with the project work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to ratify the actions of the Vice President of Engineering and Construction in approving Change Order No. 4 in an amount not to exceed $512,462.00 payable to Archer Western Construction, LLC in connection with the Central Water Integration Pipeline – Maltsberger Pump Station Improvements Project, (ii) to amend Resolution No. 18-243 by approving the expenditure of funds in an amount
not to exceed $512,462.00 from the Project Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute Change Order No. 4, and to pay Archer Western Construction, LLC an additional amount not to exceed $512,462.00 for the project work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the actions of the Vice President of Engineering and Construction in approving Change Order No. 4 in an amount not to exceed $512,462.00 for the additional project work in connection with the Central Water Integration Pipeline – Maltsberger Pump Station Improvements Project are hereby ratified.

2. That Resolution No. 18-243 is hereby amended by approving an additional amount not to exceed $512,462.00 from the Project Fund for additional project work.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute Change Order No. 4, and to pay Archer Western Construction, LLC an additional amount not to exceed $512,462.00 for the project work.

4. It is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public, and that the public notice of the time, place, and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

Berto Guerra, Jr., Chairman

ATTEST:

Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Juan D. Gomez, Ph.D., P.E., Director, Plants and Major Projects, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF PROFESSIONAL SERVICES CONTRACT IN CONNECTION WITH THE RANDOLPH PUMP STATION IMPROVEMENTS PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a professional services contract to Freese and Nichols, Inc., a local, non-SMWVB firm, and authorizes funds in an amount not to exceed $1,999,805.00 in connection with the Randolph Pump Station Improvements Project (the “Project”).

- The San Antonio Water System (the “System”) has established a multi-year program to rehabilitate and upgrade aging pump stations to comply with the Texas Commission on Environmental Quality requirements, the American Water Works Association, the Occupational Safety & Health Administration standards, Fire Codes and the National Electric Code.

- The CY 2020 Capital Improvement Program includes the design of the Randolph Pump Station Improvements Project. Randolph Pump Station is located at 212 S. Weidner Road, near Randolph Boulevard on the northeast side of the City of San Antonio.

- The project consists of complete replacement of electrical switchgear including, but not limited to, replacing all existing low and medium voltage wiring, flow meters, Supervisory Control and Data Acquisition system, high service pumps and motors, well pump motors, motor operated valves, and miscellaneous piping. Also included is the construction of a new on-site generation sodium hypochlorite disinfection system and associated building, a new electrical building, site grading and drainage improvements, new concrete driveway, security fence and gate, site security, and lighting.

- Services to be provided include design services, bid phase services, services during construction, specialized construction inspections, start-up and commissioning services, and project closeout services.

- Freese and Nichols, Inc. will provide professional services for this project for the negotiated not to exceed amount of $1,999,805.00.

Staff recommends that the Board approve this resolution.
FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2019 and 2020 Capital Improvement Program. The project work is included in the Water Resources Core Business, Water Supply Category, Randolph Pump Station Improvements Project budget line item. The amount is $1,999,805.00. The job number is 20-8611.

SUPPLEMENTARY COMMENTS:

The firms that provided interest statements for this project are listed below:

<table>
<thead>
<tr>
<th>Name of Firm</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arcadis US, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td><strong>Freese and Nichols, Inc.</strong></td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Garver, LLC</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Kimley-Horn and Associates</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Tetra Tech. Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
</tbody>
</table>

*Selected Firm

Freese and Nichols, Inc. proposes to use the following sub-consultants for services on this contract:

<table>
<thead>
<tr>
<th>Name of Firm</th>
<th>Percent of Fee</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams Environmental, Inc.</td>
<td>4.21%</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>Gupta &amp; Associates, Inc.</td>
<td>26.42%</td>
<td>Local/MBE-Asian</td>
</tr>
<tr>
<td>Maestas &amp; Associates, LLC</td>
<td>1.08%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Moreno Cardenas, Inc.</td>
<td>5.95%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Rock Engineering and Testing Laboratory, Inc.</td>
<td>2.53%</td>
<td>Local/WBE-Asian</td>
</tr>
</tbody>
</table>
Additionally, the overall SMWVB analysis is shown in the following table:

<table>
<thead>
<tr>
<th>SMWVB Analysis – Board Award</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SBE</td>
<td>0.00%</td>
</tr>
<tr>
<td>MBE – African American</td>
<td>0.00%</td>
</tr>
<tr>
<td>MBE – Asian</td>
<td>26.42%</td>
</tr>
<tr>
<td>MBE – Hispanic</td>
<td>7.03%</td>
</tr>
<tr>
<td>MBE – Other</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE – Minority</td>
<td>2.53%</td>
</tr>
<tr>
<td>WBE – Non-Minority</td>
<td>4.21%</td>
</tr>
<tr>
<td><strong>SMWVB Total</strong></td>
<td><strong>40.19%</strong></td>
</tr>
</tbody>
</table>

Attachments:
1. Project Area Map
2. Project Site Map
SAN ANTONIO WATER SYSTEM
PROJECT AREA MAP
ATTACHMENT I

RANDOLPH PUMP STATION IMPROVEMENTS PROJECT

LEGEND
★ PROJECT SITE
☐ EDWARDS AQUIFER RECHARGE ZONE
SAN ANTONIO WATER SYSTEM
PROJECT SITE MAP
ATTACHMENT II

RANDOLPH PUMP STATION IMPROVEMENTS PROJECT

LEGEND

PROJECT LOCATION
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AWARDING A PROFESSIONAL SERVICES CONTRACT TO FRESEE AND NICHOLS, INC. IN AN AMOUNT NOT TO EXCEED $1,999,805.00 IN CONNECTION WITH THE RANDOLPH PUMP STATION IMPROVEMENTS PROJECT; APPROVING THE EXPENDITURE OF FUNDS AND MAKING AVAILABLE AN AMOUNT NOT TO EXCEED $1,999,805.00 FROM THE PROJECT FUND FOR PROJECT ENGINEERING WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH FRESEE AND NICHOLS, INC., AND TO PAY FRESEE AND NICHOLS, INC. AN AMOUNT NOT TO EXCEED $1,999,805.00 FOR THE PROJECT ENGINEERING SERVICES; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System (the “System”) requires professional services for design of the Randolph Pump Station Improvements Project (the “project”); and

WHEREAS, the System has solicited proposals for the required project engineering work in connection with the project; and

WHEREAS, the System’s Architect and Engineer Selection Committee has selected Freese and Nichols, Inc. to provide the required project engineering work in connection with the project; and

WHEREAS, Freese and Nichols, Inc., local, non-SMWVB firm, is deemed to be the most highly qualified provider of these engineering services on the basis of demonstrated competence and qualifications and for a fair and reasonable price; and

WHEREAS, Freese and Nichols, Inc. has submitted a proposal in an amount not to exceed $1,999,805.00 to provide the required project engineering work for the project; and

WHEREAS, System funds in an amount not to exceed $1,999,805.00 are required for the project engineering work; and

WHEREAS, the required amount not to exceed $1,999,805.00 is available from the Project Fund; and
WHEREAS, the San Antonio Water System’s Board of Trustees desires (i) to award a professional services contract to Freese and Nichols, Inc. in an amount not to exceed $1,999,805.00 in connection with the Randolph Pump Station Improvements Project, (ii) to approve the expenditure of funds and make available an amount not to exceed $1,999,805.00 from the Project Fund for the project engineering work, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute a professional services contract with Freese and Nichols, Inc., and to pay Freese and Nichols, Inc. an amount not to exceed $1,999,805.00 in connection with the project work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a professional services contract in an amount not to exceed $1,999,805.00 is hereby awarded to Freese and Nichols, Inc. in connection with the Randolph Pump Station Improvements Project.

2. That the expenditure of funds in an amount not to exceed $1,999,805.00 for the project engineering work is hereby approved and made available from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a professional services contract with Freese and Nichols, Inc., and to pay Freese and Nichols, Inc. an amount not to exceed $1,999,805.00 in connection with the Randolph Pump Station Improvements Project.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.
PASSED AND APPROVED this 9th day of June, 2020.

_____________________________________
Berto Guerra, Jr., Chairman

ATTEST:

_____________________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Juan D. Gomez, Ph.D., P.E., Director, Plants and Major Projects, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: APPROVAL OF ADDITIONAL FUNDS FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE LIFT STATIONS REHABILITATION PHASE 5 PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution amends Resolution No. 19-106 by authorizing additional funds to an existing professional services contract with BGE, Inc., a local, non-SMWVB firm, in an amount not to exceed $164,832.00 for additional engineering design services in connection with the Lift Stations Rehabilitation Phase 5 Project (the “Project”).

- By Resolution No. 19-106, passed and approved on May 7, 2019, the San Antonio Water System’s (the “System”) Board of Trustees approved a professional services contract in an amount not to exceed $1,146,816.00 with BGE, Inc. in connection with the Project.

- To ensure regulatory compliance and to minimize the likelihood of failures, the System has initiated a program to assess, rehabilitate, and upgrade lift stations in five phases to be completed by 2023 as required by the Environmental Protection Agency’s 2013 Consent Decree. This Project is the last phase of the program and includes the rehabilitation of fifteen lift stations located at the Port Authority of San Antonio and Joint Base San Antonio - Lackland.

- During the design phase of the Project, the existing 8-inch gravity sewer pipe under Interstate 35 (I-35) Highway at South Laredo Street area was reported to be in need of repair due to age and condition. Following field investigations, it was determined that trenchless rehabilitation options to repair the pipe were not feasible due to the existence of a 36-inch storm drain pipeline abutting this pipe as well as close proximity of this line to the I-35 structural bridge footings. It was decided to abandon this pipe in-place, and install a new lift station to continue to serve the area.

- Additionally, the force main and the gravity main associated with Lift Station No. 300 were inspected via camera, and it was determined that these pipes showed heavy encrustation, significant signs of deterioration, and in need of replacement. Lift Station No. 300 is being rehabilitated under this project, and the replacement of these lines is necessary to prevent sanitary sewer overflows in the future.
This amendment includes additional design and construction phase services required to abandon the gravity sewer pipe under I-35 at South Laredo Street area, install a new lift station in the area, and replace the force main and the gravity main associated with Lift Station No. 300. Supplemental services for right-of-entry and easement acquisition, permitting, surveying, and geotechnical and environmental investigations are also included.

Additional funding in the amount of $164,832.00 is available from the Project Fund.

Staff recommends that the Board approve this resolution.

**FINANCIAL IMPACT:**

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvements Program. The project is included in the Wastewater Core Business, Collection Facilities Category, Lift Stations Rehabilitation Phase 5 budget line item. The amount is $164,832.00 for professional services. The job number is 16-2502.

The revised authorization for this project is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Amount Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount (Resolution No. 19-106)</td>
<td>$1,146,816.00</td>
</tr>
<tr>
<td>Proposed Additional Funds</td>
<td>164,832.00</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$1,311,648.00</td>
</tr>
</tbody>
</table>

As a result of the additional funds, the revised contract amount is $1,311,648.00. This represents a 14.37 percent increase to the original contract amount.

Attachments:
1. Project Area Map
2. Project Site Map
SAN ANTONIO WATER SYSTEM
PROJECT AREA MAP
ATTACHMENT I

LIFT STATIONS
REHABILITATION - PHASE 5

LEGEND
★ PROJECT SITE
EDWARDS AQUIFER RECHARGE ZONE
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING ADDITIONAL FUNDS TO THE EXISTING PROFESSIONAL SERVICES CONTRACT WITH BGE, INC. IN AN AMOUNT NOT TO EXCEED $164,832.00 IN CONNECTION WITH THE LIFT STATIONS REHABILITATION PHASE 5 PROJECT; APPROVING THAT AN AMOUNT NOT TO EXCEED $164,832.00 BE MADE AVAILABLE AND EXPENDED FROM THE PROJECT FUND FOR THE ADDITIONAL PROFESSIONAL SERVICES; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES CONTRACT WITH BGE, INC., AND TO PAY BGE, INC. AN AMOUNT NOT TO EXCEED $164,832.00 FOR ADDITIONAL PROFESSIONAL SERVICES; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on May 7, 2019, the San Antonio Water System’s (the “System”) Board of Trustees, by Resolution No. 19-106, approved a professional services contract with BGE, Inc. in an amount not to exceed $1,146,816.00 in connection with the Lift Stations Rehabilitation Phase 5 Project (the “Project”); and

WHEREAS, additional funding to the existing professional services contract with BGE, Inc. in an amount not to exceed $164,832.00 is required to provide additional professional engineering services; and

WHEREAS, an amount not to exceed $164,832.00 is available from the Project Fund for the additional professional services; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve additional funds to the existing professional services contract with BGE, Inc. in an amount not to exceed $164,832.00 in connection with the Lift Stations Rehabilitation Phase 5 Project, (ii) to make available an amount not to exceed $164,832.00 from the Project Fund for the additional professional services, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute an amendment to the existing professional services contract with BGE, Inc., and to pay BGE, Inc. an amount not to exceed $164,832.00 for the additional professional services; now, therefore:
BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That Resolution No. 19-106 is hereby amended to provide additional funds to the existing professional services contract with BGE, Inc. in an amount not to exceed $164,832.00 in connection with the Lift Stations Rehabilitation Phase 5 Project.

2. That an amount not to exceed $164,832.00 is hereby made available and is to be expended from the Project Fund for the additional professional services.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute an amendment to the existing professional services contract with BGE, Inc., and to pay BGE, Inc. an amount not to exceed $164,832.00 in connection with the Lift Stations Rehabilitation Phase 5 Project.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

_________________________
Berto Guerra, Jr., Chairman

ATTEST:

_________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AUTHORIZATION FOR ADDITIONAL FUNDS TO REIMBURSE THE CITY OF SAN ANTONIO FOR ENVIRONMENTAL SERVICES IN CONNECTION WITH THE 2017 - 2022 BOND PROGRAM

SUMMARY AND RECOMMENDATION:

The attached resolution authorizes the President/Chief Executive Officer to reimburse the City of San Antonio (the “City”) an additional amount not to exceed $300,000.00 for environmental services in connection with San Antonio Water System (the “System”) work under the City’s 2017 – 2022 Bond Program. It amends Resolution No. 18-253 by approving expenditures in an additional amount not to exceed $300,000.00.

- On May 6, 2017, San Antonio voters approved the passage of an $850 million Bond Program. Six propositions were passed, which included 180 capital improvement projects.

- On November 13, 2018, by Resolution No. 18-253, the Board authorized funds in the amount of $550,000.00 to reimburse the City for environmental services in connection with the System work under the City’s 2017 – 2022 Bond Program.

- The authorization of $550,000.00 allowed for the initiation of environmental services for known replacements and installations and anticipated adjustments. At the time, it was anticipated that additional funding would be requested as additional requirements were identified.

- Additional environmental impacts include, but are not limited to risk assessments, asbestos pipe removal assessments, cultural resources assessments, water quality (Section 404 permitting), endangered species surveys, karst surveys, NEPA assessments, environmental oversight during construction.

- Proposals received for environmental services currently total $553,495.59, which exceeds the amount of $550,000.00 previously authorized. It is estimated that an additional $300,000.00 will be required to complete the System’s related environmental services for all projects under the Bond Program.
Authorization of Additional Funds – Environmental Services

Reimburse the City of San Antonio
2017 - 2022 Bond Program

- Additional funding may be required to complete the System’s related environmental services through construction. Additional funds may be requested as adjustment and relocation requirements are identified and project scopes are further defined.

Staff recommends that the Board approve this resolution.

FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. The water work is included in the Water Delivery Core Business, Governmental – Water Category, and Governmental Water Replacements budget line item. The amount is $270,000.00 for water related environmental services.

The wastewater work is included in the Wastewater Core Business, Governmental Wastewater Category, and Governmental Wastewater Replacements budget line item. The amount is $30,000.00 for sewer related environmental services.

The revised authorizations are as follows:

<table>
<thead>
<tr>
<th>Amount Authorized</th>
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<tbody>
<tr>
<td>Original Contract Amount (Resolution No. 18-253)</td>
</tr>
<tr>
<td>Proposed Additional Funds</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
</tr>
</tbody>
</table>
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING THE EXPENDITURE OF FUNDS IN AN ADDITIONAL AMOUNT NOT TO EXCEED $300,000.00 FOR ENVIRONMENTAL SERVICES IN CONNECTION WITH THE 2017-2022 BOND PROGRAM; AMENDING RESOLUTION NO. 18-253 BY APPROVING EXPENDITURES IN AN ADDITIONAL AMOUNT NOT TO EXCEED $300,000.00 BE MADE AVAILABLE AND EXPENDED FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO PAY THE CITY OF SAN ANTONIO AN ADDITIONAL AMOUNT NOT TO EXCEED $300,000.00 FOR THE PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, San Antonio voters approved the passage of a $850 million bond program on May 6, 2017; and

WHEREAS, the 2017-2022 Bond Program includes 180 capital improvement projects of the City of San Antonio (the “City”); and

WHEREAS, San Antonio Water System (the “System”) water and sewer facilities may be impacted by the construction of these projects or require replacement due to deterioration; and

WHEREAS, the System requires environmental services (the “project work”) for the replacement or adjustment of water and sewer facilities in connection with such projects; and

WHEREAS, the San Antonio Water System Board of Trustees (the “Board”) by Resolution No. 18-253, adopted November 13, 2018, approved the expenditure of $550,000.00 to reimburse the City for the project work in connection with the 2017 - 2022 Bond Program; and

WHEREAS, it is anticipated that an additional amount not to exceed $300,000.00 will be required for the project work related to System’s facilities in connection with the 2017 - 2022 Bond projects; and

WHEREAS, the additional amount of $300,000.00 is available from the Project Fund for the project work; and
WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve the expenditure of funds in an additional amount not to exceed $300,000.00 for the project work in connection with the 2017-2022 Bond Program, (ii) to amend Resolution No. 18-253 by approving expenditures in an additional amount not to exceed $300,000.00, (iii) to approve the expenditure of an additional amount not to exceed $300,000.00 from the Project Funds to reimburse the City for the project work, and (iv) to authorize the President/Chief Executive Officer or his duly appointed designee to pay an additional amount not to exceed $300,000.00 to the City for the project work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the expenditure of funds in an additional amount not to exceed $300,000.00 to reimburse the City for the project work in connection with 2017-2022 Bond Program is hereby approved.

2. That Resolution No. 18-253 is hereby amended by increasing the amount approved for reimbursement to the City for the project work in connection with the 2017-2022 Bond Program by $300,000.00 from the previous authorization of $550,000.00 to an amended authorization of $850,000.00.

3. That an additional amount not to exceed $300,000.00 to reimburse the City for the project work is hereby made available and is to be expended from the Project Fund.

4. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to pay the City an additional amount not to exceed $300,000.00 for the project work in connection with 2017-2022 Bond Program projects.

5. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

6. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

7. This resolution becomes effective immediately upon its passage.
PASSED AND APPROVED this 9th day of June, 2020.

________________________________________
Berto Guerra, Jr., Chairman

ATTEST:

________________________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AUTHORIZATION FOR ADDITIONAL FUNDS TO REIMBURSE THE CITY OF SAN ANTONIO IN CONNECTION WITH THE 2017 – 2022 BOND PROGRAM

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution authorizes the President/Chief Executive Officer to reimburse the City of San Antonio (the “City”) an additional amount not to exceed $1,700,000.00 for engineering services related to water and sewer facility replacements, installations and adjustments in connection with the 2017 – 2022 Bond Program. It amends Resolution No. 18-183, as previously amended by Resolution 19-017, by further approving expenditures in an additional amount not to exceed $1,700,000.00.

- On May 6, 2017, San Antonio voters approved the passage of an $850 million Bond Program. Six propositions were passed, which included 180 capital improvement projects.

- On August 7, 2018, by Resolution No. 18-183, the Board approved the execution of a Memorandum of Understanding (MOU) with the City that designates the City as the lead contracting agency for engineering services and established terms by which the System will reimburse the City for the System’s design and construction costs. The resolution also authorized funds in the amount of $1,500,000.00 to reimburse the City for engineering services.

- Additional funds in the amount of $2,500,000.00 were subsequently approved on January 15, 2019, by Resolution No. 19-017. Additional funds were required for engineering services that were identified as the design of projects progressed and for projects where the scope of work was previously undefined.

- The City’s professional services contracts with consulting engineers for the 2017 – 2022 Bond Program includes engineering services related to the System’s facilities. System staff works alongside City as scope is developed to determine potential impacts to the System.

- Proposals received for engineering design services related to System replacements, installations and adjustments currently total $5,620,977.59 which exceeds the amount of $4,000,000.00 previously authorized by $1,620,977.59. Negotiations for engineering
design services for additional projects are ongoing and/or pending. It is estimated that an additional $1,700,000.00 will be required to cover the related design services for all current and pending projects under the City’s contracts. This estimate is based on information available at this time but may change if the scope of adjustments varies significantly.

- Additional funding may be required to complete the System’s related engineering services through construction. Additional funds may be requested as adjustment and relocation requirements are identified and project designs are further defined.

Staff recommends that the Board approve this resolution.

**FINANCIAL IMPACT:**

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. The water work is included in the Water Delivery Core Business, Governmental – Water Category, and Governmental Water Replacements budget line item. The amount is $1,000,000.00 for water related engineering work.

The wastewater work is included in the Wastewater Core Business, Governmental Wastewater Category, and Governmental Wastewater Replacements budget line item. The amount is $700,000.00 for sewer related engineering work.

The revised authorizations are as follows:

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<thead>
<tr>
<th>Original Contract Amount (Resolution No. 18-183)</th>
<th>Amount Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved Additional Funds (Resolution No. 19-017)</td>
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<tr>
<td>Approved Additional Funds (Resolution No. 19-017)</td>
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</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$5,700,000.00</td>
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</table>
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING THE EXPENDITURE OF FUNDS IN AN ADDITIONAL AMOUNT NOT TO EXCEED $1,700,000.00 FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE 2017 – 2022 BOND PROGRAM; AMENDING RESOLUTION NO. 18-183, AS PREVIOUSLY AMENDED BY RESOLUTION NO. 19-017, BY APPROVING EXPENDITURES IN AN ADDITIONAL AMOUNT NOT TO EXCEED $1,700,000.00 BE MADE AVAILABLE AND EXPENDED FROM THE PROJECT FUND FOR THE PROJECT ENGINEERING WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO PAY THE CITY OF SAN ANTONIO AN ADDITIONAL AMOUNT NOT TO EXCEED $1,700,000.00 FOR THE PROJECT ENGINEERING WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, San Antonio voters approved the passage of a $850 million bond program on May 6, 2017; and

WHEREAS, the 2017-2022 Bond Program includes 180 capital improvement projects of the City of San Antonio (the “City”); and

WHEREAS, the San Antonio Water System (the “System”) water or sewer facilities may be impacted by the construction or require replacement due to deterioration; and

WHEREAS, the System requires professional engineering services (the “project engineering work”) for the replacement or adjustment of water and sewer facilities in connection with such projects; and

WHEREAS, the project engineering work will consist of all services necessary for the design and construction of projects; and

WHEREAS, the San Antonio Water System Board of Trustees (the “Board”) by Resolution No. 18-183, adopted August 7, 2018, approved the expenditure of $1,500,000.00 to reimburse the City for the project engineering work in connection with the 2017 – 2022 Bond Program; and
WHEREAS, the Board, by Resolution No. 19-017, adopted January 15, 2019, authorized additional funds in the amount of $2,500,000.00 for the project engineering work in connection with the 2017 – 2022 Bond Program; and

WHEREAS, it is anticipated that an additional amount not to exceed $1,700,000.00 will be required for the project engineering work related to System’s facilities in connection with the 2017 – 2022 Bond projects; and

WHEREAS, the additional amount of $1,700,000.00 is available from the Project Fund for the project engineering work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve the expenditure of funds in an additional amount not to exceed $1,700,000.00 for the project engineering work in connection with the 2017-2022 Bond Program, (ii) to amend Resolution No. 18-183, as previously amended by Resolution No. 19-017, by approving expenditures in an additional amount not to exceed $1,700,000.00, (iii) to approve the expenditure of an additional amount not to exceed $1,700,000.00 from the Project Funds to reimburse the City for the project engineering work, and (iv) to authorize the President/Chief Executive Officer or his duly appointed designee to pay an additional amount not to exceed $1,700,000.00 to the City for the project engineering work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the expenditure of funds in an additional amount not to exceed $1,700,000.00 to reimburse the City for the project engineering work in connection with 2017 – 2022 Bond Program is hereby approved.

2. That Resolution No. 18-183, as previously amended by Resolution No. 19-017, is hereby further amended by increasing the amount approved for reimbursement to the City for the project engineering work in connection with the 2012 – 2017 Bond Program by $1,700,000.00 from the previous authorization of $4,000,000.00 to an amended authorization of $5,700,000.00.

3. That an additional amount not to exceed $1,700,000.00 to reimburse the City for the project engineering work is hereby made available and is to be expended from the Project Fund.

4. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to pay the City an additional amount not to exceed $1,700,000.00 for the project engineering work in connection with 2017 – 2022 Bond Program projects.

5. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.
6. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

7. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

________________________________________

Berto Guerra, Jr., Chairman

ATTEST:

________________________________________

Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AUTHORIZATION TO REIMBURSE THE CITY OF SAN ANTONIO IN CONNECTION WITH THE WEST MILITARY & WESTMAR AREA DRAINAGE IMPROVEMENTS PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution authorizes the President/Chief Executive Officer to reimburse the City of San Antonio (the “City”) an amount not to exceed $2,784,055.32 for the joint construction of water and sewer facility adjustments and replacements in connection with the West Military & Westmar Area Drainage Improvements Project.

- This project is a City Capital Improvement Program project included in the 2017 – 2022 Bond Program. The City proposes construction of a storm drain system to provide flooding relief to neighborhood streets and properties; improvements to include street reconstruction, curbs, sidewalks, and driveway approaches as needed in the project area illustrated on the attached maps. The City’s improvement work is estimated to cost $6,264,611.19.

- Due to the street and drainage improvements within the West Military & Westmar Area Drainage Improvements Project limits, the existing water mains require adjustment to avoid conflict with the City’s improvements and replacement to meet the System’s current standards.

- The existing sewer mains within the West Military & Westmar Area Drainage Improvements Project limits require adjustment to avoid conflict with the City’s improvements and replacement to meet System current standards.

- The water work will consist of the adjustment and replacement of approximately 4,170 feet of 6-inch through 12-inch water mains.

- The sewer work will consist of the adjustment and replacement of approximately 4,800 feet of 8-inch through 24-inch sewer mains.

Staff recommends that the Board approve this resolution.
FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. The water work is included in the Water Delivery Core Business, Governmental - Water Category, and Governmental Water Replacements budget line item. The amount is $1,104,127.15 for water work. The job number is 17-5062.

The sewer work is included in the Wastewater Core Business, Governmental - Wastewater Category, and Governmental Wastewater Replacements budget line item. The amount is $1,679,928.17 for sewer work. The job number is 17-5551.

SUPPLEMENTARY COMMENTS:

The City received two bids for this project on March 17, 2020. The lowest qualified, responsive bidder for this project is E-Z Bel Construction, LLC, a local, MBE contractor. City Council approved the construction contract on May 21, 2020, and construction is expected to begin June 2020. Time allowed for total construction is 540 calendar days. The request for reimbursement is requested after City Council approves the award of the construction contract to ensure that the contract is awarded, to determine which contractor was awarded the project, to give the System’s staff time to review the bids and establish the reimbursement amount based on the awarded bid.

Attachments:
1. Project Area Map
2. Project Site Map
SAN ANTONIO WATER SYSTEM
PROJECT SITE MAP
ATTACHMENT II

WEST MILITARY & WESTMAR AREA
DRAINAGE IMPROVEMENTS

LEGEND
-project limits
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING THE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED $2,784,055.32 FOR THE ADJUSTMENT AND REPLACEMENT OF WATER AND SEWER FACILITIES BY THE CITY OF SAN ANTONIO IN CONNECTION WITH THE WEST MILITARY & WESTMAR AREA DRAINAGE IMPROVEMENTS PROJECT; APPROVING AN AMOUNT NOT TO EXCEED $2,784,055.32 BE MADE AVAILABLE AND EXPENDED FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO PAY TO THE CITY OF SAN ANTONIO AN AMOUNT NOT TO EXCEED $2,784,055.32 FOR THE PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of San Antonio (the “City”) intends to construct the West Military & Westmar Area Drainage Improvements Project as part of its 2017 – 2022 Bond Program; and

WHEREAS, the City’s West Military & Westmar Area Drainage Improvements Project will require the adjustment and replacement of certain water and sewer facilities (the “project work”) of the San Antonio Water System (the “System”); and

WHEREAS, the City has received a bid for the project work from E-Z Bel Construction, LLC, and this bidder has been determined to be the lowest responsible bidder; and

WHEREAS, System funds in an amount not to exceed $2,784,055.32 are required for the project work; and

WHEREAS, the amount of $2,784,055.32 is available from the Project Fund for the project work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve the expenditure of funds in an amount not to exceed $2,784,055.32 for the adjustment and replacement of water and sewer facilities by the City of San Antonio in connection with the West Military & Westmar Area Drainage Improvements Project, (ii) to approve and make available an amount not to exceed $2,784,055.32 from the Project Fund to reimburse the City of San Antonio for the project work, and (iii) to authorize the President/Chief Executive Officer or his duly
appointed designee to pay an amount not to exceed $2,784,055.32 to the City of San Antonio for the project work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the expenditure of funds in an amount not to exceed $2,784,055.32 for the adjustment and replacement of water and sewer facilities by the City in connection with the West Military & Westmar Area Drainage Improvements Project is hereby approved.

2. That an amount not to exceed $2,784,055.32 to reimburse the City for the project work costs is hereby made available and is to be expended from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to pay the City an amount not to exceed $2,784,055.32 for the adjustment and replacement of water and sewer facilities by the City in connection with the West Military & Westmar Area Drainage Improvements Project.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

______________________________
Berto Guerra, Jr., Chairman

ATTEST:

______________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF PROFESSIONAL SERVICES CONTRACT IN CONNECTION WITH THE 2020 GOVERNMENTAL ENGINEERING DESIGN SERVICES – PACKAGE I

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a professional services contract to K Friese & Associates, Inc., a local, WBE-Non-Minority firm, and authorizes funds in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package I.

- The San Antonio Water System (the “System”) Pipelines Division manages programmed Capital Improvement Projects (CIP) projects designed by consultants and in-house staff for emergency and non-emergency operations projects. A need exists for an outside consultant to provide engineering services beyond the capability of the System’s Pipeline Division due to workload and the need for specialized design services.

- In addition, local and state agencies typically hire engineering consultants to design their infrastructure improvement projects. In many cases, the System elects to contract with the same engineer to design water or sewer facility related work in connection with each project. However, there are some projects that require the System to use a separate design consultant.

- The use of Engineering Services Work Order contracts, over the past several years, has been very successful in ensuring that the System is able to meet the design and construction schedules of other agencies and the need for expedited design services for emergency and non-emergency work for both water and sewer. This practice allows projects to be assigned as soon as they are identified, thereby avoiding delays associated with the selection of individual consultants for each project.

- Projects will be assigned to the contract on a work order basis as they are identified. The scope of services and fees will be negotiated for each project prior to authorization to proceed.

- System staff will review the design documents and coordinate with other utility and governmental agencies. Construction may be jointly bid with the lead agency or may be
accomplished through the use of System construction work order contracts.

Staff recommends that the Board approve this resolution.

**FINANCIAL IMPACT:**

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. The water work is included in the Water Delivery Core Business, Governmental – Water Category, and Governmental Water Replacements budget line item. The amount is $500,000.00 for water related engineering work. The job number is 20-5001.

The sewer work is included in the Wastewater Delivery Core Business, Governmental – Wastewater Category, and Governmental Wastewater Replacements budget line item. The amount is $500,000.00 for sewer related engineering work. The job number is 20-5501.

**SUPPLEMENTARY COMMENTS:**

This contract will be valid for two years from the date of execution. Thirty-four firms responded to the Request for Qualifications. K Friese & Associates, Inc. was selected through the System’s Architect/Engineer Selection procedure as a qualified consultant. The submitting firms are as follows:
<table>
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<tr>
<th>Name of Firm</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arredondo, Zepeda &amp; Brunz, LLC</td>
<td>Local/MBE-Hispanic</td>
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<tr>
<td>Bain Medina Bain, Inc.</td>
<td>Local/WBE-Non-Minority</td>
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<td>BGE, Inc.</td>
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</tr>
<tr>
<td>CAS Consulting and Services, Inc.</td>
<td>Local/MBE-Asian</td>
</tr>
<tr>
<td>Civil Design Services, Inc. dba CDS Muery</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Cobb, Fendley &amp; Associates, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Don Durden, Inc. dba Civil Engineering Consultants</td>
<td>Local/SBE</td>
</tr>
<tr>
<td>Ford Engineering, Inc.</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>Garcia Infrastructure Consultants, LLC</td>
<td>Local/WBE-Hispanic</td>
</tr>
<tr>
<td>Gonzalez-De La Garza &amp; Associates, LLC</td>
<td>Local/WBE-Hispanic</td>
</tr>
<tr>
<td>IDCUS, Inc.</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>ISRO Engineering Services, PLLC</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>K Friese &amp; Associates, Inc.*</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>KCI Technologies, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>LJA Engineering, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>LNV, LLC</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Lockwood, Andrews &amp; Newnam, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Maestas &amp; Associates, LLC</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Merrick &amp; Company</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Moreno Cardenas, Inc.</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Moy Tarin Ramirez Engineers, LLC</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Omega Engineers, Inc.</td>
<td>Local/MBE–Hispanic</td>
</tr>
<tr>
<td>Pape-Dawson Consulting Engineers, Inc., dba Pape-Dawson Engineers, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Alan Plummer &amp; Associates, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Poznecki-Camarillo, Inc.</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>RESPEC Company, LLC</td>
<td>Local/Non-SMWVB</td>
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<tr>
<td>RJN Group, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>RPS Infrastructure, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>S &amp; B Infrastructure, Ltd.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Stanley Consultants, Inc.</td>
<td>Non-Local/Non-SMWVB</td>
</tr>
<tr>
<td>Trihydro Corporation</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Unintech Consulting Engineers, Inc.</td>
<td>Local/WBE-Asian</td>
</tr>
<tr>
<td>Vickrey &amp; Associates, Inc.</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>Wantman Group, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
</tbody>
</table>

*Selected Firm
K Friese & Associates, Inc., proposed to use the following sub-consultants for services on this contract:

<table>
<thead>
<tr>
<th>Sub-Consultants</th>
<th>Percent of Fee</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct-Ability, LLC</td>
<td>3.00%</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Kimley-Horn and Associates, Inc.</td>
<td>10.00%</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Maestas &amp; Associates, Inc.</td>
<td>7.00%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Moreno Cardenas, Inc.</td>
<td>10.00%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Raba Kistner, Inc.</td>
<td>2.00%</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Underground Services, Inc. dba SoftDig</td>
<td>6.00%</td>
<td>Local/SBE</td>
</tr>
</tbody>
</table>

Additionally, the overall SMWVB analysis is shown in the following table:

<table>
<thead>
<tr>
<th>2020 Governmental Engineering Design Services – Package I</th>
</tr>
</thead>
<tbody>
<tr>
<td>K Friese &amp; Associates, Inc.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SMWVB Analysis – Board Award</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SBE</td>
<td>6.00%</td>
</tr>
<tr>
<td>MBE – African American</td>
<td>0.00%</td>
</tr>
<tr>
<td>MBE – Asian</td>
<td>0.00%</td>
</tr>
<tr>
<td>MBE – Hispanic</td>
<td>17.00%</td>
</tr>
<tr>
<td>MBE – Other</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE – Minority</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE – Non–Minority</td>
<td>62.00%</td>
</tr>
<tr>
<td>SMWVB Total</td>
<td>85.00%</td>
</tr>
</tbody>
</table>
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AWARDING A PROFESSIONAL SERVICES CONTRACT TO K FRIESE & ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED $1,000,000.00 IN CONNECTION WITH THE 2020 GOVERNMENTAL ENGINEERING DESIGN SERVICES – PACKAGE I; APPROVING THE EXPENDITURE OF FUNDS AND MAKING AVAILABLE AN AMOUNT NOT TO EXCEED $1,000,000.00 FROM THE PROJECT FUND FOR THE PROJECT ENGINEERING WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH K FRIESE & ASSOCIATES, INC., AND TO PAY K FRIESE & ASSOCIATES, INC. AN AMOUNT NOT TO EXCEED $1,000,000.00 FOR THE PROJECT ENGINEERING WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System (the “System”) requires professional engineering services (the “project engineering work”) related to various capital improvement projects; and

WHEREAS, the project engineering work will consist of all services necessary for the design and construction of projects; and

WHEREAS, K Friese & Associates, Inc., a local, WBE-Non-Minority firm, was selected through the System’s Architect/Engineer Selection Procedure for the project engineering work; and

WHEREAS, a contract in an amount not to exceed $1,000,000.00 is to be awarded to K Friese & Associates, Inc.; and

WHEREAS, the amount of $1,000,000.00 is available from the Project Fund for the project engineering work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a professional services contract to K Friese & Associates, Inc., in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package I, (ii) to approve the expenditure of funds and make available an amount not to exceed $1,000,000.00 from the Project Fund for the project engineering work, and (iii) to authorize the
President/Chief Executive Officer or his duly appointed designee to execute a professional services contract with K Friese & Associates, Inc., and to pay K Friese & Associates, Inc. an amount not to exceed $1,000,000.00 for the project engineering work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a professional services contract in an amount not to exceed $1,000,000.00 is hereby awarded to K Friese & Associates, Inc. in connection with the 2020 Governmental Engineering Design Services – Package I.

2. That the expenditure of funds in an amount not to exceed $1,000,000.00 for the project engineering work is hereby approved and made available from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a professional services contract with K Friese & Associates, Inc., and to pay K Friese & Associates, Inc. an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package I.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

_________________________________
Berto Guerra, Jr., Chairman

ATTEST:

_________________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF PROFESSIONAL SERVICES CONTRACT IN CONNECTION WITH THE 2020 GOVERNMENTAL ENGINEERING DESIGN SERVICES – PACKAGE II

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a professional services contract to BGE, Inc., a local, non-SMWVB firm, and authorizes funds in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package II.

- The San Antonio Water System (the “System”) Pipelines Division manages programmed Capital Improvement Projects (CIP) projects designed by consultants and in-house staff for emergency and non-emergency operations projects. A need exists for an outside consultant to provide engineering services beyond the capability of the System’s Pipeline Division due to workload and the need for specialized design services.

- In addition, local and state agencies typically hire engineering consultants to design their infrastructure improvement projects. In many cases, the System elects to contract with the same engineer to design water or sewer facility related work in connection with each project. However, there are some projects that require the System to use a separate design consultant.

- The use of Engineering Services Work Order contracts, over the past several years, has been very successful in ensuring that the System is able to meet the design and construction schedules of other agencies and the need for expedited design services for emergency and non-emergency work for both water and sewer. This practice allows projects to be assigned as soon as they are identified, thereby avoiding delays associated with the selection of individual consultants for each project.

- Projects will be assigned to the contract on a work order basis as they are identified. The scope of services and fees will be negotiated for each project prior to authorization to proceed.

- System staff will review the design documents and coordinate with other utility and governmental agencies. Construction may be jointly bid with the lead agency or may be
accomplished through the use of System construction work order contracts.

Staff recommends that the Board approve this resolution.

**FINANCIAL IMPACT:**

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. The water work is included in the Water Delivery Core Business, Governmental – Water Category, and Governmental Water Replacements budget line item. The amount is $500,000.00 for water related engineering work. The job number is 20-5001.

The sewer work is included in the Wastewater Delivery Core Business, Governmental – Wastewater Category, and Governmental Wastewater Replacements budget line item. The amount is $500,000.00 for sewer related engineering work. The job number is 20-5501.

**SUPPLEMENTARY COMMENTS:**

This contract will be valid for two years from the date of execution. Thirty-four firms responded to the Request for Qualifications. BGE, Inc. was selected through the System’s Architect/Engineer Selection procedure as a qualified consultant. The submitting firms are as follows:
<table>
<thead>
<tr>
<th>Name of Firm</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arredondo, Zepeda &amp; Brunz, LLC</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Bain Medina Bain, Inc.</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td><strong>BGE, Inc.</strong>*</td>
<td><strong>Local/Non-SMWVB</strong></td>
</tr>
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<td>CAS Consulting and Services, Inc.</td>
<td>Local/MBE-Asian</td>
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<tr>
<td>Civil Design Services, Inc. dba CDS Muery</td>
<td>Local/Non-SMWVB</td>
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<td>Cobb, Fendley &amp; Associates, Inc.</td>
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<tr>
<td>Garcia Infrastructure Consultants, LLC</td>
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<tr>
<td>KCI Technologies, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>LJA Engineering, Inc.</td>
<td>Local/Non-SMWVB</td>
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<tr>
<td>LNV, LLC</td>
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</tr>
<tr>
<td>Lockwood, Andrews &amp; Newnam, Inc.</td>
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</tr>
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<td>Maestas &amp; Associates, LLC</td>
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<td>Merrick &amp; Company</td>
<td>Local/Non-SMWVB</td>
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<td>Moreno Cardenas, Inc.</td>
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<td>Moy Tarin Ramirez Engineers, LLC</td>
<td>Local/MBE-Hispanic</td>
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<tr>
<td>Omega Engineers, Inc.</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Pape-Dawson Consulting Engineers, Inc., dba Pape-Dawson Engineers, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
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<td>Alan Plummer &amp; Associates, Inc.</td>
<td>Local/Non-SMWVB</td>
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<td>Poznecki-Camarillo, Inc.</td>
<td>Local/MBE-Hispanic</td>
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<td>RESPEC Company, LLC</td>
<td>Local/Non-SMWVB</td>
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<td>RJN Group, Inc.</td>
<td>Local/Non-SMWVB</td>
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<td>RPS Infrastructure, Inc.</td>
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<tr>
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<td>Local/Non-SMWVB</td>
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<td>Stanley Consultants, Inc.</td>
<td>Non-Local/Non-SMWVB</td>
</tr>
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<td>Trihydro Corporation</td>
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</tr>
<tr>
<td>Unintech Consulting Engineers, Inc.</td>
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</table>

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BGE, Inc., proposed to use the following sub-consultants for services on this contract:

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<th>Percent of Fee</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arias &amp; Associates, Inc.</td>
<td>3.00%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Fernandez, Frazer, White &amp; Associates, Inc.</td>
<td>13.00%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>KCM Consulting, LLC</td>
<td>3.00%</td>
<td>Local/SBE</td>
</tr>
<tr>
<td>The Rios Group, Inc.</td>
<td>5.00%</td>
<td>Local/WBE-Hispanic</td>
</tr>
<tr>
<td>Unintech Consulting Engineers, Inc.</td>
<td>13.00%</td>
<td>Local/WBE-Asian</td>
</tr>
<tr>
<td>Zara Environmental, LLC</td>
<td>3.00%</td>
<td>Local/WBE-Non-Minority</td>
</tr>
</tbody>
</table>

Additionally, the overall SMWVB analysis is shown in the following table:

<table>
<thead>
<tr>
<th>2020 Governmental Engineering Design Services – Package II</th>
</tr>
</thead>
<tbody>
<tr>
<td>BGE, Inc.</td>
</tr>
<tr>
<td>SMWVB Analysis – Board Award</td>
</tr>
<tr>
<td>SBE</td>
</tr>
<tr>
<td>MBE – African American</td>
</tr>
<tr>
<td>MBE – Asian</td>
</tr>
<tr>
<td>MBE – Hispanic</td>
</tr>
<tr>
<td>MBE – Other</td>
</tr>
<tr>
<td>WBE – Minority</td>
</tr>
<tr>
<td>WBE – Non–Minority</td>
</tr>
<tr>
<td>SMWVB Total</td>
</tr>
</tbody>
</table>
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF
TRUSTEES AWARDING A PROFESSIONAL SERVICES
CONTRACT TO BGE, INC. IN AN AMOUNT NOT TO
EXCEED $1,000,000.00 IN CONNECTION WITH THE 2020
GOVERNMENTAL ENGINEERING DESIGN SERVICES –
PACKAGE II; APPROVING THE EXPENDITURE OF
FUNDS AND MAKING AVAILABLE AN AMOUNT NOT TO
EXCEED $1,000,000.00 FROM THE PROJECT FUND
FOR THE PROJECT ENGINEERING WORK;
AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE
OFFICER OR HIS DULY APPOINTED DESIGNEE TO
EXECUTE A PROFESSIONAL SERVICES CONTRACT
WITH BGE, INC., AND TO PAY BGE, INC. AN AMOUNT
NOT TO EXCEED $1,000,000.00 FOR THE PROJECT
ENGINEERING WORK; FINDING THE RESOLUTION TO
HAVE BEEN CONSIDERED PURSUANT TO THE LAWS
GOVERNING OPEN MEETINGS; PROVIDING A
SEVERABILITY CLAUSE; AND ESTABLISHING AN
EFFECTIVE DATE

WHEREAS, the San Antonio Water System (the “System”) requires professional engineering services (the “project engineering work”) related to various capital improvement projects; and

WHEREAS, the project engineering work will consist of all services necessary for the design and construction of projects; and

WHEREAS, BGE, Inc., a local, non-SMWVB firm, was selected through the System’s Architect/Engineer Selection Procedure for the project engineering work; and

WHEREAS, a contract in an amount not to exceed $1,000,000.00 is to be awarded to BGE, Inc.; and

WHEREAS, the amount of $1,000,000.00 is available from the Project Fund for the project engineering work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a professional services contract to BGE, Inc. in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package II, (ii) to approve the expenditure of funds and make available an amount not to exceed $1,000,000.00 from the Project Fund for the project engineering work, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute a professional services contract with BGE, Inc., and to pay BGE, Inc. an amount not to exceed $1,000,000.00 for the project engineering work;
now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a professional services contract in an amount not to exceed $1,000,000.00 is hereby awarded to BGE, Inc. in connection with the 2020 Governmental Engineering Design Services – Package II.

2. That the expenditure of funds in an amount not to exceed $1,000,000.00 for the project engineering work is hereby approved and made available from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a professional services contract with BGE, Inc., and to pay BGE, Inc. an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package II.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

_________________________________
Berto Guerra, Jr., Chairman

ATTEST:

_________________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF PROFESSIONAL SERVICES CONTRACT IN CONNECTION WITH THE 2020 GOVERNMENTAL ENGINEERING DESIGN SERVICES – PACKAGE III

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a professional services contract to Lockwood, Andrews & Newnam, Inc., a local, non-SMWVB firm, and authorizes funds in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package III.

- The San Antonio Water System (the “System”) Pipelines Division manages programmed Capital Improvement Projects (CIP) projects designed by consultants and in-house staff for emergency and non-emergency operations projects. A need exists for an outside consultant to provide engineering services beyond the capability of the System’s Pipeline Division due to workload and the need for specialized design services.

- In addition, local and state agencies typically hire engineering consultants to design their infrastructure improvement projects. In many cases, the System elects to contract with the same engineer to design water or sewer facility related work in connection with each project. However, there are some projects that require the System to use a separate design consultant.

- The use of Engineering Services Work Order contracts, over the past several years, has been very successful in ensuring that the System is able to meet the design and construction schedules of other agencies and the need for expedited design services for emergency and non-emergency work for both water and sewer. This practice allows projects to be assigned as soon as they are identified, thereby avoiding delays associated with the selection of individual consultants for each project.

- Projects will be assigned to the contract on a work order basis as they are identified. The scope of services and fees will be negotiated for each project prior to authorization to proceed.

- System staff will review the design documents and coordinate with other utility and...
governmental agencies. Construction may be jointly bid with the lead agency or may be accomplished through the use of System construction work order contracts.

Staff recommends that the Board approve this resolution.

**FINANCIAL IMPACT:**

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. The water work is included in the Water Delivery Core Business, Governmental – Water Category, and Governmental Water Replacements budget line item. The amount is $500,000.00 for water related engineering work. The job number is 20-5001.

The sewer work is included in the Wastewater Delivery Core Business, Governmental – Wastewater Category, and Governmental Wastewater Replacements budget line item. The amount is $500,000.00 for sewer related engineering work. The job number is 20-5501.

**SUPPLEMENTARY COMMENTS:**

This contract will be valid for two years from the date of execution. Thirty-four firms responded to the Request for Qualifications. Lockwood, Andrews & Newnam, Inc. was selected through the System’s Architect/Engineer Selection procedure as a qualified consultant. The submitting firms are as follows:
<table>
<thead>
<tr>
<th>Name of Firm</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arredondo, Zepeda &amp; Brunz, LLC</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Bain Medina Bain, Inc.</td>
<td>Local/WBE-Non-Minority</td>
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<td>Civil Design Services, Inc. dba CDS Muery</td>
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<td>Cobb, Fendley &amp; Associates, Inc.</td>
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</tr>
<tr>
<td>Don Durden, Inc. dba Civil Engineering Consultants</td>
<td>Local/SBE</td>
</tr>
<tr>
<td>Ford Engineering, Inc.</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>Garcia Infrastructure Consultants, LLC</td>
<td>Local/WBE-Hispanic</td>
</tr>
<tr>
<td>Gonzalez-De La Garza &amp; Associates, LLC</td>
<td>Local/WBE-Hispanic</td>
</tr>
<tr>
<td>IDCUS, Inc.</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>ISRO Engineering Services, PLLC</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>K Friese &amp; Associates, Inc.</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>KCI Technologies, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>LJA Engineering, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>LNV, LLC</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Lockwood, Andrews &amp; Newnam, Inc.*</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Maestas &amp; Associates, LLC</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Merrick &amp; Company</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Moreno Cardenas, Inc.</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Moy Tarin Ramirez Engineers, LLC</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Omega Engineers, Inc.</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Pape-Dawson Consulting Engineers, Inc., dba Pape-Dawson Engineers, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Alan Plummer &amp; Associates, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Poznecki-Camarillo, Inc.</td>
<td>Local/MBE-Hispanic</td>
</tr>
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<td>RESPEC Company, LLC</td>
<td>Local/Non-SMWVB</td>
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<td>Local/Non-SMWVB</td>
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<td>RPS Infrastructure, Inc.</td>
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<tr>
<td>S &amp; B Infrastructure, Ltd.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Stanley Consultants, Inc.</td>
<td>Non-Local/Non-SMWVB</td>
</tr>
<tr>
<td>Trihydro Corporation</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Unintech Consulting Engineers, Inc.</td>
<td>Local/WBE-Asian</td>
</tr>
<tr>
<td>Vickrey &amp; Associates, Inc.</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>Wantman Group, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
</tbody>
</table>

*Selected Firm
Lockwood, Andrews & Newnam, Inc., proposed to use the following sub-consultants for services on this contract:

<table>
<thead>
<tr>
<th>Sub-Consultants</th>
<th>Percent of Fee</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arias &amp; Associates, Inc.</td>
<td>2.00%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Blanton &amp; Associates, Inc.</td>
<td>2.00%</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>Construct-Ability, LLC</td>
<td>2.00%</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Garcia Infrastructure Consultants, LLC</td>
<td>10.00%</td>
<td>Local/WBE-Hispanic</td>
</tr>
<tr>
<td>J&amp;L Consulting, Inc.</td>
<td>2.00%</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>Maestas &amp; Associates, LLC</td>
<td>11.00%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Moy Tarin Ramirez Engineers, LLC</td>
<td>10.00%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>The Rios Group, Inc.</td>
<td>3.00%</td>
<td>Local/WBE-Hispanic</td>
</tr>
</tbody>
</table>

Additionally, the overall SMWVB analysis is shown in the following table:

<table>
<thead>
<tr>
<th>2020 Governmental Engineering Design Services – Package III</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockwood, Andrews &amp; Newnam, Inc.</td>
</tr>
<tr>
<td>SMWVB Analysis – Board Award</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>SBE</td>
</tr>
<tr>
<td>MBE – African American</td>
</tr>
<tr>
<td>MBE – Asian</td>
</tr>
<tr>
<td>MBE – Hispanic</td>
</tr>
<tr>
<td>MBE – Other</td>
</tr>
<tr>
<td>WBE – Minority</td>
</tr>
<tr>
<td>WBE – Non-Minority</td>
</tr>
<tr>
<td>SMWVB Total</td>
</tr>
</tbody>
</table>
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AWARDING A PROFESSIONAL SERVICES CONTRACT TO LOCKWOOD, ANDREWS & NEWNAM, INC., IN AN AMOUNT NOT TO EXCEED $1,000,000.00 IN CONNECTION WITH THE 2020 GOVERNMENTAL ENGINEERING DESIGN SERVICES – PACKAGE III; APPROVING THE EXPENDITURE OF FUNDS AND MAKING AVAILABLE AN AMOUNT NOT TO EXCEED $1,000,000.00 FROM THE PROJECT FUND FOR THE PROJECT ENGINEERING WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH LOCKWOOD, ANDREWS & NEWNAM, INC., AND TO PAY LOCKWOOD, ANDREWS & NEWNAM, INC. AN AMOUNT NOT TO EXCEED $1,000,000.00 FOR THE PROJECT ENGINEERING WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System (the “System”) requires professional engineering services (the “project engineering work”) related to various capital improvement projects; and

WHEREAS, the project engineering work will consist of all services necessary for the design and construction of projects; and

WHEREAS, Lockwood, Andrews & Newnam, Inc., a local, non-SMWVB firm, was selected through the System’s Architect/Engineer Selection Procedure for the project engineering work; and

WHEREAS, a contract in an amount not to exceed $1,000,000.00 is to be awarded to Lockwood, Andrews & Newnam, Inc.; and

WHEREAS, the amount of $1,000,000.00 is available from the Project Fund for the project engineering work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a professional services contract to Lockwood, Andrews & Newnam, Inc., in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package III, (ii) to approve the expenditure of funds and make available an amount not to exceed $1,000,000.00 from the Project Fund for the project engineering work, and (iii) to authorize the
President/Chief Executive Officer or his duly appointed designee to execute a professional services contract with Lockwood, Andrews & Newnam, Inc., and to pay Lockwood, Andrews & Newnam, Inc. an amount not to exceed $1,000,000.00 for the project engineering work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a professional services contract in an amount not to exceed $1,000,000.00 is hereby awarded to Lockwood, Andrews & Newnam, Inc. in connection with the 2020 Governmental Engineering Design Services – Package III.

2. That the expenditure of funds in an amount not to exceed $1,000,000.00 for the project engineering work is hereby approved and made available from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a professional services contract with Lockwood, Andrews & Newnam, Inc., and to pay Lockwood, Andrews & Newnam, Inc. an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package III.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

_________________________________
Berto Guerra, Jr., Chairman

ATTEST:

_________________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF PROFESSIONAL SERVICES CONTRACT IN CONNECTION WITH THE 2020 GOVERNMENTAL ENGINEERING DESIGN SERVICES – PACKAGE IV

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a professional services contract to LNV, LLC, a local, non-SMWVB firm, and authorizes funds in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package IV.

- The San Antonio Water System (the “System”) Pipelines Division manages programmed Capital Improvement Projects (CIP) projects designed by consultants and in-house staff for emergency and non-emergency operations projects. A need exists for an outside consultant to provide engineering services beyond the capability of the System’s Pipeline Division due to workload and the need for specialized design services.

- In addition, local and state agencies typically hire engineering consultants to design their infrastructure improvement projects. In many cases, the System elects to contract with the same engineer to design water or sewer facility related work in connection with each project. However, there are some projects that require the System to use a separate design consultant.

- The use of Engineering Services Work Order contracts, over the past several years, has been very successful in ensuring that the System is able to meet the design and construction schedules of other agencies and the need for expedited design services for emergency and non-emergency work for both water and sewer. This practice allows projects to be assigned as soon as they are identified, thereby avoiding delays associated with the selection of individual consultants for each project.

- Projects will be assigned to the contract on a work order basis as they are identified. The scope of services and fees will be negotiated for each project prior to authorization to proceed.

- System staff will review the design documents and coordinate with other utility and governmental agencies. Construction may be jointly bid with the lead agency or may be
accomplished through the use of System construction work order contracts.

Staff recommends that the Board approve this resolution.

**FINANCIAL IMPACT:**

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. The water work is included in the Water Delivery Core Business, Governmental – Water Category, and Governmental Water Replacements budget line item. The amount is $500,000.00 for water related engineering work. The job number is 20-5001.

The sewer work is included in the Wastewater Delivery Core Business, Governmental – Wastewater Category, and Governmental Wastewater Replacements budget line item. The amount is $500,000.00 for sewer related engineering work. The job number is 20-5501.

**SUPPLEMENTARY COMMENTS:**

This contract will be valid for two years from the date of execution. Thirty-four firms responded to the Request for Qualifications. LNV, LLC was selected through the System’s Architect/Engineer Selection procedure as a qualified consultant. The submitting firms are as follows:
<table>
<thead>
<tr>
<th>Name of Firm</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arredondo, Zepeda &amp; Brunz, LLC</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Bain Medina Bain, Inc.</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>BGE, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>CAS Consulting and Services, Inc.</td>
<td>Local/MBE-Asian</td>
</tr>
<tr>
<td>Civil Design Services, Inc. dba CDS Muery</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Cobb, Fendley &amp; Associates, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Don Durden, Inc. dba Civil Engineering Consultants</td>
<td>Local/SBE</td>
</tr>
<tr>
<td>Ford Engineering, Inc.</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>Garcia Infrastructure Consultants, LLC</td>
<td>Local/WBE-Hispanic</td>
</tr>
<tr>
<td>Gonzalez-De La Garza &amp; Associates, LLC</td>
<td>Local/WBE-Hispanic</td>
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<tr>
<td>IDCUS, Inc.</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>ISRO Engineering Services, PLLC</td>
<td>Local/MBE-Hispanic</td>
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<td>K Friese &amp; Associates, Inc.</td>
<td>Local/WBE-Non-Minority</td>
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<tr>
<td>KCI Technologies, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>LJA Engineering, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>*<em>LNV, LLC</em></td>
<td><strong>Local/Non-SMWVB</strong></td>
</tr>
<tr>
<td>Lockwood, Andrews &amp; Newnam, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Maestas &amp; Associates, LLC</td>
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<tr>
<td>Merrick &amp; Company</td>
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<tr>
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<td>Local/MBE-Hispanic</td>
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<td>Moy Tarin Ramirez Engineers, LLC</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Omega Engineers, Inc.</td>
<td>Local/MBE-Hispanic</td>
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<tr>
<td>Pape-Dawson Consulting Engineers, Inc., dba Pape-Dawson Engineers, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
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<td>Alan Plummer &amp; Associates, Inc.</td>
<td>Local/Non-SMWVB</td>
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<td>Poznecki-Camarillo, Inc.</td>
<td>Local/MBE-Hispanic</td>
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<tr>
<td>RESPEC Company, LLC</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>RJN Group, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>RPS Infrastructure, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>S &amp; B Infrastructure, Ltd.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Stanley Consultants, Inc.</td>
<td>Non-Local/Non-SMWVB</td>
</tr>
<tr>
<td>Trihydro Corporation</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>Unintech Consulting Engineers, Inc.</td>
<td>Local/WBE-Asian</td>
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<td>Vickrey &amp; Associates, Inc.</td>
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<td>Wantman Group, Inc.</td>
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</tbody>
</table>

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LNV, LLC, proposed to use the following sub-consultants for services on this contract:

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<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams Environmental, Inc.</td>
<td>2.00%</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>Chapman Engineering, Inc.</td>
<td>1.00%</td>
<td>Local/SBE</td>
</tr>
<tr>
<td>Chief Solutions, Inc.</td>
<td>1.00%</td>
<td>Non-Local/MBE-Native American</td>
</tr>
<tr>
<td>Fernandez, Frazer, White &amp; Associates, Inc.</td>
<td>10.00%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Garcia Infrastructure Consultants, LLC</td>
<td>10.00%</td>
<td>Local/MBE-Hispanic</td>
</tr>
<tr>
<td>Rock Engineering &amp; Testing Laboratory, Inc.</td>
<td>5.00%</td>
<td>Local/WBE-Asian</td>
</tr>
<tr>
<td>RH Shackelford, Inc.</td>
<td>5.00%</td>
<td>Local/SBE/VBE</td>
</tr>
<tr>
<td>The Rios Group, Inc.</td>
<td>6.00%</td>
<td>Local/WBE-Hispanic</td>
</tr>
<tr>
<td>Wantman Group, Inc.</td>
<td>10.00%</td>
<td>Local/Non-SMWVB</td>
</tr>
</tbody>
</table>

Additionally, the overall SMWVB analysis is shown in the following table:

| 2020 Governmental Engineering Design Services – Package IV |
|----------------------------------------------------------|---------------|
| LNV, LLC                                                |               |
| SMWVB Analysis – Board Award                             |               |
| SBE                                                      | 6.00%         |
| MBE – African American                                  | 0.00%         |
| MBE – Asian                                             | 0.00%         |
| MBE – Hispanic                                           | 10.00%        |
| MBE – Other                                             | 0.00%         |
| WBE – Minority                                           | 21.00%        |
| WBE – Non-Minority                                       | 2.00%         |
| SMWVB Total                                              | 39.00%        |
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF
TRUSTEES AWARDING A PROFESSIONAL SERVICES
CONTRACT TO LNV, LLC IN AN AMOUNT NOT TO
EXCEED $1,000,000.00 IN CONNECTION WITH THE 2020
GOVERNMENTAL ENGINEERING DESIGN SERVICES –
PACKAGE IV; APPROVING THE EXPENDITURE OF
FUNDS AND MAKING AVAILABLE AN AMOUNT NOT TO
EXCEED $1,000,000.00 FROM THE PROJECT FUND
FOR THE PROJECT ENGINEERING WORK;
AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE
OFFICER OR HIS DULY APPOINTED DESIGNEE TO
EXECUTE A PROFESSIONAL SERVICES CONTRACT
WITH LNV, LLC, AND TO PAY LNV, LLC AN AMOUNT
NOT TO EXCEED $1,000,000.00 FOR THE PROJECT
ENGINEERING WORK; FINDING THE RESOLUTION TO
HAVE BEEN CONSIDERED PURSUANT TO THE LAWS
GOVERNING OPEN MEETINGS; PROVIDING A
SEVERABILITY CLAUSE; AND ESTABLISHING AN
EFFECTIVE DATE

WHEREAS, the San Antonio Water System (the “System”) requires professional engineering services (the “project engineering work”) related to various capital improvement projects; and

WHEREAS, the project engineering work will consist of all services necessary for the design and construction of projects; and

WHEREAS, LNV, LLC, a local, non-SMWVB firm, was selected through the System’s Architect/Engineer Selection Procedure for the project engineering work; and

WHEREAS, a contract in an amount not to exceed $1,000,000.00 is to be awarded to LNV, LLC; and

WHEREAS, the amount of $1,000,000.00 is available from the Project Fund for the project engineering work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a professional services contract to LNV, LLC in an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package IV, (ii) to approve the expenditure of funds and make available an amount not to exceed $1,000,000.00 from the Project Fund for the project engineering work, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute a professional services contract with LNV, LLC, and to pay LNV, LLC an amount not to exceed $1,000,000.00 for the project
engineering work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a professional services contract in an amount not to exceed $1,000,000.00 is hereby awarded to LNV, LLC in connection with the 2020 Governmental Engineering Design Services – Package IV.

2. That the expenditure of funds in an amount not to exceed $1,000,000.00 for the project engineering work is hereby approved and made available from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a professional services contract with LNV, LLC, and to pay LNV, LLC an amount not to exceed $1,000,000.00 in connection with the 2020 Governmental Engineering Design Services – Package IV.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

_________________________________
Berto Guerra, Jr., Chairman

ATTEST:

_________________________________
Amy Hardberger, Secretary
AGENDA ITEM NO. 25

TO: San Antonio Water System Board of Trustees

FROM: Gail A. Hamrick-Pigg, P.E., Director, Pipelines, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF CONSTRUCTION CONTRACT IN CONNECTION WITH THE C-13 PACKAGE B, PHASE 1 PAVEMENT RESTORATION PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a construction contract to Clark Construction of Texas, Inc., a local, non-SMWVB contractor, in an amount not to exceed $1,431,250.23 in connection with the C-13 Package B, Phase 1 Pavement Restoration Project.

- This contract will be used to restore the City of San Antonio and TxDOT streets impacted by the C-13 Package B, Phase I Sewer Project. The project begins at the intersection of Elm Street and IH 37 and continues North, mostly within N. Alamo Street, to the intersection of Avenue B and E. Josephine St. The work will consist largely of pavement mill and overlay along with replacement of curbs, sidewalks, street signs and vegetation that were damaged.

- Clark Construction of Texas, Inc. has submitted the lowest responsible bid of $1,431,250.23.

Staff recommends that the Board approve this resolution.

FINANCIAL IMPACT:

The Project Fund will finance this expenditure included in the CY 2020 Capital Improvement Program. This project is included in the Wastewater Core Business budget line item. The amount is $1,431,250.23 for wastewater related construction work. The job number is 20-4403.

SUPPLEMENTARY COMMENTS:

Jacobs Engineering Group Inc. prepared the bid proposal and specifications for the project. The engineer’s estimated construction cost was $1,934,998.40.
A bid opening was held on May 1, 2020, at 11:00 AM. The following bids were submitted:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Bid Amount</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clark Construction of Texas, Inc.*</td>
<td>$1,431,250.23</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>S&amp;D Acquisitions, LLC dba Friesenhahn Paving</td>
<td>$1,530,318.48</td>
<td>Local/WBE-Non-Minority</td>
</tr>
<tr>
<td>Bartek Construction Co.</td>
<td>$1,837,450.00</td>
<td>Local/SBE</td>
</tr>
<tr>
<td>ACE Co.</td>
<td>$1,876,103.57</td>
<td>Local/WBE-Hispanic/VBE</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td>$1,934,998.40</td>
<td></td>
</tr>
<tr>
<td>Qro Mex Construction Company, Inc.</td>
<td>$1,994,626.35</td>
<td>Local/MBE-Hispanic</td>
</tr>
</tbody>
</table>

*Lowest Responsible Bidder

The bid amount represents a 26.03 percent decrease from the engineer’s estimated construction cost.

Additionally, the overall SMWVB analysis is shown in the table below:

<table>
<thead>
<tr>
<th>C-13 Package B, Phase 1 Pavement Restoration Project</th>
<th>Clark Construction of Texas, Inc.</th>
<th>SMWVB Analysis – Board Award</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SBE</td>
<td>0.00%</td>
</tr>
<tr>
<td></td>
<td>MBE – African American</td>
<td>0.00%</td>
</tr>
<tr>
<td></td>
<td>MBE – Asian</td>
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</tr>
<tr>
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<td>MBE – Hispanic</td>
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<td>WBE – Minority</td>
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<tr>
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<td>WBE – Non–Minority</td>
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<tr>
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<td>SMWVB Total</td>
<td>27.20%</td>
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Attachments:
1. Project Area Map
2. Project Site Map
SAN ANTONIO WATER SYSTEM
PROJECT SITE MAP
ATTACHMENT II

C-13 PACKAGE B, PHASE 1
PAVEMENT RESTORATION PROJECT

LEGEND
PROJECT LIMITS
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AWARDING A CONSTRUCTION CONTRACT TO CLARK CONSTRUCTION OF TEXAS, INC. IN AN AMOUNT NOT TO EXCEED $1,431,250.23 IN CONNECTION WITH THE C-13 PACKAGE B, PHASE I PAVEMENT RESTORATION PROJECT; APPROVING THE EXPENDITURE OF FUNDS AND MAKING AVAILABLE AN AMOUNT NOT TO EXCEED $1,431,250.23 FROM THE PROJECT FUND FOR THE PROJECT WORK; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A CONSTRUCTION CONTRACT WITH CLARK CONSTRUCTION OF TEXAS, INC., AND TO PAY CLARK CONSTRUCTION OF TEXAS, INC. AN AMOUNT NOT TO EXCEED $1,431,250.23 FOR THE PROJECT WORK; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, this contract will be used to restore the City of San Antonio and TxDOT streets impacted by the C-13 Package B, Phase I Sewer Project; and

WHEREAS, the San Antonio Water System (the “System”) has solicited bids for the project work; and

WHEREAS, Clark Construction of Texas, Inc., a local, non-SMWVB contractor, has submitted a bid of $1,431,250.23 for the project work and has been determined to be the lowest responsible bidder; and

WHEREAS, System funds in an amount of $1,431,250.23 are required for the project work; and

WHEREAS, the total amount of $1,431,250.23 is available from the Project Fund for the project work; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a construction contract to Clark Construction of Texas, Inc. in an amount not to exceed $1,431,250.23 in connection with the C-13 Package B, Phase I Pavement Restoration Project, (ii) to approve the expenditure of funds and make available an amount not to exceed $1,431,250.23 from the Project Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute a construction contract with Clark Construction of Texas, Inc., and to pay Clark Construction of Texas, Inc. an amount not to exceed $1,431,250.23 for the project
work; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a construction contract in an amount not to exceed $1,431,250.23 is hereby awarded to Clark Construction of Texas, Inc., who is determined to be the lowest responsible bidder, in connection with the C-13 Package B, Phase 1 Pavement Restoration Project.

2. That the expenditure of funds in an amount not to exceed $1,431,250.23 for the project work is hereby approved and made available from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a construction contract with Clark Construction of Texas, Inc., and to pay Clark Construction of Texas, Inc. an amount not to exceed $1,431,250.23 in connection with the C-13 Package B, Phase 1 Pavement Restoration Project.

4. It is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public, and that the public notice of the time, place, and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

______________________________
Berto Guerra, Jr., Chairman

ATTEST:

______________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Bruce A. Haby, Manager, Corporate Real Estate, and Nancy Belinsky, Vice President and General Counsel

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AUTHORIZATION TO ACQUIRE A JOINT USE AGREEMENT FROM THE CITY OF SAN ANTONIO FOR THE W-6 UPPER SEGMENT: 90 TO SW MILITARY DRIVE SEWER MAIN PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution authorizes the acquisition of a joint use agreement from the City of San Antonio for an approximately 1.5387 acre permanent sewer line area and a temporary construction area of approximately 1.088 acres (the “Joint Use Agreement”) for the W-6 Upper Segment: Highway 90 to SW Military Drive Sewer Main Project (the “Project”) and authorizes the expenditure of $276,726.00 for the Joint Use Agreement.

- The Project will address a capacity constraint in the western sewer shed and is necessary to comply with the United States Environmental Protection Agency Consent Decree. This project will replace and upsize approximately five miles of 54-inch sewer main currently running through Lackland Air Force Base with a 104-inch sewer pipe. It extends from a point just south of SW Military Drive near Leon Creek, just east of Old Pearsall Road, to a point near the intersection of Highway 90 and Callaghan Road.

- San Antonio Water System (SAWS) requires the acquisition of real property, being the Joint Use Agreement, which traverses over land on the Nelson Wolff Baseball Stadium property located along the north side of Highway 90, San Antonio, Bexar County, Texas for the construction of the Project.

- The property on which the Joint Use Agreement is located known as the Nelson Wolff Baseball Stadium is owned by the City of San Antonio (the “Owner”).

- The value of $106,626.00 for the permanent joint use area was established by an appraisal from Eckmann Groll, Inc. The value of the temporary joint use area was established based on a loss of parking as a result of SAWS use of the parking lot. Based on an income analysis of Nelson Wolff Stadium, the parties agreed on $171,000.00 as adequate compensation for the use of the 160 parking spaces comprising the temporary joint use area for the forty two (42) month term of use of the temporary joint use area. Therefore, SAWS and the Owner have agreed that $276,726.00 is adequate compensation for the Joint Use Agreement.
This Project is part of the work required by San Antonio's agreement with the U.S. EPA to address capacity constrained sewer infrastructure across the city.

Staff recommends that the Board approve this resolution.

**FINANCIAL IMPACT:**

The Project Fund will incur the acquisition costs associated with the acquisition of the land rights necessary for this Project. Funding for these land rights is found in the CY 2020 Capital Improvement Program, Wastewater Core Business, Main Replacements Category. The total amount is $276,726.00 for the acquisition of the Joint Use Agreement.
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM (THE “SYSTEM”) BOARD OF TRUSTEES APPROVING THE ACQUISITION OF A JOINT USE AGREEMENT FROM THE CITY OF SAN ANTONIO FOR A PERMANENT SEWER JOINT USE AREA BEING APPROXIMATELY 1.5387 ACRES AND A TEMPORARY CONSTRUCTION JOINT USE AREA BEING APPROXIMATELY 1.088 ACRES (COLLECTIVELY, THE “JOINT USE AREA”) FOR THE W-6 UPPER SEGMENT: HIGHWAY 90 TO SW MILITARY DRIVE SEWER MAIN PROJECT (THE “PROJECT”) IN AN AMOUNT NOT TO EXCEED $276,726.00; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the System has determined that acquisition of the Joint Use Agreement over the Joint Use Area, being depicted in Attachment I and more particularly described in Attachment II, both attached hereto and incorporated herein for all purposes, is necessary for the Project; and

WHEREAS, the property on which the Joint Use Area is located is owned by the City of San Antonio (the “Owner”); and

WHEREAS, the Owner has agreed to grant the Joint Use Agreement to the System for the sum of $276,726.00; and

WHEREAS, funds in an amount not to exceed $276,726.00 are available in the Project Fund for the acquisition of the Joint Use Agreement; and

WHEREAS, the San Antonio Water System Board of Trustees desires to (i) approve the acquisition of the Joint Use Agreement over the Joint Use Area for the Project, and (ii) authorize the expenditure of funds in an amount not to exceed $276,726.00 for the acquisition of the Agreement; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the acquisition of the Joint Use Agreement over the Joint Use Area for the Project is hereby approved.

2. That the expenditure from the Project Fund in the CY 2020 Capital Improvement Program, Wastewater Core Business, Main Replacement Category budget in a total amount not to exceed
$276,726.00 for the acquisition of the Joint Use Agreement over the Joint Use Area is hereby approved, made available and is to be expended from the Project Fund.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to effectuate the execution of the Joint Use Agreement, and to pay an amount not to exceed $276,726.00 to the Owner.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

_____________________________________________
Berto Guerra, Jr., Chairman

ATTEST:

_____________________________________________
Amy Hardberger, Secretary

Attachments:
I. Aerial Map
II. Joint Use Agreement
An Agreement is made this day between the City of San Antonio ("CITY") in cooperation with the San Antonio Water System ("SAWS"), acting by and through duly authorized representatives, as follows:

WHEREAS, CITY owns or controls certain properties upon which SAWS desires to establish as a Joint Use Area to install a sewer replacement line on the properties located in the parking lot of Nelson W. Wolff Municipal Stadium ("Stadium") as part of the W6 Upper Segment Sewer Project ("Project"), said properties ("Properties") being:

- a 0.0826 acre tract – tract 1 and a 1.227 acre tract – tract 2 (P19-081),
- a 0.2291 acre tract (P19-081A) and
- a 1.088 acre tract (P19-081T)

more particularly described by Exhibits A - H, which are attached and incorporated into this Agreement; and

WHEREAS, Stadium is operated and maintained by the San Antonio Missions Baseball Club, Inc.; and

WHEREAS, SAWS has requested permission to use the above-described Properties for the purpose of installing and operating a sewer replacement line in conjunction with its W-6 Upper Segment: Hwy 90 to SW Military Drive Sewer Main project; and

WHEREAS, SAWS is a municipally owned utility of CITY and joint use of the Properties would benefit both parties.

NOW THEREFORE, THE PARTIES AGREE TO THE FOLLOWING JOINT USE OF THE PROPERTIES:

SECTION I. CITY agrees to allow the SAWS and/or its agents, employees and contractors to enter the Properties following execution of this instrument on a non-exclusive basis for the purpose of using the Properties for any and all things necessary for constructing, operating, replacing, repairing, adding, removing, inspecting and maintaining a sewer line and all necessary and desirable improvements and appurtenances (collectively, the “Improvements”). SAWS’ use of the Properties may begin July 1, 2020 and, with respect to the use of tract P19-081T and the use of the surface of tract P19-081 (excluding rights of ingress and egress with respect to tract P19-081), shall terminate upon completion of construction of the Improvements and all related testing, demobilization and restoration activities, which shall be completed no later than December 31, 2023. CITY acknowledges and agrees that SAWS shall continue to have the right to operate and maintain the Improvements located on tract P19-081 following completion of construction, but that SAWS activities on such parcel shall be limited to subsurface uses, save and except for vehicular ingress and egress over and across tract P19-081. CITY acknowledges and agrees that SAWS shall have continued use of tract P19-081A, including the right, with prior notification to City, to fence such parts of Tract P19-081 that are not part of the Stadium parking lot or existing drives.
SECTION II. Prior to the commencement of construction on the Properties, CITY and SAWS and/or their contractors shall coordinate with one another in order to ensure such construction will not conflict with any ongoing or scheduled projects and/or activities. CITY Staff Contact is Guillermo G. Moya, City of San Antonio Convention & Sports Facilities Department, 210-207-8528, Guillermo.Moya@sanantonio.gov. SAWS Staff Contact is Cristina de la Garza, San Antonio Water System, 210-233-3255, Cristina.DeLaGarza@saws.org.

SECTION III. SAWS shall pay CITY a total of $276,726 for its use of the Properties under this Agreement and the loss of parking revenue associated with such use. One payment will be made to City of San Antonio within 30 days of final execution of this Agreement.

SECTION IV. The parties acknowledge and understand that they are both self-insured. Prior to the commencement of any construction activity, SAWS shall cause its contractors to provide to CITY executed certificates of insurance naming CITY as an additional insured on all liability insurance policies for which SAWS is named as an additional insured.

SECTION V. CITY and SAWS acknowledge that they are both political subdivisions of the State of Texas and that they are subject to and shall comply with the applicable provisions of the Texas Tort Claims Act, as set out in Civil Practice and Remedies Code, Section 101.001 et seq. and the remedies authorized therein regarding claims or causes of action that may be asserted by third parties for accident, injury or death. This Agreement will be interpreted according to the Constitution and laws of the State of Texas. Venue of any court action brought directly or indirectly by reason of this Agreement shall be in Bexar County, Texas. This Agreement is made and is to be performed in Bexar County, Texas, and is governed by the laws of the State of Texas.

SECTION VI. IF SAWS defaults in the performance of any of SAWS’s obligations under this Agreement, then CITY may, after notice to SAWS and reasonable opportunity for SAWS to cure the default, at CITY’s option, suspend SAWS’ use of the surface of the Properties (except in the case of emergencies) until such default is remedied. No waiver by CITY of any breach of any of the covenants to be performed by SAWS shall be construed as a waiver of any other breach of any of the covenants of this Agreement.

SECTION VII. CITY will not alter or modify any Improvements without the prior written approval of SAWS, and CITY will not construct any buildings on the Properties. SAWS shall retain ownership of the Improvements on the Properties and will operate and maintain said Improvements. NOTWITHSTANDING THE FOREGOING, CITY reserves for CITY and CITY’s successors and assigns shall have the right to continue to use and enjoy said Properties for all purposes which do not unreasonably interfere with or interrupt its use by SAWS, including, without limitation, the development of said Properties for non-building structures and improvements over and upon said Properties, including but not limited to: surface parking lots, roads, driveways, sidewalks, trails, landscaping, and fencing. Should CITY’s improvements or Properties be damaged as a result of SAWS’ work involved in constructing, operating, replacing and repairing its Improvements, SAWS will restore CITY’s improvements or Properties to their condition prior to said work. SAWS’ repair and restoration plans shall be subject to prior review and approval by CITY. CITY may, at its option and sole discretion, cause such work to be performed and SAWS shall promptly reimburse CITY for any and all reasonable costs and expenses incurred. It is expressly agreed and understood that SAWS shall be required at the time of expiration of use of tract P19-081T and expiration of surface use of P19-081 to surrender same in good repair and at a minimum in the same condition as such Properties were at the beginning of the Agreement period, and SAWS shall similarly promptly restore all affected areas of tract P19-081A, subject to all permanent at-grade and above ground facilities installed by SAWS.
SECTION VIII. Neither SAWS nor CITY by execution of this Agreement, waive or relinquish any right which they may have under the law or constitution, state or federal. SAWS agrees to comply with all valid laws, ordinances, codes, and regulations of any governmental authority having jurisdiction, applicable to SAWS’s occupancy or use of the Properties. This Agreement does not constitute a conveyance or release of any real property rights held by CITY. The parties are acting for their own benefit and no benefit shall accrue to any third party.

SECTION IX. If any portion or section of this Agreement is found to be invalid, it shall not invalidate the entire Agreement. The remaining portion or sections of this Agreement shall be valid and in effect.

SECTION X. SAWS agrees to keep the site free of litter, garbage and other debris generated by its use under this Agreement, save and except normal construction related soils and other materials.

SECTION XI. This Agreement shall immediately terminate should CITY sell or otherwise convey the entirety of Properties. If only a portion of the Properties is sold or conveyed, this Agreement shall immediately terminate as to that portion of the Properties. In the event of such full or partial conveyance, CITY shall reserve an easement for the benefit of SAWS, covering such portion of the Properties as are affected by such conveyance, reserving for SAWS easement rights to the Properties consistent with SAWS’ uses of the Properties provided for in this Agreement.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures effective this _______ day of _______________________________, 2020.

CITY OF SAN ANTONIO

________________________________________
Carlos J. Contreras, III
Assistant City Manager

ATTEST:

_______________________________________
City Clerk

Approved as to Form:

______________________________________
City Attorney
This instrument was acknowledged before me on this ________ day of___________________, 2020, by Carlos J. Contreras, III, Assistant City Manager of the CITY OF SAN ANTONIO, on its behalf.

_______________________________________
Notary Public

SAN ANTONIO WATER SYSTEM

By: Nancy Belinsky, Vice President and General Counsel

This instrument was acknowledged before me on this ________ day of___________________, 2020, by Nancy Belinsky, Vice President and General Counsel of the SAN ANTONIO WATER SYSTEM, a municipal utility of the City of San Antonio, a Texas municipal corporation, on behalf of said municipal utility.

_______________________________________
Notary Public
DESCRIPTION FOR
A 0.0826 OF AN ACRE – TRACT 1
JOINT USE AREA

A 0.0826 of an acre tract of land situated in the Jose Delgado, Abstract 1, and being a portion of Block 1, Lot 1, N.C.B. 13951, FARAH SUBDIVISION, a plat of record in Volume 6400, Page 79, Deed and Plat Records of Bexar County, Texas (D.P.R.), in the City of San Antonio, Bexar County, Texas and being out of that called 43.68 acre tract of land conveyed to the City of San Antonio and recorded in Volume 5640, Page 1892 in the Official Public Records of Bexar County, Texas (O.P.R.), said 0.0826 of an acre being more particularly described by metes and bounds as follows:

COMMENCING at a found PK nail in the northerly right-of-way (R.O.W.) line of US Highway 90 W, a variable width R.O.W. at this point, and for the southwest corner of said 43.68 acre tract of land and the southeast corner of that called 22.976 acre tract of land conveyed to H.G. Property Management, LP and recorded in Volume 18055, Page 306 in the O.P.R.;

THENCE: N 10°26′44″ W, along and with the west line of said 43.68 acre tract of land and the east line of said 22.976 acre tract of land, a distance of 16.00 feet to a ½″ iron pin with plastic cap stamped KFW EASEMENT (hereinafter referred to as SET KFW-E) for the southwest corner and POINT OF BEGINNING of the tract described herein;

THENCE: N 10°26′44″ W, continuing along and with the west line of said 43.68 acre tract of land and the east line of said 22.976 acre tract of land, a distance of 52.77 feet to a SET KFW-E, for the northwest corner of the tract described herein;

THENCE: departing the west line of said 43.68 acre tract of land, over and across the 43.68 acre tract of land, the following three (3) courses:

1. N 80°58′31″ E, a distance of 64.10 feet to a SET KFW-E, for the northeast corner of the tract described herein, whence west from rod found stamped VICKERY for an angle point in the northerly R.O.W. line of US Highway 90 W, being 58°03′25″ E, a distance of 495.66 feet,

2. S 07°40′01″ E, a distance of 53.90 feet to a SET KFW-E, for the southeast corner of the tract described herein;

3. S 78°11′20″ W, a distance of 61.12 feet to the POINT OF BEGINNING and containing 0.0826 of an acre in TRACT 1, or 1,598 square feet, more or less, in the City of San Antonio, Bexar County, Texas and being described in accordance with a survey prepared by KFW Surveying. Bearings are based on NAD83 Texas Plane South Central Zone.
A 1.227 acres tract of land situated in the Jose Delgado, Abstract 1, and being a portion of Block 1, Lot 1, N.C.B. 13951, FARAH SUBDIVISION, a plat of record in Volume 6400, Page 79, Deed and Plat Records of Bexar County, Texas (D.P.R.), in the City of San Antonio, Bexar County, Texas and being out of that called 43.68 acre tract of land conveyed to the City of San Antonio and recorded in Volume 5640, Page 1992 in the Official Public Records of Bexar County, Texas (D.P.R.), said 1.227 acres being more particularly described by metes and bounds as follows:

COMMENCING: at a ¼" iron rod found for the westerly southwest corner at the intersection of the northerly right-of-way (R.O.W.) line of US Highway 90 W, a variable width R.O.W., and the westerly R.O.W. line of S. Callaghan Road, a variable width R.O.W.;

THENCE: N 87°49'31" W, over and across said 43.68 acre tract of land, a distance of 171.37 feet to a ¼" iron rod with a plastic cap stamped KFW EASEMENT (hereinafter referred to as SET KFW-E) set for the southeast corner and POINT OF BEGINNING of the tract described herein;

THENCE: continuing ever and across said 43.68 acre tract of land, the following ten (10) courses:

1. S 87°00'46" W, a distance of 517.33 feet to a SET KFW-E, for an angle point of the tract described herein, whence a ¼" iron rod found stamped WICKERY, for an angle point in the northerly R.O.W. line of US Highway 90 W, a distance of 16.00 feet,
2. S 85°16'14" W, a distance of 222.59 feet to a SET KFW-E, for an angle point of the tract described herein,
3. S 82°51'49" W, a distance of 376.63 feet to a SET KFW-E, for the southwest corner of the tract described herein,
4. N 08°09'37" W, a distance of 34.5 feet to a ¼" iron rod set with a plastic cap stamped KFW SURVEYING, for an angle point of the tract described herein,
5. N 07°08'53" W, a distance of 111.62 feet to a SET KFW-E, for the northwest corner of the tract described herein,
6. N 80°58'02" E, a distance of 236 feet to a SET KFW-E, for an angle point of the tract described herein,
7. N 82°51'32" E, a distance of 88.29 feet to a SET KFW-E, for an angle point of the tract described herein,
8. N 85°16'14" E, a distance of 224.73 feet to a SET KFW-E, for an angle point of the tract described herein,
9. N 87°00'46" E, a distance of 518.20 feet to a SET KFW-E, for the northeast corner of the tract described herein, and
10. S 02°59'14" E, a distance of 58.86 feet to the POINT OF BEGINNING and containing 1.227 acres in TRACT 2, or 53,462 square feet, more or less, in the City of San Antonio, Bexar County, Texas, and being described in accordance with a survey prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

2 JULY 2019

[Signature]
DESCRIPTION FOR
A 0.2291 OF AN ACRE TRACT
JOINT USE AREA

A 0.2291 of an acre tract of land situated in the Jose Delgado, Abstract 1, and being a portion of
Block 1, Lot 1, N.C.B. 13951, FARAH SUBDIVISION, a plat of record in Volume 6400, Page 79, Deed
and Plat Records of Bexar County, Texas (D.P.R.), in the City of San Antonio, Bexar County, Texas and
being out of that called 43.68 acre tract of land conveyed to the City of San Antonio and recorded in
Volume 5640, Page 1892 in the Official Public Records of Bexar County, Texas (O.P.R.), said 0.2291 of
an acre being more particularly described by metes and bounds as follows:

COMMENCING at a found PK nail in the northerly right-of-way (R.O.W.) line of US Highway 90 W, a
variable width R.O.W. at this point, and for the southwest corner of said 43.68 acre tract of land and
the southwest corner of that called 22.976 acre tract of land conveyed to H.G. Property Management,
LP and recorded in Volume 18055, Page 306 in the O.P.R.;

THENCE: N 78°11'16" E, along and with the south line of said 43.68 acre tract of land and the
northerly R.O.W. line of US Highway 90 W, a distance of 60.61 feet to an iron rod with plastic cap
stamped KFW SURVEYING (hereinafter referred to as SET KFW) for the southeast corner and POINT
OF BEGINNING of the tract described herein;

THENCE: departing the south line of said 43.68 acre tract of land over and across the 43.68 acre
tract of land, the following four (4) courses:

1. N 07°40'01" W, a distance of 102.05 feet to a SET KFW for the northwest corner of the tract
described herein,
2. N 82°20'21" E, a distance of 100.00 feet to a SET KFW, for the northeast corner of the tract
described herein, whence a ½ inch iron rod, ground clamp, WICKERY for an angle point in the
northerly R.O.W. line of US Highway 90 W, and S 81°28'38" E, a distance of 404.76 feet,
3. S 07°08'53" E, a distance of 493.33 feet to a SET KFW, for an angle point of the tract described
herein, and
4. S 08°09'37" E, a distance of 575.95 feet to a SET KFW, for the southeast corner of the tract
described herein;

THENCE: S 82°57'19" W, along and with the south line of said 43.68 acre tract of land and the
northerly R.O.W. line of US Highway 90 W, a distance of 62.72 feet to a SET KFW, for an angle point
of the tract described herein;

THENCE: S 78°11'24" W, a distance of 37.37 feet to the POINT OF BEGINNING and containing
0.2291 of an acre or 9,432 square feet, more or less, in the City of San Antonio, Bexar County, Texas,
and being described in accordance with a survey prepared by KFW Surveying. Bearings are based on
NAD83 Texas State Plane South Central Zone.
DESCRIPTION FOR
A 1.088 ACRE
TEMPORARY JOINT USE AREA

A 1.088 acre tract of land situated in the Jose Delgado, Abstract 1, and being a portion of Block 1, Lot 1, N.C.B. 13951, FARAH SUBDIVISION, a plat of record in Volume 6400, Page 79, Deed and Plat Records of Bexar County, Texas (D.P.R.), in the City of San Antonio, Bexar County, Texas and being out of that called 43.68 acre tract of land conveyed to the City of San Antonio and recorded in Volume 5640, Page 1892 in the Official Public Records of Bexar County, Texas (D.P.R.), said 1.088 acres being more particularly described by metes and bounds as follows:

COMMENCING at a found PK nail in the northerly right-of-way (R.O.W.) line of US Highway 90 W. a variable width R.O.W. at this point, and for the southwest corner of said 43.68 acre tract of land and the southeast corner of that called 22.976 acre tract of land conveyed to H.G. Property Management, LP and recorded in Volume 18055, Page 306 in the O.P.R.;

THENCE: N 10°26'44" W, along and with the west line of said 43.68 acre tract of land and the east line of said 22.976 acre tract of land, a distance of 74.88 feet to a ¾" iron rod with plastic cap stamped KFW EASEMENT (hereinafter referred to as SET KFW-E) for the northwest corner of the tract described herein;

THENCE: N 10°26'44" W, continuing along and with the west line of said 43.68 acre tract of land and the east line of said 22.976 acre tract of land, a distance of 206.44 feet to a calculated point, for the northwest corner of the tract described herein;

THENCE: departing the west line of said 43.68 acre tract of land, northerly and across the 43.68 acre tract of land, the following seven (7) courses:

1. N 85°59'24" E, a distance of 267.53 feet to a calculated point, for the northeast corner of the tract described herein.
2. S 04°00'36" E, a distance of 185.4 feet to a SET KFW-E, for the southeast corner of the tract described herein for an interior corner of the easement described herein, where a ¾" iron rod found stamped VLSKRY for an interior point in the northerly R.O.W. line of US Highway 90 W. bears S 81°52'57" E, a distance of 319.80 feet;
3. S 80°58'31" W, a distance of 126.26 feet to a SET KFW-E, for an exterior corner of the tract described herein;
4. N 07°06'38" W, a distance of 27.74 feet to a ¾" iron rod with a plastic cap stamped KFW SURVEYING (hereinafter referred to as SET KFW), for an interior corner of the tract described herein;
5. S 82°20'21" W, a distance of 100.00 feet to a SET KFW, for an interior corner of the tract described herein;
6. S 07°40'01" E, a distance of 30.12 feet to a SET KFW-E, for an exterior corner of the easement described herein;
7. S 80°58'31" W, a distance of 64.10 feet to the POINT OF BEGINNING and containing 1.088 acres or 47,415 square feet, more or less, in the City of San Antonio, Bexar County, Texas, and being described in accordance with a survey prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

2 JULY 2019

TIM C. PAPAS
5543

Job No.: 19-007
Prepared by: KFW Surveying
Date: June 29, 2019
File: S:\Draw 2019\19-007 SAWS W-6 Military\DOCS\CCSA STADIUM TEMP WORK ESMT DESC.PDF
NOTES
1. Bearings are grid and based on the state plane coordinate system established for the Texas South Central Zone 4204, North American Datum (NAD) of 1983.
2. Coordinates shown hereon are surface and are derived from grid by using a combined scale factor of 1.00017.
3. The tract shown hereon is subject to all city of San Antonio and Bexar County ordinances and restrictions.
4. Metes and bounds were prepared for this exhibit.
5. Adjoining tracts hereon are per current Bexar County Appraisal District records and official public records of Bexar County, Texas.

SYMBOL LEGEND
- POINT
- FIR FOUND 12’ IRON ROD OR AS NOTED
- FPK FOUND PK NAIL
- SIR SET 12’ IRON ROD WITH A BLUE CAP STAMPED “KFW SURVEYING”
- SIR-E SET 12’ IRON ROD WITH A YELLOW CAP STAMPED “KFW EASEMENT”
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

Line Table

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<thead>
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<th>DIRECTION</th>
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<tr>
<td>L2</td>
<td>27.74’</td>
<td>N07°08’35”W</td>
</tr>
<tr>
<td>L3</td>
<td>30.12’</td>
<td>S07°40’01”E</td>
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<tr>
<td>L4</td>
<td>64.10’</td>
<td>S08°59’31”W</td>
</tr>
<tr>
<td>L5</td>
<td>81.26’</td>
<td>S08°59’31”W</td>
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LOCATION MAP
NOT-TO-SCALE

5757 WEST US HWY 90
CITY OF SAN ANTONIO
NCB 13951
BLOCK 1, SE 1212.36’ OF LOT 1
FARAH SUB
(V6400 P79, O.P.R.,
CALLED 42.88 ACRES
VOL. 1840, PG. 1892, O.P.R.
RECORDED 04/29/1993

1.088 ACRE TRACT
(47.415 SF, 1’)
TEMPORARY JOINT USE AREA

2 JULY 2019
TIM L. PAPPAS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5543
EMAIL: TPAPPAS@KFWENGINEERS.COM
DATE OF SURVEY: 06/24/2019
PROJECT NO.: 12-007

EXHIBIT OF
WEST MILITARY DRIVE & US HWY 90
W-5 UPPER SEGMENT
TEMPORARY JOINT USE AREA
P19-081T

KFW SURVEYING
TO: San Antonio Water System Board of Trustees  
FROM: Bruce A. Haby, Manager, Corporate Real Estate and Nancy Belinsky, Vice President and General Counsel  
THROUGH: Robert R. Puente, President/Chief Executive Officer  
SUBJECT: AWARD OF CONTRACTS FOR REAL ESTATE APPRAISAL SERVICES IN CONNECTION WITH VARIOUS CAPITAL IMPROVEMENT PROJECTS  
Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards contracts for real estate appraisal services to Eckmann Groll Inc., Valbridge Property Advisors, Allen, Williford, & Seale Inc., CBRE, Inc. on an as required basis in a total aggregate amount not to exceed $2,000,000.00 for a five-year contract period, with the option of two, one-year renewals, subject to appropriation of funds therefor.

- The San Antonio Water System (SAWS) requires real estate appraisal services for various capital improvement projects (the “Project Work”).

- SAWS issued a Request for Proposals (RFP) to provide the Project Work on February 26, 2020, in which nine Qualification Statements were received. The submittals were reviewed, evaluated and ranked according to a numerical scoring system. Four firms were recommended to be awarded the contracts.

- The scope of the contracts are for the Project Work on an “as-required basis” for real estate appraisal services for an aggregate amount not to exceed $2,000,000.00 over a five-year contract period, with the option of two, one-year renewals.

Staff recommends that the Board approve this resolution.

FINANCIAL IMPACT:

The funding for the unspecified contracts will only be spent contingent on the requirement for the service. This expenditure is included in the Capital Improvement Program Budgets as line items in the individual project budgets. The amount not to exceed $2,000,000.00 will be paid over a five-year period, and if exercised, two additional, one-year renewal options. The Project Fund will finance the amount not to exceed $2,000,000.00.
SUPPLEMENTARY COMMENTS:

The submitting firms are listed below:

<table>
<thead>
<tr>
<th>Name of Firm</th>
<th>Local/SMWVB</th>
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<tr>
<td>Allen, Williford &amp; Seale, Inc.*</td>
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<td>Non-Local/Non-SMWVB</td>
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<tr>
<td>CBRE, Inc.*</td>
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<tr>
<td>Eckmann Groll, Inc.*</td>
<td>Local/WBE</td>
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<tr>
<td>JLL Valuation Services</td>
<td>Local/Non-SMWVB</td>
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<td>Paul Hornsby &amp; Company</td>
<td>Non-Local/WBE</td>
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<td>Texas Values Appraisal Services</td>
<td>Non-Local/Non-SMWVB</td>
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<tr>
<td>Valbridge Property Appraisal Services*</td>
<td>Local/Non-WMSVB</td>
</tr>
</tbody>
</table>

* Selected Firms
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM (THE “SYSTEM”) BOARD OF TRUSTEES AWARDING CONTRACTS TO ECKMANN GROLL INC., VALBRIDGE PROPERTY ADVISORS, ALLEN, WILLIFORD, & SEAL INC., CBRE, INC. (“APPRAISAL COMPANIES”) FOR AN AMOUNT NOT TO EXCEED $2,000,000.00 OVER A FIVE-YEAR PERIOD WITH THE OPTION OF TWO, ONE-YEAR RENEWALS TO PROVIDE REAL ESTATE APPRAISAL SERVICES IN CONNECTION WITH VARIOUS CAPITAL IMPROVEMENT PROJECTS (THE “PROJECT WORK”); AUTHORIZING TOTAL EXPENDITURES IN AN AMOUNT NOT TO EXCEED $2,000,000.00 FROM THE PROJECT FUND FOR THE FIVE-YEAR PERIOD AND THE TWO, ONE-YEAR RENEWALS, IF EXERCISED WITH THE EXPENDITURE OF FUNDS IN ALL SUBSEQUENT YEARS PURSUANT TO AND CONTINGENT UPON THE BOARD’S APPROVAL OF THE BUDGETS OF THOSE YEARS WITH A LINE ITEM FOR SUCH EXPENDITURES; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO NEGOTIATE AND EXECUTE CONTRACTS WITH THE APPRAISAL COMPANIES, AND TO PAY THE APPRAISAL COMPANIES AN AMOUNT NOT TO EXCEED $2,000,000.00 TO PROVIDE THE PROJECT WORK FOR THE CONTRACT TERM OF FIVE YEARS AND TO EXERCISE THE TWO, ONE-YEAR RENEWAL OPTIONS IF IT IS IN THE BEST INTEREST OF THE SYSTEM; FINDING THIS RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the System requires the Project Work for various projects related to the acquisition and disposition of real property; and

WHEREAS, the System previously issued a Request for Proposals on February 26, 2020, to provide the Project Work in which nine Statements of Qualifications were received; and

WHEREAS, Eckmann Groll Inc., Valbridge Property Advisors, Allen, Williford, & Seale Inc., CBRE, Inc. (“Appraisal Companies”) have submitted Statements of Qualifications to provide the Project Work; and

WHEREAS, the Appraisal Companies have been determined to be qualified providers of the Project Work on the basis of demonstrated competence and qualifications; and
WHEREAS, the amount of $2,000,000.00 is available from the Project Fund for the Project Work; and

WHEREAS, the San Antonio Water System Board of Trustees desires to (i) award contracts to the Appraisal Companies in an amount not to exceed $2,000,000.00 over a five-year period with the option of two, one-year renewals to provide the Project Work, (ii) authorize total expenditures in an amount not to exceed $2,000,000.00 from the Project Fund over a five-year period with the two, one-year renewals, if exercised, with the expenditure of funds in all subsequent years pursuant to and contingent upon the Board’s approval of the budgets of those years with a line item for such expenditures, and (iii) authorize the President/Chief Executive Officer or his duly appointed designee to negotiate and execute contracts with the Appraisal Companies, and to pay the Appraisal Companies an amount not to exceed $2,000,000.00 to provide the Project Work for a five-year period and to exercise the two, one-year renewal options if it is in the best interest of the System; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That contracts are hereby awarded to the Appraisal Companies to provide the Project Work for an amount not to exceed $2,000,000.00 over a five-year period with the option of two, one-year renewals.

2. That the total expenditure in an aggregate amount not to exceed $2,000,000.00 from the Project Fund over the initial five-year period and the two, one-year renewals, if exercised is hereby authorized, with the expenditure of funds in all subsequent years being authorized pursuant to and contingent upon the Board’s approval of the budgets of those years with a line item for such expenditures.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to negotiate and execute contracts with the Appraisal Companies, and to pay the Appraisal Companies an amount not to exceed $2,000,000.00 to provide the Project Work over a five-year period and to exercise the two, one-year renewal options if it is in the best interest of the System.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.
6. This resolution becomes effective immediately upon its passage. 

PASSED AND APPROVED this 9th day of June, 2020.

______________________________
Berto Guerra, Jr., Chairman

ATTEST:

______________________________
Amy Hardberger, Secretary
AGENDA ITEM NO. 28

TO: San Antonio Water System Board of Trustees

FROM: Nancy Belinsky, Vice President and General Counsel, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: APPROVING A SETTLEMENT AGREEMENT WITH TETRA TECH, INC. IN CONNECTION WITH THE ENGINEERING SERVICES AGREEMENT FOR THE SALADO PZ 1295 BOOSTER STATION PROJECT

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution approves a Settlement Agreement with Tetra Tech, Inc. in connection with the Salado PZ 1295 Booster Station Project.

- On August 7, 2012, by Resolution No.12-387, the San Antonio Water System’s (the “System”) Board of Trustees (the “Board”) awarded a contract to Tetra Tech, Inc. (“Tetra Tech”) for the Professional Services Agreement; Engineering Services Agreement for Water Production Facility Painting and Rehabilitation Design Services Contract I; Contract No. D-12-007-MR (the “Contract”) in the amount of $900,000.00.

- Tetra Tech in performing services under the Contract designed the Salado PZ 1295 Booster Station Project, SAWS Job No. 14-6102 (the “Project”).

- On August 7, 2019 and September 10, 2019, the System sent correspondence to Tetra Tech indicating that the System believed that materials of construction for the vertical turbine pumps installed on the Project were not suitable for the intended application; that Tetra Tech had approved improper impeller material; and that the System suffered damages due to the resulting decrease in pumping capacity as a result of this alleged error (the “Claim”).

- The System made demand upon Tetra Tech for recovery of these amounts incurred as a result of the Claim.

- To avoid litigation and expense concerning the Claim, the System and Tetra Tech have agreed to compromise and settle the Claim pursuant to the terms of the Settlement Agreement that is attached to the resolution as Attachment No. 1 (the “Settlement Agreement”). Pursuant to the terms of the Settlement Agreement, Tetra Tech shall provide (i) $250,000.00 of in-kind engineering services to be applied as a credit to the future Cagnon and Salado tank rehabilitation work order on the 2019 Water Production Facilities Painting and Rehabilitation Work Order Contract No. P-19-001-JG project, and (ii) $50,000.00 payment to Tetra Tech’s NACE sub consultant Boswell & Reyes International.
Staff recommends that the Board approve this resolution.

Financial Impact:

The System will receive a total of $300,000.00 in value. $250,000.00 will be paid as a credit against future construction phase services to be performed by Tetra Tech and $50,000.00 will be by payment to Tetra Techs’ NACE sub consultant Bowell & Reyes for out of scope services provided to the System on the Basin Pump Station Rehabilitation Project.
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING A SETTLEMENT AGREEMENT WITH TETRA TECH, INC. IN CONNECTION WITH THE SALADO PZ 1295 BOOSTER STATION PROJECT; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE THE SETTLEMENT AGREEMENT AND TO EXECUTE ALL DOCUMENTS AND TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE SETTLEMENT AGREEMENT; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, during construction of the Salado PZ 1295 Booster Station Project (the “Project”), the San Antonio Water System (the “System”) believed that materials of construction for the vertical turbine pumps installed on the Project were not suitable for the intended application; that Tetra Tech, Inc. (“Tetra Tech”) had approved the improper impeller material; and that the System suffered damages due to the resulting decrease in pumping capacity as a result of this alleged error (the “Claim”); and

WHEREAS, the System made demand upon Tetra Tech for recovery of these amounts incurred as a result of the Claim; and

WHEREAS, the System and Tetra Tech have agreed to compromise and settle the Claim pursuant to the terms of the Settlement Agreement that is attached to the resolution as Attachment No. 1 (the “Settlement Agreement”); and

WHEREAS, pursuant to the terms of the Settlement Agreement, Tetra Tech shall provide (i) $250,000.00 of in-kind engineering services to be applied as a credit to the future Cagnon and Salado tank rehabilitation work order on the 2019 Water Production Facilities Painting and Rehabilitation Work Order Contract No. P-19-001-JG project, and (ii) $50,000.00 payment to Tetra Tech’s NACE sub consultant Boswell & Reyes International, LLC for out of scope inspection services provided to the System on the Basin Pump Station Rehabilitation Project; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve the Settlement Agreement with Tetra Tech, and (ii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute all documents and to take all actions necessary to implement the Settlement Agreement and to perform all obligations of the System provided by the Settlement Agreement; now, therefore:
BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the Settlement Agreement with Tetra Tech is hereby approved.

2. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute the Settlement Agreement that is attached to this Resolution as Attachment 1.

3. That the President/Chief Executive Officer or his duly appointed designee is authorized to execute all documents and to take all actions that are reasonable or necessary to implement the terms of the Settlement Agreement and to perform the obligations of the System as provided by the terms of the Settlement Agreement that is attached to this Resolution as Attachment 1.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

______________________________
Berto Guerra, Jr., Chairman

ATTEST:

______________________________
Amy Hardberger, Secretary

Attachment 1 – Settlement Agreement
SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement and Mutual Release ("Settlement") is made and entered into by and among San Antonio Water System, an agency of the City of San Antonio in the State of Texas ("SAWS") and Tetra Tech, Inc. ("Tetra Tech") to resolve the current dispute as defined below. SAWS and Tetra Tech are referred to collectively herein as the "Parties" and individually as the "Party." The Agreement shall be effective on the date last executed by the Parties.

WHEREAS, on or about September 24, 2012, SAWS entered into a contract with Tetra Tech entitled “Professional Services Agreement; Engineering Services Agreement for Water Production Facility Painting and Rehabilitation Design Services Contract I; Contract No. D-12-007-MR,” ("Agreement"), wherein Tetra Tech was required to provide engineering services related to Salado PZ 1295 Booster Station Project, SAWS Job No. 14-6102 ("Project"); and

WHEREAS, on or about August 7, 2019 and September 10, 2019, SAWS sent correspondence to Tetra Tech indicating that SAWS observed that materials of construction for the vertical turbine pumps installed on the project were not suitable for the intended application and that Tetra Tech had approved improper impeller material submitted by the contractor that was not in compliance with the project specifications. SAWS has represented that it has suffered costs associated with the reduction of services at the Project and has demanded that Tetra Tech and contractor provide compensation for shared responsibility due to Tetra Tech’s alleged negligent acts and omissions in the performance of services on the Project (the “Claim”); and
Attachment 1

WHEREAS, the Parties now desire to resolve any and all disputes, and to avoid the expense of litigation with regard to the Claim; and

WHEREAS, it is expressly understood that the execution of this Settlement is not an admission by any Party of any liability for any violation of any statute, order, regulation, ordinance, contract, agreement, promise, representation, duty or obligation of any nature for any purpose whatsoever.

NOW, THEREFORE, for good and valuable consideration, including the covenants and agreements recited herein, the sufficiency of which is hereby expressly acknowledged, the Parties hereto agree as follows:

1. Tetra Tech shall provide $250,000 of in-kind engineering services to be applied to the future Cagnon and Salado tank rehabilitation work order on the 2019 Water Production Facilities Painting and Rehabilitation Work Order Contract No. P-19-001-JG that Tetra Tech and SAWS entered into on April 4, 2019 (“2019 Projects”). The in-kind services will be billed in accordance with the terms and conditions of the 2019 Projects and applied via credits provided on the monthly invoices for the 2019 Projects. Tetra Tech will apply the $250,000 credit to Tetra Tech performed services after the execution of this Settlement until the credit is exhausted.

2. Tetra Tech shall make the $50,000 payment to its NACE subconsultant Boswell & Reyes International, LLC for out of scope inspection services provided on the Basin Pump Station Rehabilitation Project work order on the 2016 Water Production Facilities Painting and Rehabilitation Design Services Contract No. D-16-002-MF. The payment will be reflected as a credit on the next invoice for the Basin Pump Station Project.
3. In exchange, the Parties hereby remise, release and forever jointly and severally discharge each other and their past, present and future officers, directors, partners, stockholders, agents, trustees, servants, employers, employees, administrators, agents, servants, representatives, counsel, affiliates, parents, subsidiaries, predecessors and successors in interest, and insurers, from all debts, demands, damages, actions, causes of actions, judgment, suits, sums of money and liabilities and any and all other claims of every kind, nature and description whatsoever, whether known or unknown, in law and equity and otherwise, which the Parties have or may in the future have against each other for any and all claims in whole or in part arising from or relating to the Claim. For purpose of clarity, this Settlement is not intended to release the Parties from any of their ongoing obligations under the Agreement, other than those as related specifically to the Claim and as stated herein.

4. The Parties hereto state that they rely on their own judgment, with the advice and assistance of counsel, or the opportunity to consult with counsel, and without influence by anyone, in entering into this Settlement, and completely understand that they intend to fully and finally settle any and all of the aforesaid Claim related to the Project.

5. In the event of a breach of this Settlement, the non-breaching Party shall have the right to institute an action to pursue any and all rights provided by law or equity, including the right to specific performance or damage for breach of this Settlement.

6. This Settlement may be executed in one or more identical counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A facsimile signature on this Settlement shall be deemed an original for purposes of execution and authenticity.
Attachment 1

7. This Settlement is binding upon, and shall inure to the benefit of, the Parties and their respective officers, directors, administrators, employees, agents, attorneys, successors, assigns and any person or entity acting on behalf of or in concert with any Party.

8. No Party may assign this Settlement or any rights or obligations hereunder to any third-party or entity, and this Settlement may not be involuntarily assigned by operation of law without the prior written consent of the other parties.

9. The Parties represent and warrant that they have not yet assigned, and will not assign, any of the claims that they may have against each other to a third-party.

10. This Settlement represents the entire and integrated agreement between the Parties and supersedes all prior negotiations, representations or agreements regarding the Project and shall be binding upon, and inure to the benefit of, the Parties hereto and their officers, directors, administrators, employees, agents, attorneys, successors and assigns. The Settlement may be amended only by written instrument signed by all Parties hereto.

11. This Settlement is solely for the benefit of the Parties hereto. The Parties do not intend by any provision of this Settlement to include any rights in, or increase the rights of, any third-party beneficiaries nor to confer any benefit upon or enforce any rights under this Settlement on anyone other than the Parties hereto.

12. This Settlement shall be construed in accordance with the laws of the State of Texas without regard to any rules or principles of conflict of laws that might otherwise have required the application of the law of another jurisdiction.

13. The Parties warrant that the individuals executing this Settlement on each Settling Party’s behalf is/are fully authorized to do so.
Attachment 1

14. If any provision in this Settlement shall, for any reason, be held invalid or unenforceable in any respect, it shall not affect any other provisions of this Settlement, but shall be construed by limiting it so as to be enforceable to the maximum extent compatible with applicable law, so long as such construction does not materially alter the rights or obligations of the Parties or deprive either Party of consideration for the undertakings and promises described herein.

[Signatures appear on following page and the rest of this page has been intentionally left blank]
IN WITNESS WHEREOF, the undersigned have set their hands on this Settlement as of the dates set forth below, having read and fully understanding the above provisions.

San Antonio Water System

By:______________________________

Printed Name:________________________

Title:_______________________________
(An Authorized Representative)

Date:_______________________________

Tetra Tech, Inc.

By:______________________________

Printed Name:________________________

Title:_______________________________
(An Authorized Representative)

Date:_______________________________
TO: San Antonio Water System Board of Trustees

FROM: Darren Thompson, Director, Water Resources, and Donovan Burton, Vice President, Water Resources and Governmental Relations

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: APPROVING A TEMPORARY EMERGENCY SERVICE INTERCONNECT AGREEMENT WITH SWWC UTILITIES, INC.

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution relates to a Temporary Emergency Service Interconnect Agreement (the “Agreement”) between San Antonio Water System (SAWS) and the SWWC Utilities, Inc. (the “Requesting Purveyor”).

- The Existing Contract authorized the installation of a 4-inch interconnect to SAWS distribution system.
- SAWS and the Requesting Purveyor now desire to enter into this Agreement.
- The Requesting Purveyor has agreed to pay the water service emergency interconnect rate and to be billed in accordance with City of San Antonio Ordinance No. 101684 as may be amended from time to time.
- Activation of the connection is temporary and shall be limited to conditions necessitated by mechanical failure of the Requesting Purveyor, and each activation of the interconnect shall not exceed 30 consecutive calendar days.

- Water from the interconnect to the Requesting Purveyor shall be limited to domestic indoor use only. Outdoor water use is prohibited including: landscape irrigation, filling or topping off of swimming pools, car washing, and washing imperious cover such as driveways.
- The term for this Agreement is for five years expiring on March 30, 2025.
• Requesting Purveyor may terminate this Agreement by providing 180-day written notice to SAWS.

• SAWS may terminate at will if Requesting Purveyors’ water use interferes with SAWS operations.

• SAWS was notified of a pending transfer of ownership from SWWC Utilities to Monarch Utilities I L.P. on June 3, 2020. The proposed transfer is between two subsidiaries of Southwest Water Company. The purchase application represents the agreement will transfer to the purchaser.
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING A NEW AGREEMENT FOR A TEMPORARY EMERGENCY SERVICE INTERCONNECT WITH SWWC UTILITIES, INC.; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A TEMPORARY SERVICE EMERGENCY INTERCONNECT AGREEMENT WITH SWWC UTILITIES, INC.; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, this action concerns both the San Antonio Water System (the “System”) and the SWWC Utilities Inc., a Delaware Corporation (the “Requesting Purveyor”); and

WHEREAS, the System and the Requesting Purveyor have agreed to enter into a new Temporary Emergency Service Interconnect Agreement (the “Agreement”); and

WHEREAS, the Agreement between the System and Requesting Purveyor will commence on the effective date and shall remain in full force and effect for a period of five years; and

WHEREAS, the Requesting Purveyor has an existing 4-inch interconnect to the System’s distribution system, and has agreed to pay the water service emergency interconnect rate and to be billed in accordance with the City of San Antonio Ordinance No. 101684 as may be amended from time to time; and

WHEREAS, activation of the connection is temporary and shall be limited to conditions necessitated by mechanical failure of the Requesting Purveyor; and each activation of the interconnect shall not exceed 30 consecutive calendar days; and

WHEREAS, water from the interconnect to the Requesting Purveyor shall be limited to domestic indoor use only and not for landscape irrigation, filling or topping off of swimming pools, car washing, and washing imperious cover such as driveways; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve the Temporary Emergency Service Interconnect Agreement with SWWC Utilities, Inc., in substantially the form attached hereto as Attachment I, and (ii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute the Agreement; now, therefore:
BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD
OF TRUSTEES:

1. That the Temporary Emergency Service Interconnect Agreement between the System and
the Requesting Purveyor is hereby approved in substantially the form attached hereto as
Attachment I.

2. That the President/Chief Executive Officer or his duly appointed designee is hereby
authorized to execute the Agreement.

3. It is officially found, determined and declared that the meeting at which this resolution is
adopted was open to the public, and that public notice of the time, place and subject matter of the
public business to be conducted at such meeting, including this resolution, was given to all as
required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

4. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any
reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or
limitation upon any general provision herein contained is held to be unconstitutional, illegal,
invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid
as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or
ineffective.

5. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020

__________________________________
Berto Guerra, Jr., Chairman

ATTEST:

______________________________
Amy Hardberger, Secretary

Attachment:
I. Temporary Emergency Service Interconnect Agreement
TEMPORARY EMERGENCY SERVICE INTERCONNECT AGREEMENT

This Temporary Emergency Interconnect Agreement (the “Agreement”) is entered into to be effective on the 30th day of March 2020 (the “Effective Date”) by and between the San Antonio Water System Board of Trustees, a water, wastewater, and water reuse utility organized under Article 1115 V.A.T.S, and City Ordinance No. 75686 (the “Indenture Ordinance”), and by and through its President and CEO, Robert R. Puente, pursuant to Board Resolution No. 20-___ (“SAWS”) and SWWC Utilities Inc., a Delaware corporation (the “Requesting Purveyor”), with respect to SAWS providing a temporary emergency interconnect to the Requesting Purveyor under the following conditions:

Whereas, SAWS and the Requesting Purveyor now desire to execute this Temporary Emergency Interconnect Agreement (2020 Agreement); and

Whereas, SAWS and the Requesting Purveyor enter into this Agreement to further the water security of the Country Bend neighborhood; and

Now Therefore, the Parties agree as follows:

1. The Requesting Purveyor agrees that SAWS has the obligation to first provide water service to its customers not located in the area to be served through the temporary emergency interconnect. SAWS has the right to not sell water through the temporary emergency interconnect if it has determined that first priority customers would be adversely impacted. The Requesting Purveyor understands and agrees that SAWS, in its sole discretion, may terminate the temporary emergency interconnect at any time and reject any future temporary emergency interconnect interconnects.

2. All temporary emergency interconnections shall be charged the interconnect water service rate and billed in accordance with City of San Antonio Ordinance #101684 and as may be amended or replaced from time to time. Impact fees will not be charged by SAWS for a temporary emergency interconnect.

3. Physical connections to SAWS infrastructure for the temporary emergency interconnect shall be funded entirely by the Requesting Purveyor. The Requesting Purveyor must apply for a Water Connection Permit through SAWS’ Counter Service Division. SAWS must approve the engineering plans and inspect the construction of the connection prior to activating the emergency connection. Construction of the connection must comply with all SAWS’ specifications and regulations.

4. The Requesting Purveyor has one temporary emergency interconnection point to SAWS distribution system (Attachment I):
   
   o 26827 Nelson Hill, Boerne, TX., 4” Service Line,
   Account No. 000139881-0139882-0001

ATTACHMENT I
5. SAWS shall furnish, operate and maintain, at its own expense the necessary metering equipment and other devices required for properly measuring the quantity of water delivered to the Requesting Purveyor. The SAWS obligations under this Contract shall terminate at the established point of delivery.

6. Activation of the connection is temporary and shall be limited to conditions necessitated by mechanical failure of the Requesting Purveyor’s system.
   - The connection shall not be used as the mechanism to delay repairs or modifications to the Requesting Purveyor’s system.
   - Activation of the connection shall be performed by SAWS staff.

7. Each activation of the temporary emergency interconnect shall not exceed 30 consecutive calendar days. If more than 30 consecutive calendar days are needed to repair the mechanical failure with the system, the Requesting Purveyor shall submit a written request to SAWS. SAWS will then reassess the request to determine if adequate water supply is available for SAWS first priority customers and also for the temporary emergency interconnect.

8. Water use from the temporary emergency interconnect, by the Requesting Purveyor, shall be limited solely to domestic indoor use. All outdoor water use is prohibited including but not limited to: landscape irrigation, filling or topping off of swimming pools, car washing, and washing impervious cover such as driveways.

9. The Requesting Purveyor shall develop and implement a water conservation plan using the applicable elements of 30 TAC Chapter 288. The Requesting Purveyor agrees to make available a copy of the approved Conservation Plan to SAWS upon request.

10. The temporary emergency interconnect is not intended to serve as a supplemental source due to declining water supply and cannot be used to avoid acquiring additional water supplies or to avoid building redundant infrastructure.
   - The temporary emergency interconnect cannot be used to satisfy any redundancy or back-up infrastructure or water supply requirements, including those that may be prescribed by the Texas Commission on Environmental Quality (TCEQ).
   - If the Requesting Purveyor does not have an adequate water supply to meet customer demand, a wholesale connection may be requested, however, SAWS shall have the discretion to accept or reject such a request.
   - A wholesale connection will require an engineering study to determine compatibility with SAWS’ master plan, the availability of capacity, and if additional facilities will be required.
A wholesale connection will require the payment of impact fees.

A wholesale connection will require that a take or pay wholesale contract be executed between SAWS and the Requesting Purveyor.

11. Requesting Purveyor shall contact SAWS at 210-704-SAWS (7297) to initiate activation of the temporary emergency interconnect.

12. The term of this Agreement commences on the Effective Date and shall remain in full force and effect for a period of (5) five years and shall terminate on March 30, 2025, subject to SAWS rights to unilaterally terminate the Agreement pursuant to Section 1 above.

13. Requesting Purveyor may terminate this Agreement by providing 180-day written notice to SAWS.

IN WITNESS WHEREOF, SAWS AND Requesting Purveyor have duly executed this Agreement as of the Effective Date.

REQUESTING PURVEYOR

By: ______________________
Name: Jeffrey L. McIntyre
Title: President

SAN ANTONIO WATER SYSTEM

By: ______________________
Name: Robert R. Puente
Title: President/CEO
TO: San Antonio Water System Board of Trustees

FROM: Dan Crowley, Director Governmental Relation, and Donovan S. Burton, Vice President, Water Resources and Governmental Relations

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: APPROVAL OF ADDITIONAL FUNDS FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE MITCHELL LAKE WETLANDS WATER QUALITY TREATMENT INITIATIVES

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution amends Resolution No. 17-233, by authorizing additional funds to an existing professional services contract with Alan Plummer and Associates, Inc., now known as Plummer, a local, non-SMWVB firm, in an amount not to exceed $217,900.00 in connection with Mitchell Lake Wetlands Water Quality Treatment Initiatives.

The San Antonio Water System’s (the “System”) Board of Trustees on October 10, 2017, by Resolution No. 17-233, approved a professional services contract with Alan Plummer and Associates, Inc., now known as Plummer, in the amount of $1,321,490.00 for Phase 1 of the System’s study at Mitchell Lake.

Phase 1 is to evaluate the effectiveness of constructed wetlands downstream of Mitchell Lake to achieve compliance with the System’s Texas Pollution Discharge Elimination System (TPDES) wastewater discharge permit. Phase 1 includes the construction of a pilot wetlands system, evaluating the possibility of in-lake treatment, and evaluating rehabilitation of the dam and spillway. The Phase 1 study will be complete in December 2020.

The objective of this study is to evaluate and implement one or more natural processes to treat water leaving Mitchell Lake to the water quality limits (excluding E.coli bacteria) identified in the TPDES wastewater discharge permit for the Mitchell Lake treatment facility.

Discussions with staff at the Texas Commission on Environmental Quality (TCEQ) and the United States Environmental Protection Agency Region 6 (EPA) after the award of the initial contract indicated that regulating the Lake under the City of San Antonio TPDES Municipal Separate Storm Sewer System (MS4) permit may be more appropriate than the current regulation under the TPDES discharge permit. Resulting in the System’s Board of Trustees on June 4, 2019, by Resolution No. 19-132, amended the professional services contract with Plummer in the amount of $377,700.00 for additional professional services.
The classification of Mitchell Lake as a TPDES permitted wastewater treatment facility significantly impacts potential development in the Mitchell Lake watershed, as stormwater runoff is prohibited from entering the process units of a wastewater treatment facility.

Conversion to a TPDES MS4 permit will provide significant operational and financial benefits to the System, and the community by allowing Mitchell Lake to be operated as a stormwater basin if appropriately permitted by the regulators.

The following issues must be evaluated to support the conversion of the Mitchell Lake permit from a TPDES wastewater discharge permit to a TPDES MS4 permit.

- Assessment of the appropriate water quality standards for Mitchell Lake
- Assessment of the appropriate TPDES permit limits for the discharge from the Leon Creek Water Recycling Center into Mitchell Lake
- Assessment of the appropriate provisions in the San Antonio MS4 permit with respect to Mitchell Lake
- Assessment of the water rights implications of various operational scenarios

Plummer will provide the additional professional services to evaluate the conversion of the Mitchell Lake permit from a TPDES wastewater discharge permit to a TPDES MS4 permit.

Staff recommends that the Board approve this resolution.

**FINANCIAL IMPACT:**

Funds will be made available from the System Fund budgeted in the 2020 budget, (Company: 1000, Accounting Unit: 5047900, Account 511312, Total amount: $217,900.00).

The revised authorization for this contract is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount (Resolution No. 17-233)</td>
<td>$1,321,490.00</td>
</tr>
<tr>
<td>Additional Funds (Resolution No. 19-132)</td>
<td>377,700.00</td>
</tr>
<tr>
<td>Proposed Additional Funds</td>
<td>217,900.00</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$1,917,090.00</td>
</tr>
</tbody>
</table>

As a result of the additional funds, the revised contract amount is $1,917,090.00. This represents a 45 percent increase to the original contract.
SUPPLEMENTARY COMMENTS:

Below is a breakdown of additional activities:

<table>
<thead>
<tr>
<th>#</th>
<th>Task</th>
<th>Budget</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>MS4 Permit</td>
<td>$204,400.00</td>
<td>7 months</td>
</tr>
<tr>
<td>9</td>
<td>Project Management</td>
<td>$13,500.00</td>
<td>Additional Project Management</td>
</tr>
</tbody>
</table>

Attachment:
1. Mitchell Lake Wetlands Quality Treatment Initiatives Proposal for Additional Services
This Contract Agreement Amendment No. 4 ("Amendment") is made and entered into as of the dates set forth beneath the signatures below, effective upon the date the Agreement is fully executed by both parties, by and between the San Antonio Water System ("SAWS" or "the Water System") and Plummer Associates, Inc. ("Consultant").

For and in good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, SAWS and Consultant recite and agree as follows:

I.

The contract for professional engineering services for the SAWS Mitchell Lake Wetlands Quality Treatment Initiatives, Contract No. PS-17-004-GC ("Contract"), authorized by the SAWS Board Resolution No. 17-223 on the October 10, 2017, Board Meeting between SAWS and the Consultant, as amended by Contract Amendment No. 1 on February 7, 2018, as amended by Contract Amendment No. 2 on March 20, 2019, as amended by Contract Amendment No. 3 authorized by Board Resolution No. 19-132 on June 4, 2019, is hereby further amended to increase contract capacity for additional engineering services, to amend Exhibit IV (Time Frame for Deliverables), and to add Exhibit V (Preservation and Production of Contracting Information), as approved by Board Resolution No. 20-______ on June 2, 2020.

II.

The Contract not to exceed amount of $1,699,190.00 is hereby amended to include a not to exceed amount of $217,900.00 for a revised Contract amount not to exceed $1,917,090.00. Additional engineering services shall be completed in accordance with the original schedule set forth in the original Contract, unless otherwise provided in Attachment I to this Amendment, and compensated according to Exhibit I, as amended by Attachment I to this Amendment.

III.

All other terms, conditions, compensation, and provisions of the original Contract, as amended, shall remain in full force and effect as of the date thereof.

The individuals executing this Contract Amendment each represent and warrant to the other party that he/she has full authority to execute this Contract Amendment on behalf of his/her respective party.

This Amendment shall be binding upon and inure to the benefit of SAWS and Consultant and their respective successors and assigns.

PLUMMER ASSOCIATES, INC.                      SAWWS
By: ________________________________       By: _____________________________
Name: ________________________________       Name: Philip C. Campos, Jr., CPA
Title: ________________________________       Title: Director – Contracting
Date: ________________________________       Date: _____________________________
Contract Amendment No. 4
ATTACHMENT I
Mitchell Lake Wetlands Quality Treatment Initiatives
Contract No. P-17-004-GC

1. EXHIBIT I, COMPENSATION FOR PROFESSIONAL SERVICES, Section 1, Items 1.1, 1.2, and 1.3 are deleted in entirety and replaced with the following:

Section 1 – Basis for Compensation

1.1 Compensation for all fees, costs, expenses and services defined by this Contract shall be compensated at a Not-to-Exceed amount of $1,917,090.00—One Million Nine Hundred Seventeen Thousand Ninety Dollars and No Cents, including expenses (“Contract Price”), and it is agreed and understand that this amount, when earned, will constitute full compensation to the Consultant.

1.2 This Contract Price is the sum of the phases as provided for by the Tasks detailed in the schedule of values below.

<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
<th>Original Amount</th>
<th>CA 1</th>
<th>CA 2</th>
<th>CA 3</th>
<th>CA 4</th>
<th>Revised Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Project Initiation</td>
<td>$28,662.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$28,662.00</td>
</tr>
<tr>
<td>2</td>
<td>Field Inv. &amp; Lab Analysis</td>
<td>$191,397.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$191,397.00</td>
</tr>
<tr>
<td>3</td>
<td>Evaluate Regulatory Issues</td>
<td>$78,724.00</td>
<td></td>
<td>$174,300.00</td>
<td>$141,000.00</td>
<td>$204,400.00</td>
<td>$598,424.00</td>
</tr>
<tr>
<td>4</td>
<td>Wetlands Desktop Feasibility Study</td>
<td>$79,903.00</td>
<td>$(5,540.59)</td>
<td>$5,540.59</td>
<td>$5,540.59</td>
<td></td>
<td>$79,903.00</td>
</tr>
<tr>
<td>5</td>
<td>Evaluate In-Lake Treatment</td>
<td>$37,389.00</td>
<td>$(1,124.75)</td>
<td>$1,124.75</td>
<td>$1,124.75</td>
<td></td>
<td>$37,389.00</td>
</tr>
<tr>
<td>6</td>
<td>Pilot Wetlands Study</td>
<td>$537,946.00</td>
<td>$(36,977.37)</td>
<td>$36,977.37</td>
<td>$36,977.37</td>
<td></td>
<td>$537,946.00</td>
</tr>
<tr>
<td>7</td>
<td>Dam Improvements Evaluation</td>
<td>$157,583.00</td>
<td>$(74,575.46)</td>
<td>$74,575.46</td>
<td>$74,575.46</td>
<td></td>
<td>$157,583.00</td>
</tr>
<tr>
<td>8</td>
<td>Public Relations, Partnership, Funding</td>
<td>$73,224.00</td>
<td>$(42,853.00)</td>
<td>$42,853.00</td>
<td>$42,853.00</td>
<td></td>
<td>$73,224.00</td>
</tr>
<tr>
<td>9</td>
<td>Project Management &amp; Coordination</td>
<td>$86,662.00</td>
<td></td>
<td>$22,400.00</td>
<td>$13,500.00</td>
<td>$122,562.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total Basic Services</strong></td>
<td><strong>$1,271,490.00</strong></td>
<td><strong>$1,271,490.00</strong></td>
<td><strong>$13,228.83</strong></td>
<td><strong>$324,471.17</strong></td>
<td></td>
<td><strong>$1,827,090.00</strong></td>
</tr>
</tbody>
</table>
1.3 Basic Design Services
The portion of the Contract Price allocated for Basic Design Services as provided for in Exhibit II shall be the not-to-exceed amount of **$1,827,090.00 – One Million Eight Hundred Twenty-Seven Thousand Ninety Dollars and No Cents.**

2. EXHIBIT I, COMPENSATION FOR PROFESSIONAL SERVICES, Section 3, Items 3.4 and 3.10 are revised in entirety to read:

**Section 3 – Methods of Payments**

3.4 Task 3 - Evaluate Regulatory Issues – up to **$598,424.00** of the Contract Price shall be payable after the acceptance and approval of the Evaluate Regulatory Issues by the Water System.

3.10 Task 9 – Project Management & Coordination – up to **$122,562.00** of the Contract Price shall be payable after the acceptance and approval of the Project Management & Coordination by the Water System.

3. EXHIBIT IV – TIME FRAME FOR DELIVERABLES, is amended as follows:

<table>
<thead>
<tr>
<th>NTP Date 3/15/2019</th>
<th>Completion Deadline</th>
<th>Months From NTP</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EVALUATE REGULATORY ISSUES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interim Regulatory Summary Report (addressing TPDES limits for continuous discharge)</td>
<td>12/31/2020</td>
<td>N/A</td>
<td>Included in Wetlands Desktop Feasibility Report.</td>
</tr>
<tr>
<td>Interim Regulatory Summary Report (addressing TPDES limits for uncontrolled discharges)</td>
<td>TBD</td>
<td>N/A</td>
<td>Dependent upon the outcome of 3.09 MS4 Permit.</td>
</tr>
<tr>
<td>Water Quality Standards</td>
<td>7/22/2019</td>
<td>4 months</td>
<td></td>
</tr>
<tr>
<td>Leon Creek WRC Permit Limits</td>
<td>12/31/2020</td>
<td>21 months</td>
<td></td>
</tr>
<tr>
<td>MS4 Permit</td>
<td>12/31/2020</td>
<td>21 months</td>
<td></td>
</tr>
<tr>
<td>Support Water Rights Assessment</td>
<td>12/31/2020</td>
<td>21 months</td>
<td></td>
</tr>
<tr>
<td>Support USACE Study</td>
<td>12/31/2020</td>
<td>21 months</td>
<td>3 months after a year of pilot wetland operations.</td>
</tr>
</tbody>
</table>
4. **EXHIBIT V – PRESERVATION AND PRODUCTION OF CONTRACTING INFORMATION**, is added as follows:

**EXHIBIT V – PRESERVATION AND PRODUCTION OF CONTRACTING INFORMATION**

To the extent this Agreement has a stated expenditure of or results in an expenditure of at least $1 million in public funds, then pursuant to Texas Government Code §552.372, Consultant will preserve all contracting information, as defined by §552.003, related to the Agreement for the duration of the Agreement; promptly provide to SAWS any such contracting information related to the Agreement that is in its custody or possession of SAWS on request of SAWS; and on completion of the Agreement, either: A) provide at no cost to SAWS all such contracting information related to the Agreement that is in its custody or possession or B) preserve such contracting information related to the Agreement as provided by the records retention requirements applicable to SAWS.

The Consultant agrees that the Agreement can be terminated if the Consultant knowingly or intentionally fails to comply with a requirement of Subchapter J, Chapter 552, of the Texas Government Code.

End of Amendment No. 4
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING ADDITIONAL EXPENDITURES TO THE EXISTING PROFESSIONAL SERVICE CONTRACT WITH ALAN PLUMMER AND ASSOCIATES, INC., NOW KNOWN AS PLUMMER, IN AN AMOUNT NOT TO EXCEED $217,900.00 IN CONNECTION WITH THE MITCHELL LAKE WETLANDS WATER QUALITY TREATMENT INITIATIVES; AUTHORIZING AN AMOUNT NOT TO EXCEED $217,900.00 BE MADE AVAILABLE AND EXPENDED FROM THE SYSTEM FUND FOR THE ADDITIONAL PROFESSIONAL SERVICES; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES CONTRACT WITH PLUMMER, AND TO PAY PLUMMER AN AMOUNT NOT TO EXCEED $217,900.00 FOR ADDITIONAL PROFESSIONAL SERVICES; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on October 10, 2017, the San Antonio Water System’s (the “System”) Board of Trustees, by Resolution No. 17-233, approved a professional services contract with Alan Plummer and Associates, Inc., now known a Plummer, in an amount not to exceed $1,321,490.00 for Phase 1 of the System’s study at Mitchell Lake in connection with Mitchell Lake Wetlands Water Quality Treatment Initiatives; and

WHEREAS, the System desires to authorize the increase in expenditure for professional services to Plummer in an amount of $217,900.00 for a contract amount not to exceed $1,917,090.00 for the Mitchell Lake Wetlands Water Quality Treatment Initiatives; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve additional expenditures to the existing professional services contract with Plummer in an amount not to exceed $217,900.00 in connection with Mitchell Lake Wetlands Water Quality Treatment Initiatives, (ii) to authorize expenditures in an amount not to exceed $217,900.00 be made available and expended from the System Fund, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute an amendment to the existing professional services contract with Plummer, and to pay Plummer an amount not to exceed $217,900.00 for the additional project work; now, therefore:
BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That Resolution No. 17-223 is hereby amended to provide additional expenditures to the existing professional services contract with Plummer in an amount not to exceed $217,900.00 in connection with Mitchell Lake Wetlands Water Quality Treatment Initiatives.

2. That an amount not to exceed $217,900.00 is hereby made available and is to be expended from the System Fund for the additional services, and.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute an amendment to the existing professional services contract with Plummer, and to pay Plummer an amount not to exceed $217,900.00 for the additional project work.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

________________________________________
Berto Guerra, Jr., Chairman

ATTEST:

________________________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Sharon De La Garza, Vice President of Human Resources and Risk Management

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: AWARD OF THE BROKER OF RECORD AND RISK MANAGEMENT CONSULTING SERVICES

Board Action Date: June 2, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution awards a three-year contract with two, one-year options to extend the contract to Alliant Insurance Services, Inc., a non-local, and non-SMWVB company, to serve as the San Antonio Water System’s (the “System”) Commercial Insurance Broker of Record, and to also provide Risk Management Consulting Services in an amount not to exceed $285,000.00 for the initial contract period commencing on July 1, 2020 and running through June 30, 2023.

The System’s contract for its Commercial Insurance Broker of Record provides assistance in the placement of its insurance policies including, but not limited to, excess liability, excess workers’ compensation, fiduciary liability, property and environmental liability insurance, and also provides certain risk management consulting services for the next three years with the possibility of two one-year options to extend.

Five firms responded on February 21, 2020, to a Request for Proposal released to the public on January 27, 2020. The Selection Evaluation Committee evaluated the response from the five responding firms and determined that the proposal of Alliant Insurance Services, Inc. was the most advantageous to the System.

The Commercial Insurance Broker of Record is responsible for:

- Assisting the System with the placement of its insurance policies including, but not limited to excess liability, excess workers’ compensation, fiduciary liability, property and environmental liability insurance.

- In addition to providing the Commercial Insurance Broker services, the consultant shall provide ongoing consultative services in many areas such as occupational safety consulting, contract review for complex terms and conditions; subject matter advice such as contractor-controlled insurance programs, cyber liability, annual claims auditing of the self-administered claims program, and miscellaneous support such as certificate of insurance issuance and property schedule maintenance.

Staff recommends that the Board approve this resolution.
FINANCIAL IMPACT:

Funds for these services provided during FY 2020 are included in the current annual operating budget and will be financed with current revenues of the System Fund included in the 2020 budget (Company: 1000, Cost Center: 5020100, Account: 511570, Total 2020 Amount: $47,500.00). Funds for subsequent years will be made pursuant to and contingent upon Board approval of subsequent years’ budgets with a line item for such expenditures.

The annual fee schedule for the term of this contract is as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Annual Fee</th>
<th>12-Month Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2020 (6 Months)</td>
<td>$47,500.00</td>
<td>July 1, 2020 through December 31, 2020</td>
</tr>
<tr>
<td>FY 2021</td>
<td>$95,000.00</td>
<td>January 1, 2021 through December 31, 2021</td>
</tr>
<tr>
<td>FY 2022</td>
<td>$95,000.00</td>
<td>January 1, 2022 through December 31, 2022</td>
</tr>
<tr>
<td>FY 2023 (6 Months)</td>
<td>$47,500.00</td>
<td>January 1, 2023 through June 30, 2023</td>
</tr>
</tbody>
</table>

SUPPLEMENTARY COMMENTS:

Staff prepared a Request for Proposals to acquire these services because of the complex and specialized nature of these tasks. This approach has been used in the past and has been effective.

The Request for Proposal approach affords the opportunity to establish a reasonable balance between price and qualifications in the selection of a qualified firm to perform the Broker of Record and Risk Management Consulting services. Firms were required to submit qualifications with their proposals including: a) Providing an organizational chart identifying the Project Team and their role in providing services to SAWS along with their respective resumes; b) Listing of at least three (3) references from current and/or former large Texas public entity clients within the last five (5) years; c) Detailed responses addressing the team’s approach to providing Broker of Record and Risk Management Consulting services; d) Compensation Proposals; and e) Adherence to Affirmative Action and Small, Minority and Woman Business (SMWB) participation.

A Request for Proposal was issued on January 27, 2020 with a due date of February 21, 2020. Proposals were received from five companies and were evaluated by the Selection Committee.

Staff recommends that the contract be awarded to Alliant Insurance Services, Inc. as the firm who will provide the services for the System based on the selection criteria set forth below.
The firms that provided interest statements for this project are listed below:

<table>
<thead>
<tr>
<th>Name of Firm</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alliant Insurance Services, Inc.*</td>
<td>Non-Local/Non-SMWVB</td>
</tr>
<tr>
<td>Aon Risk Services Southwest, Inc.</td>
<td>Non-Local/Non-SMWVB</td>
</tr>
<tr>
<td>Brown and Brown Lonestar Insurance Services, Inc. dba Alamo Insurance Group</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>McGriff, Seibels &amp; Williams, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
<tr>
<td>USI Southwest, Inc.</td>
<td>Local/Non-SMWVB</td>
</tr>
</tbody>
</table>

*Selected Firm

Alliant Insurance Services, Inc. proposes to use the following subconsultant for services on this contract:

<table>
<thead>
<tr>
<th>Name of Firm</th>
<th>Percent of Fee</th>
<th>Local/SMWVB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sigma Risk Management Consulting, LCC</td>
<td>25%</td>
<td>Non-Local/WBE-Non-Minority</td>
</tr>
</tbody>
</table>

Additionally, the overall SMWVB analysis is shown in the following table:

<table>
<thead>
<tr>
<th>Commercial Insurance Broker of Record, and Risk Management Consulting Services</th>
<th>Alliant Insurance Services, Inc.</th>
<th>SMWVB Analysis – Board Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>SBE</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>MBE – African American</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>MBE – Asian</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>MBE – Hispanic</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>MBE – Other</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>WBE – Minority</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>WBE – Non–Minority</td>
<td>25.00%</td>
<td></td>
</tr>
<tr>
<td>SMWVB Total</td>
<td>25.00%</td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AWARDED A CONSULTING SERVICES CONTRACT TO ALLIANT INSURANCE SERVICES, INC. IN AN AMOUNT NOT TO EXCEED $285,000.00 FOR A THREE-YEAR PERIOD WITH TWO, ONE-YEAR OPTIONS TO EXTEND THE CONTRACT TO SERVE AS THE SYSTEM’S COMMERCIAL INSURANCE BROKER OF RECORD AND PROVIDE RISK MANAGEMENT CONSULTING SERVICES COMMENCING ON JULY 1, 2020 AND EXTENDING THROUGH JUNE 30, 2023; AUTHORIZING EXPENDITURES IN AN AMOUNT NOT TO EXCEED $285,000.00 FROM THE SYSTEM FUND FOR THE INITIAL TERM, AND THAT FUTURE YEARS’ EXPENDITURES SHALL BE AUTHORIZED TO BE MADE PURSUANT TO THE APPROPRIATIONS MADE IN THE ANNUAL BUDGETS APPROVED BY THE BOARD WITH A LINE ITEM FOR SUCH EXPENDITURES; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO EXECUTE A CONTRACT WITH ALLIANT INSURANCE SERVICES, INC., AND PAY ALLIANT INSURANCE SERVICES, INC. IN AN AMOUNT NOT TO EXCEED $285,000.00 FOR THE COMMERCIAL INSURANCE BROKER OF RECORD AND RISK MANAGEMENT CONSULTING SERVICES; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System (the “System”) is seeking a Commercial Insurance Broker of Record to supply assistance in the placement of commercial insurance policies, and in addition to perform risk management consulting services; and

WHEREAS, the System’s current contract with USI Insurance Services, Inc., for its Commercial Insurance Broker of Record and Risk Management Consulting services will expire on June 30, 2020; and

WHEREAS, the System solicited a Request for Proposals for the Broker of Record and Risk Management Consulting services; and

WHEREAS, Alliant Insurance Services, Inc., a non-local, non-SMWVB firm, was selected as having the best overall proposal for the System; and
WHEREAS, Alliant Insurance Services, Inc. has submitted a proposal in the amount of $285,000.00 to provide for the required insurance placement and Risk Management Consulting services and this proposal is deemed the most advantageous to the System; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to award a contract to Alliant Insurance Services, Inc. in an amount not to exceed $285,000.00 for a three-year period with two, one-year options to extend to serve as the System’s Commercial Insurance Broker of Record and to provide Risk Management Consulting services commencing July 1, 2020 and extending through June 30, 2023, (ii) to authorize the expenditure in an amount not to exceed $285,000.00 from the System Fund for the initial term, and that future year’s expenditures shall be authorized to be made pursuant to the appropriations made in the annual budgets approved by the Board with a line item for such expenditure, and (iii) to authorize the President/Chief Executive Officer or his duly appointed designee to execute the necessary documents with Alliant Insurance Services, Inc., and to pay an amount not to exceed $285,000.00 to Alliant Insurance Services, Inc. for Commercial Insurance Broker of Record and Risk Management Consulting services; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That a contract is hereby awarded to Alliant Insurance Services, Inc. in an amount not to exceed $285,000.00 for the period of July 1, 2020 through June 30, 2023, with two successive one-year term extensions for Broker of Record and Risk Management Consulting Services.

2. That expenditures in an amount not to exceed $285,000.00 are hereby made available and are to be expended from the System Fund for the initial term, and that future years’ expenditures shall be authorized to be made pursuant to the appropriations made in the annual budgets approved by the Board with a line item for such expenditures.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to execute a contract and all related documents with Alliant Insurance Services, Inc. for the System’s Broker of Record and Risk Management Consulting Services from July 1, 2020 through June 30, 2023, with two, one-year options to extend the contract, and to pay Alliant Insurance Services, Inc. an amount not to exceed $285,000.00 for the initial term.

4. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to extend the contract with Alliant Insurance Services, Inc. for the two additional one-year extensions should the extensions be agreeable to the System and Alliant Insurance Services, Inc. and that future expenditures are pursuant to and contingent on Board approval of future budgets with a line item for such expenditures.

5. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as
required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

6. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

7. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020

______________________________

Berto Guerra, Jr., Chairman

ATTEST:

______________________________

Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees  
FROM: Sharon De La Garza, Vice President, Human Resources and Risk Management  
THROUGH: Robert R. Puente, President/Chief Executive Officer  
SUBJECT: REAPPOINTMENT OF CURRENT MEMBERS AND APPOINTMENT OF ADDITIONAL MEMBERS TO THE DISCIPLINARY ACTION APPEALS COMMITTEE AND AUTHORIZATION OF FUNDS  

Board Action Date: June 9, 2020  

SUMMARY AND RECOMMENDATION:  
The attached resolution authorizes the reappointment of Mr. Steven Braimer and Ms. Y.E. “Bonnie” Pope as members, and the appointments of Ms. Yolanda Reyes as a member and Ms. Mary Hitt as an alternate member of the Disciplinary Action Appeals Committee, to five-year terms commencing July 1, 2020 through June 30, 2025. It also approves funds not to exceed the amount of $25,000.00 for disciplinary action appeal hearings.  

- The Disciplinary Action Appeals Committee was established in May 1992, by City Ordinance No. 75686. The Committee is responsible for:  
  - Hearing appeals from non-managerial employees who have received disciplinary actions in the form of suspensions, demotions, and terminations.  
  - Reviewing evidence from employees and management.  
  - Recommending disposition of the appeal to the President/Chief Executive Officer.  

- The Committee consists of at least three members appointed by the Board who are neither employees of the System, Board Members, nor Advisory Members of the Board.  

- Currently, the committee members include Mr. Steven Braimer, and Ms. Y.E. “Bonnie” Pope. Mr. Steven Braimer was appointed to the committee on March 6, 2007, and reappointed on September 1, 2015. Ms. Pope was appointed to the Committee on September 1, 2015.  

- The attached resolution authorizes the appointment of Ms. Yolanda Reyes as a member and Ms. Mary Hitt as an alternate committee member, and the reappointment of Mr. Steven Braimer and Ms. Pope as members of the Disciplinary Action Appeals Committee for a five-year term from July 1, 2020 through June 30, 2025.  

Staff recommends that the Board approve this resolution.
FINANCIAL IMPACT:

Funds for these services provided during FY 2020 are included in the current annual operating budget and will be financed with current revenues of the System Fund included in the 2020 budget (Company: 1000, Cost Center: 5019700, Account: 511530, Total 2020 Amount: $2,500.00).

<table>
<thead>
<tr>
<th>Year</th>
<th>Annual Fee</th>
<th>12-Month Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2020 (6 Months)</td>
<td>$2,500.00</td>
<td>July 1, 2020 through December 31, 2020</td>
</tr>
<tr>
<td>FY 2021</td>
<td>$5,000.00</td>
<td>January 1, 2021 through December 31, 2021</td>
</tr>
<tr>
<td>FY 2022</td>
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</tr>
<tr>
<td>FY 2023</td>
<td>$5,000.00</td>
<td>January 1, 2023 through December 31, 2023</td>
</tr>
<tr>
<td>FY 2024</td>
<td>$5,000.00</td>
<td>January 1, 2024 through December 31, 2024</td>
</tr>
<tr>
<td>FY 2025 (6 Months)</td>
<td>$2,500.00</td>
<td>January 1, 2025 through July 1, 2025</td>
</tr>
</tbody>
</table>

SUPPLEMENTARY COMMENTS:

The Disciplinary Action Appeals Committee members will be compensated at the rate of $100.00 per meeting.
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AUTHORIZING THE REAPPOINTMENT OF MR. STEVEN BRAIMER AND MS. Y.E. “BONNIE” POPE AS MEMBERS AND THE APPOINTMENT OF MS. YOLANDA REYES AS A MEMBER AND MS. MARY HITT AS AN ALTERNATE MEMBER TO THE DISCIPLINARY ACTION APPEALS COMMITTEE FROM JULY 1, 2020 THROUGH JUNE 30, 2025; AUTHORIZING AN AMOUNT NOT TO EXCEED $25,000.00 BE EXPENDED FROM THE SYSTEM FUND FOR DISCIPLINARY ACTION APPEALS COMMITTEE HEARINGS; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on April 30, 1992, the San Antonio City Council adopted and approved City Ordinance No. 75686, which created and empowered the San Antonio Water System Board of Trustees; and

WHEREAS, said ordinance requires the establishment of an appeals process for disciplinary actions involving non-managerial employees of San Antonio Water System (the “System”); and

WHEREAS, the Committee consists of at least three members appointed by the Board who are neither employees of the System, Board Members, nor Advisory Members of the Board; and

WHEREAS, the Committee members include Mr. Steven Braimer and Ms. Y.E. “Bonnie” Pope; Mr. Steven Braimer was appointed to the Committee on March 6, 2007, and re-appointed on September 1, 2015, and Ms. Pope was appointed to the Committee on September 1, 2015; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to authorize the reappointment of Mr. Steven Braimer and Ms. Y.E. “Bonnie” Pope as members of the Disciplinary Action Appeals Committee and the appointment of Ms. Yolanda Reyes as a member and Ms. Mary Hitt as an alternate member to a five-year term from July 1, 2020 through June 30, 2025, and (ii) to authorize the amount not to exceed $25,000.00 be expended from the System Fund for Disciplinary Action Appeals Hearings; now, therefore:
BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the reappointment of Mr. Steven Braimer and Ms. Y.E. “Bonnie” Pope as members and the appointment of Ms. Ms. Yolanda Reyes as a member and Ms. Mary Hitt as an alternate member to the Disciplinary Action Appeals Committee to a five-year term from July 1, 2020 through June 30, 2025, is hereby authorized.

2. That an amount not to exceed $25,000.00 is hereby authorized to be expended from the System Fund for Disciplinary Action Appeals Hearings.

3. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

4. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

5. This Resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this the 9th day of June, 2020.

____________________________________
Berto Guerra, Jr., Chairman

ATTEST:

____________________________________
Amy Hardberger, Secretary
TO: San Antonio Water System Board of Trustees

FROM: Douglas P. Evanson, Senior Vice President/Chief Financial Officer

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: RESOLUTION REQUESTING CITY COUNCIL TAKE CERTAIN ACTIONS WITH RESPECT TO THE ISSUANCE AND SALE OF OBLIGATIONS DESIGNATED AS “CITY OF SAN ANTONIO, TEXAS WATER SYSTEM JUNIOR LIEN REVENUE BONDS, SERIES 2020C (NO RESERVE FUND)”

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution requests City Council authorize the issuance and sale of obligations designated as City of San Antonio, Texas Water System Junior Lien Revenue Bonds, Series 2020C (No Reserve Fund), (Series 2020C Bonds) to i) provide new money to fund a portion of the Capital Improvements Program; and ii) pay the cost of issuance.

- The funding for the Capital Improvements Program (CIP) includes funds from revenues, impact fees, and debt proceeds.

- This resolution provides for the authorization of the SAWS Designated Financial Officers, (defined below), to procure new money bond proceeds to fund the CIP, and pay the cost of issuance.

- A “Q” authorization is also being requested. A “Q” authorization permits the City Council to delegate to the SAWS Designated Financial Officers, defined as either the President/Chief Executive Officer or the Senior Vice President/Chief Financial Officer, the authority to issue and set pricing on the bonds. This authorization permits the adoption of the Ordinance authorizing the bonds without interest rates, which will be formally set upon the execution of the Pricing Certificate. This approach is recommended to take advantage of market conditions.

Staff recommends that the Board approve this resolution.

FINANCIAL IMPACT:

- The debt service for the bonds will be paid from revenues of SAWS and are included in the current budget.
SUPPLEMENTAL INFORMATION:

SAWS’ co-financial advisory team of PFM Financial Advisors and Estrada Hinojosa assisted staff in the formulation of this recommendation.
RESOLUTION NO.

A RESOLUTION BY THE BOARD OF TRUSTEES OF THE SAN ANTONIO WATER SYSTEM RECOMMENDING AND REQUESTING THAT THE SAN ANTONIO CITY COUNCIL TAKE CERTAIN ACTIONS WITH RESPECT TO THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF OBLIGATIONS DESIGNATED AS “CITY OF SAN ANTONIO, TEXAS WATER SYSTEM JUNIOR LIEN REVENUE BONDS (NO RESERVE FUND)” AS FURTHER DESIGNATED BY SERIES, AND INTEREST RATE CONVENTION; THE APPROVAL OF AN OFFERING DOCUMENT RELATING TO EACH SERIES OF THE AFOREMENTIONED SERIES OF OBLIGATIONS; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, pursuant to the authority contained in (i) Chapter 1502, as amended, Texas Government Code, (ii) certain ordinances (the “Senior Lien Bond Ordinances”) previously adopted by the City Council (the “City Council”) of the City of San Antonio, Texas (the “City”) authorizing the issuance of the currently outstanding senior lien revenue bonds (the “Previously Issued Senior Lien Bonds”), (iii) certain ordinances (the “Junior Lien Bond Ordinances”) authorizing the issuance of the currently outstanding junior lien revenue bonds (the “Previously Issued Junior Lien Bonds” and collectively with the Previously Issued Senior Lien Bonds, the “Previously Issued Bonds”), (iv) certain ordinances (the “Subordinate Lien Bond Ordinances”) previously adopted by the City Council authorizing the issuance of subordinate lien revenue bonds and obligations arising under a related credit agreement, and (v) an ordinance adopted by the City Council relating to the implementation of a commercial paper program (the “Commercial Paper Ordinances”) under which is issued from time to time subordinate lien commercial paper notes (the “Commercial Paper Notes”), the complete management and control of the water system (the “System”) of the City is vested in a Board of Trustees known as the San Antonio Water System (the “Board”), during the period of time any of such foregoing obligations are outstanding and unpaid; and

WHEREAS, the Board has determined that one or more series of junior lien revenue bonds in an amount not to exceed $225,755,000 to be designated as “City of San Antonio, Texas Water System Junior Lien Revenue Bonds (No Reserve Fund)”, and as further designated by series and interest rate convention (fixed or variable) (the “Proposed Bonds”), should now be issued by the City to provide funds for (i) building, improving, extending, enlarging, equipping and repairing the System, and (ii) paying certain costs of issuance; and

WHEREAS, by virtue of the authority and power vested in the Board with reference to the expenditure and application of the revenues of the System and to comply with the terms and conditions prescribed in the Senior Lien Bond Ordinances and Junior Lien Bond Ordinances, respectively, for the issuance of additional bonds payable from and secured by a junior and inferior lien on and pledge of the Net Revenues of the System, it is necessary and proper for the Board to formally request the City Council to authorize and sell, from time to time, the Proposed Bonds, consent to the issuance of the same, approve the ordinance authorizing each series of the Proposed Bonds, including the approval of the respective disclosure documents relating thereto.
and the purchase of bond insurance, if any, along with approving, to the extent applicable or required, and agree to comply with all the terms and provisions of such ordinance, including, but not limited to, those relating to the operation of the System and the handling of the proceeds of each series of the Proposed Bonds; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE SAN ANTONIO WATER SYSTEM THAT:

1. The City Council is hereby formally requested to authorize and sell junior lien revenue bonds, bearing interest at fixed or variable rates, earlier defined herein as the Proposed Bonds, in a principal amount not to exceed the resultant amount upon application of the limitations described in the preamble hereof, payable from a junior and inferior lien on and pledge of the Net Revenues of the System and as Additional Junior Lien Bonds that are Junior Lien Obligations – No Reserve Fund (being obligations that are issued without the additional security provided by a lien on and pledge of the Reserve Fund), and the Board by the adoption of this Resolution hereby evidences its consent to the issuance and sale of one or more series of junior lien bonds and the payment thereof from the Net Revenues of the System on the level of priority specified above, as well as its approval of an ordinance (the “Proposed Bond Ordinance”) authorizing the issuance of the Proposed Bonds, substantially in the form attached to this Resolution as Exhibit A, and incorporated herein by reference for all purposes, including the delegation of the terms of sale, if any, to each Authorized Official as set forth in the Proposed Bond Ordinance; and the Board hereby agrees to comply with all of the terms and provisions of the Proposed Bond Ordinance with relation to the administration and operation of the System and the disposition of the revenues therefrom.

2. The offering document relating to each series of the Proposed Bonds, each substantially in the form presented at this meeting, is hereby approved, the Chairman or Secretary of the Board is authorized to prepare or approve any changes or additions to these disclosure documents which shall be deemed appropriate or necessary, and the Chairman or Vice Chairman and Secretary of the Board is authorized to execute each final Official Statement on behalf of the Board.

3. Each Purchase Contract among the Senior Managing Underwriter or group of Underwriters named in such Purchase Contract (the “Purchase Contract”), the Board, and the City relating to each series of Proposed Bonds, will be approved by the Chairman or Vice Chairman of the Board or other Authorized Official, and any of them are authorized to execute each final Purchase Contract on behalf of the Board. Each Authorized Official is hereby authorized to execute the “Approval Certificate” for each series of Proposed Bonds evidencing final terms of sale thereof, if such Authorized Official, based upon the advice of the authorized representatives of the System (including its co-financial advisors), determines that the interest rates negotiated with the Senior Managing Underwriter or group of Underwriters named in the applicable Purchase Contract are acceptable and within the limits authorized by the Proposed Bond Ordinance, as described in such ordinance, pursuant to Chapters 1371 and 1502, as amended, Texas Government Code.

4. The Board recognizes that the applicable section or subsection of a Proposed Bond Ordinance entitled “Covenants to Maintain Tax Exempt Status” contain covenants of the
City relating each series of Proposed Bonds. Since the proceeds of each series of the Proposed Bonds will be entirely within the control and disposition of the Board, the Board specifically adopts the covenants to be made by the City Council in that Section of the Proposed Bond Ordinance.

5. The Board recognizes that the applicable section or subsection of a Proposed Bond Ordinance entitled “Continuing Disclosure of Information” contain covenants of the City relating to each series of Proposed Bonds. Since certain financial information, financial status, operating data, and annual audits of the System will be entirely within the control and disposition of the Board, the Board specifically adopts the covenants to be made by the City Council in that Section of the Proposed Bond Ordinance.

6. The Board approves the delegation to each Authorized Official of the selection of the bond insurer, if any, for the Proposed Bonds, and to otherwise comply with the conditions precedent to the issuance of any series of Proposed Bonds, as authorized by the Proposed Bond Ordinance and any other matter to effectuate the intent and purpose the Proposed Bond Ordinance.

7. The professionals appointed by the Board, PFM Financial Advisors LLC and Estrada Hinojosa & Company, Inc., as the co-financial advisors, and Norton Rose Fulbright US LLP and another law firm in its role of co-bond counsel (collectively, “Co-Bond Counsel”), are authorized, upon consultation with System and City staff, to coordinate the legal and financial aspects relating to these transactions including, but not limited to, preparation of related bond documents, and to otherwise coordinate the legal and financial aspects of these matters with the national rating services and bond insurance companies (if applicable) to ensure that the System and the City receives the lowest possible interest rate for the issuance of any series of Proposed Bonds. In addition, the Board authorizes the payment of the national rating agency fees, bond insurance premiums (if any), and any and all professional fees and expenses associated with the issuance of any series of Proposed Bonds upon the approval of written invoices by any Authorized Officials, or his or her designee.

8. In order to comply with various provisions of Texas law and for the interest on the Proposed Bonds to be tax-exempt, various certificates must be provided to Co-Bond Counsel and to the Attorney General for the State of Texas; therefore, upon obtaining the advice and consent of legal counsel, the Chairman, Vice Chairman, or Secretary of the Board and each other Authorized Official are authorized to execute any certificate (including but not limited to a Certificate of Tax Exemption relating to any series of Proposed Bonds), or other documents, relating to the issuance, sale, and delivery of any series of the Proposed Bonds.

9. The Board delegates to each Authorized Official the authority to take any and all other actions consistent with the provisions of this Resolution and the Proposed Bond Ordinance to effectuate the sale, issuance and delivery of any series of the Proposed Bonds.

10. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.
11. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

12. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

13. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Resolution would have been enacted without such invalid provision.

14. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

15. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

[The remainder of this page intentionally left blank.]
PASSED AND APPROVED this the 9th day of June, 2020.

BOARD OF TRUSTEES, SAN ANTONIO WATER SYSTEM

______________________________
Berto Guerra, Jr., Chairman

Attest:

______________________________
Amy Hardberger, Secretary
EXHIBIT A

Proposed Bond Ordinance

See Tab No. ___
TO: San Antonio Water System Board of Trustees

FROM: Douglas P. Evanson, Senior Vice President/Chief Financial Officer

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: RESOLUTION REQUESTING CITY COUNCIL TAKE CERTAIN ACTIONS WITH RESPECT TO THE CASH DEFEASANCE OF CERTAIN OUTSTANDING DEBT OBLIGATIONS

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution requests City Council authorize the cash defeasance of certain outstanding debt obligations to reduce future debt service.

- The San Antonio Water System (the “System”) has sufficient cash on hand to redeem certain outstanding debt to lower future debt service. The resolution authorizes a cash defeasance of up to $44,640,000.00 par value from the following series of bonds:
  - Junior Lien Series 2009A - $23,585,000.00
  - Senior Lien Series 2011 - $21,055,000.00

- The exact series of bonds to be redeemed with cash will be determined based on the market conditions at the time of defeasance as well as other considerations, however, the total cash defeasance will not exceed $44,640,000.00 par value with the cash deposit not to exceed $46,600,000.00

Staff recommends that the Board approve this resolution.

FINANCIAL IMPACT:

The defeasance with cash of outstanding debt obligations will lower future debt service. The exact amount will be determined at the time of execution.

SUPPLEMENTAL INFORMATION:

The System’s co-financial advisory team of Public Financial Management (PFM) and Estrada Hinojosa assisted staff in the formulation of this recommendation.
RESOLUTION NO.

A RESOLUTION BY THE BOARD OF TRUSTEES OF THE SAN ANTONIO WATER SYSTEM AUTHORIZING AND APPROVING THE DEFEASANCE AND REDEMPTION OF CERTAIN CURRENTLY OUTSTANDING CITY OF SAN ANTONIO, TEXAS WATER SYSTEM REVENUE OBLIGATIONS; RECOMMENDING AND REQUESTING THAT THE SAN ANTONIO CITY COUNCIL TAKE ACTION WITH RESPECT TO THE REDEMPTION OF SUCH OBLIGATIONS; AND AUTHORIZING OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, pursuant to the authority contained in (i) Chapter 1502, as amended, Texas Government Code, (ii) certain ordinances (the Senior Lien Bond Ordinances) previously adopted by the City Council (the City Council) of the City of San Antonio, Texas (the City) authorizing the issuance of the currently outstanding senior lien revenue bonds (the Previously Issued Senior Lien Bonds), (iii) certain ordinances (the Junior Lien Bond Ordinances) authorizing the issuance of the currently outstanding junior lien revenue bonds (the Previously Issued Junior Lien Bonds, and together with the Previously Issued Senior Lien Bonds, the Previously Issued Bonds), (iv) certain ordinances (the Subordinate Lien Bond Ordinances) previously adopted by the City Council authorizing the issuance of subordinate lien revenue bonds and obligations arising under a related credit agreement, and (v) an ordinance adopted by the City Council relating to the implementation of a commercial paper program (the Commercial Paper Ordinances) under which is issued from time to time subordinate lien commercial paper notes (the Commercial Paper Notes), the complete management and control of the water system (the System) of the City is vested in a Board of Trustees known as the San Antonio Water System (the Board), during the period of time any of such foregoing obligations are outstanding and unpaid; and

WHEREAS, the Board hereby determines that it is in the best interest of the System and its ratepayers to utilize a portion of System funds lawfully available for such purpose (the Defeasance Proceeds) to defease and redeem prior to their respective dates of stated maturity certain of the Previously Issued Bonds (such Previously Issued Bonds, the Defeased Obligations) to be selected from those Previously Issued Bonds identified in the schedule attached hereto as Exhibit A (such Previously Issued Bonds, the Defeasance Candidates); and

WHEREAS, the defeasance of the Defeased Obligations will result in the termination of the lien on and pledge of the net revenues of the System (the Net Revenues) securing their payment, discharging the same as City indebtedness payable from and secured by such Net Revenues; and

WHEREAS, the redemption of the Defeased Obligations prior to their respective dates of stated maturity requires action and approval by the City Council and it is, therefore, necessary and proper for the Board to formally request the City Council to authorize and approve the redemption of the Defeased Obligations pursuant to and in accordance with the provisions and the limitations set forth herein; and now, therefore,

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE SAN ANTONIO WATER SYSTEM THAT:
1. Pursuant to Chapters 1207 and 1371, as amended, Texas Government Code, the Board hereby authorizes and approves the use of Defeasance Proceeds, in an amount not to exceed the Maximum Amount (defined herein), to accomplish the defeasance and redemption of the Defeased Obligations. With respect to such authorization and approval, the Board requests that the City Council, by adoption of a resolution (the City Resolution) in substantially the form attached hereto as Exhibit B (which City Resolution is incorporated herein for all purposes as if copied in full), approve the defeasance and redemption prior to stated maturity of the Defeased Obligations.

To accomplish the foregoing, there shall be established with the hereinafter-defined Escrow Agent, using the Defeasance Proceeds, an escrow fund or funds (the Escrow Fund) to be funded with cash and certain defeasance securities (as permitted by applicable law) that mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money, together with any money deposited therewith, if any, to pay when due by reason of stated maturity or prior redemption the principal of, premium, if any, or interest on the Defeased Obligations. The Board, upon obtaining the advice from PFM Financial Advisors LLC and Estrada Hinojosa & Company, Inc. (the Co-Financial Advisors) and legal counsel, shall determine the defeasance securities and any appropriate escrow reinvestment agreements or other similar contractual agreements to effectuate each defeasance, subject in all respects, however, to the laws of the State of Texas and the applicable provisions of the City ordinances authorizing the issuance of the Previously Issued Bonds.

2. The Board hereby authorizes, appoints, and designates the President/Chief Executive Officer of the Board and/or the Senior Vice President/Chief Financial Officer of the Board (each, an Authorized Official) as a representative of the Board, to effectuate and implement the purpose and intent of this Resolution, including the selection of the Defeased Obligations from the Defeasance Candidates (which includes completion of Exhibit C evidencing such selection), use of Defeasance Proceeds in an amount not to exceed $46,600,000 to apply to Defeased Obligations in a principal amount not to exceed $45,600,000 (the Maximum Amount) to fund the Escrow Fund to accomplish the defeasance of the Defeased Obligations, and selection of investments in and manner and method of funding the Escrow Fund. At the time of establishing the manner and method of funding the Escrow Fund and selecting the Defeased Obligations, an Authorized Official shall complete and execute an “Approval Certificate”, in substantially the form attached unto as Exhibit C, to evidence the final terms of the defeasance and redemption that is the subject of this Resolution.

3. The Board hereby authorizes the entry into one or more escrow agreements (an Escrow Agreement) with the appropriate paying agent/registrar or escrow agent for the Defeased Obligations (the Escrow Agent) in connection with the defeasance of the Defeased Obligations. Each Authorized Official is authorized to execute an Escrow Agreement on behalf of the System and as the act and deed of the Board.

4. The Board hereby authorizes each Authorized Official to select and appoint, as determined to be necessary or desirable, a firm of independent certified public accountants to serve as verification agent (the Verification Agent) for the purpose of verifying that the initial deposit to any escrow fund will be sufficient to accomplish a legal defeasance of the Defeased Obligations to their respective dates of early redemption or stated maturity.
5. This Resolution shall document the authorization to transfer De feasance Proceeds in an amount not to exceed the Maximum Amount to effectuate the defeasance of the Defeased Obligations and provide evidence of each transaction to the System’s independent auditors.

6. The Board hereby approves payment from lawfully available System funds of professional fees and expenses of Co-Bond Counsel, Co-Financial Advisors, the Escrow Agent, the Verification Agent, the paying agent/registrar for the Defeased Obligations, and any other party whose services have been determined by Board to be necessary to accomplish the purpose and intent of this Resolution.

7. Each Authorized Official is authorized to evidence adoption of this Resolution and to do any and all things necessary or convenient to effect the defeasance of the Defeased Obligations described herein and otherwise give effect to the intent hereof.

8. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

9. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

10. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

11. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Resolution would have been enacted without such invalid provision.

12. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

13. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

[The remainder of this page intentionally left blank.]
PASSED AND ADOPTED on the 9th day of June, 2020.

BOARD OF TRUSTEES, SAN ANTONIO WATER SYSTEM

______________________________
Berto Guerra, Jr., Chairman

ATTEST

______________________________
Amy Hardberger, Secretary
EXHIBIT A

Defeasance Candidates

Not to exceed the amount set forth in Section 2 hereof in lawfully available funds of the System to defease:

1. “City of San Antonio, Texas Water System Junior Lien Revenue and Refunding Bonds, Series 2009A”, dated November 1, 2009, in the original principal amount of $35,000,000; and


Identification of Defeased Obligations under a particular Escrow Agreement shall be determined by an Authorized Official.
EXHIBIT B

Resolution by the City Council of the City of San Antonio, Texas Authorizing the Redemption of the Defeased Obligations
EXHIBIT C

Approval Certificate
AGENDA ITEM NO. 35

TO: San Antonio Water System Board of Trustees

FROM: Tracey B. Lehmann, P.E., Director, Development, and Andrea L.H. Beymer, P.E., Vice President, Engineering and Construction

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: UTILITY SERVICE AGREEMENTS FOR WATER AND/OR WASTEWATER SERVICES FOR TRACTS REQUIRING THE SAN ANTONIO WATER SYSTEM’S FINANCIAL PARTICIPATION IN THE DEVELOPMENT OF INFRASTRUCTURE THROUGH OVERSIZING AND/OR IMPACT FEE CREDITS AND/OR ARE LOCATED OUTSIDE THE SAN ANTONIO WATER SYSTEM WATER AND/OR WASTEWATER CERTIFICATE OF CONVENIENCE AND NECESSITY

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution approves Utility Service Agreements (USA) to provide water and/or wastewater services to specified tracts of land requiring the San Antonio Water System’s (the “System”) financial participation in the development of infrastructure through oversizing and/or impact fee credits, and/or are located outside the System’s water and/or wastewater Certificate of Convenience and Necessity (CCN).

- This board item consists of five tracts, which total 3,412.93 acres; 12,802 water Equivalent Dwelling Units (EDUs); and 13,349 wastewater EDUs.

- Board approval is required since the tracts require the System’s financial participation in the development of infrastructure through oversizing and/or impact fee credits and/or are located outside the System’s water and/or wastewater CCN.

- The Stevens Ranch Tract is located inside the City of San Antonio Extra Territorial Jurisdiction, partially outside the System’s water CCN and inside the wastewater CCN. The USA provides 7,090 EDUs of water and 7,725 EDUs of wastewater services and consists of oversized infrastructure and impact fee credits.

- The Specht Tract is located inside the City of San Antonio Extra Territorial Jurisdiction, inside the System’s water CCN and inside the wastewater CCN. The USA provides 430 EDUs of water and 430 EDUs of wastewater services and consists of oversized infrastructure and impact fee credits.
The Somerset Tract is located inside the City of San Antonio, inside the System’s water CCN and inside the wastewater CCN. The USA provides 362 EDUs of water and 362 EDUs of wastewater services and consists of oversized infrastructure.

The Tuscan Oaks Tract is located partially inside the City of San Antonio Extra Territorial Jurisdiction, inside the System’s water CCN and inside the wastewater CCN. The USA provides 220 EDUs of water and 132 EDUs of wastewater services and consists of oversized infrastructure.

The Schuchart Tract is located partially outside the City of San Antonio Extra Territorial Jurisdiction, partially outside the System’s water CCN and partially outside the wastewater CCN. The USA provides 4,700 EDUs of water and 4,700 EDUs of wastewater services and consists of oversized infrastructure and impact fee credits.

The Developer is required to install all necessary on-site facilities in accordance with the Board’s regulations and at the Developer’s total cost.

The Developer is responsible for the construction and engineering costs associated with all required water and/or wastewater mains to serve the tract (on-site and off-site).

Staff recommends that the Board approve this resolution.

<table>
<thead>
<tr>
<th>No.</th>
<th>Tract Name</th>
<th>Developer</th>
<th>Acres</th>
<th>W EDUs</th>
<th>WW EDUs</th>
<th>CoSA / CoSA ETJ / Outside</th>
<th>EARZ / CZ</th>
<th>JBSA</th>
<th>Board Reason</th>
<th>W CCN</th>
<th>WW CCN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Stevens Ranch Tract</td>
<td>Potranco 2013 Land, Ltd.</td>
<td>1.950</td>
<td>7,090</td>
<td>7,725</td>
<td>CoSA ETJ</td>
<td>OUTSIDE</td>
<td>N</td>
<td>CCN &amp; IFC &amp; OVR</td>
<td>Partially INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>2</td>
<td>Specht Tract</td>
<td>Meritage Homes of Texas, LLC</td>
<td>173.30</td>
<td>430</td>
<td>430</td>
<td>CoSA ETJ</td>
<td>INSIDE</td>
<td>Y</td>
<td>IFC &amp; OVR</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>3</td>
<td>Somerset Tract</td>
<td>Lennar Homes</td>
<td>68.75</td>
<td>362</td>
<td>362</td>
<td>CoSA</td>
<td>OUTSIDE</td>
<td>Y</td>
<td>OVR</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>4</td>
<td>Tuscan Oaks Tract</td>
<td>Lee Hagan Partnership, Ltd.</td>
<td>21.98</td>
<td>220</td>
<td>132</td>
<td>COSA &amp; CoSA ETJ</td>
<td>INSIDE</td>
<td>Y</td>
<td>OVR</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Tract</td>
<td>Chris Schuchart</td>
<td>1,198.90</td>
<td>4,700</td>
<td>4,700</td>
<td>Partially in CoSA ETJ</td>
<td>OUTSIDE</td>
<td>N</td>
<td>CCN &amp; IFC &amp; OVR</td>
<td>Partially INSIDE</td>
<td>Partially INSIDE</td>
</tr>
</tbody>
</table>

Total | 3,412.93 | 12,802 | 13,349 |
Utility Service Agreements to the Specified Tracts Requiring Oversizing
And/or Outside the System’s Water and/or Wastewater CCN

Acronyms:
EARZ = Edwards Aquifer Recharge Zone  OVR = Oversizing  CCN = Certificate of Convenience and Necessity
CZ  = Edwards Aquifer Contributing Zone  WW = Wastewater  IFC = Impact Fee Credits
CoSA = City of San Antonio limits  ETJ = Extraterritorial Jurisdiction  JBSA = Joint Base San Antonio Buffer Zone

EXTENT AND CONDITIONS OF UTILITY SERVICE AGREEMENTS:

Upon approval by the System of this USA, the Developer Customer has 36 months to complete the required utility master plan and to start construction. If the Developer Customer fails to complete these requirements within the 36-month period, the USA will expire and a request for a new agreement must be submitted to the System. During the effective term of this USA, capacity in the System’s water and wastewater systems will be set aside. The Developer Customer is not guaranteed capacity until all required off-site infrastructure is built by the Developer, accepted by the System, and all impact fees are paid.

FINANCIAL IMPACT:

In compliance with the System’s Board of Trustees water extension policy, Developer Customer applicants are responsible for financing all required local benefit facilities and for payment of all applicable impact fees. The Developers will contribute all impact fees in effect at the time of plat recordation or the latest date allowable by law for each subdivision unit. The fees to be collected by the System will be recorded in the Service Recovery Account and are estimated as follows, based on current charges and full build out of the tracts:

<table>
<thead>
<tr>
<th>No.</th>
<th>Tract Name</th>
<th>Water Impact Fees</th>
<th>Wastewater Impact Fees</th>
<th>Total Impact Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Stevens Ranch Tract</td>
<td>$34,797,720.00</td>
<td>$16,058,995.00</td>
<td>$50,856,715.00</td>
</tr>
<tr>
<td>2</td>
<td>Specht Tract</td>
<td>$2,110,440.00</td>
<td>$1,483,930.00</td>
<td>$3,594,370.00</td>
</tr>
<tr>
<td>3</td>
<td>Somerset Tract</td>
<td>$1,719,138.00</td>
<td>$562,186.00</td>
<td>$2,281,324.00</td>
</tr>
<tr>
<td>4</td>
<td>Tuscan Oaks Tract</td>
<td>$1,079,760.00</td>
<td>$455,532.00</td>
<td>$1,535,292.00</td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Family Tract</td>
<td>$23,067,600.00</td>
<td>$9,790,100.00</td>
<td>$32,857,700.00</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$62,774,658.00</strong></td>
<td><strong>$28,350,743.00</strong></td>
<td><strong>$91,125,401.00</strong></td>
</tr>
</tbody>
</table>

The System is responsible for providing access to existing general benefit facilities and/or financing the construction of additional general benefit facilities.
**OVERSIZING AND/OR IMPACT FEE CREDITS:**

The following USAs have recommendations for the System’s financial participation in the development of infrastructure through oversizing and/or impact fee credits and/or facilities based on the System’s Master Plan.

<table>
<thead>
<tr>
<th>No.</th>
<th>Tract Name</th>
<th>Oversize System</th>
<th>Oversize Developer</th>
<th>Oversize Total</th>
<th>Oversize Developer (%)</th>
<th>Oversize System (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Stevens Ranch Tract</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Stevens Ranch Tract 24-INCH W*</td>
<td>$1,451,125.00</td>
<td>$748,475.00</td>
<td>$2,199,600.00</td>
<td>34.03%</td>
<td>65.97%</td>
</tr>
<tr>
<td>2</td>
<td>Specht Tract 16-INCH W*</td>
<td>$791,700.00</td>
<td>$1,017,900.00</td>
<td>$1,809,600.00</td>
<td>56.25%</td>
<td>43.75%</td>
</tr>
<tr>
<td>2</td>
<td>Specht Tract 24-INCH W*</td>
<td>$702,000.00</td>
<td>$234,000.00</td>
<td>$936,000.00</td>
<td>25.00%</td>
<td>75.00%</td>
</tr>
<tr>
<td>2</td>
<td>Specht Tract 24-INCH W*</td>
<td>$2,574,000.00</td>
<td>$858,000.00</td>
<td>$3,432,000.00</td>
<td>25.00%</td>
<td>75.00%</td>
</tr>
<tr>
<td>3</td>
<td>Somerset Tract 12-INCH W</td>
<td>$173,333.00</td>
<td>$138,667.00</td>
<td>$312,000.00</td>
<td>44.44%</td>
<td>55.56%</td>
</tr>
<tr>
<td>4</td>
<td>Tuscan Oaks Tract 16-INCH W</td>
<td>$136,500.00</td>
<td>$175,500.00</td>
<td>$312,000.00</td>
<td>56.25%</td>
<td>43.75%</td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Family Tract</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Family Tract</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Family Tract</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Family Tract</td>
<td>$9,467,960.00</td>
<td>$4,832,040.00</td>
<td>$14,300,000.00</td>
<td>66.21%</td>
<td>33.79%</td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Family Tract</td>
<td>$6,120,000.00</td>
<td>$1,880,000.00</td>
<td>$8,000,000.00</td>
<td>23.50%</td>
<td>76.50%</td>
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<tr>
<td>5</td>
<td>Schuchart Family Tract</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Family Tract</td>
<td>$1,684,800.00</td>
<td>$2,995,200.00</td>
<td>$4,680,000.00</td>
<td>64.00%</td>
<td>36.00%</td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Family Tract</td>
<td>$825,067.00</td>
<td>$368,333.00</td>
<td>$1,193,400.00</td>
<td>30.86%</td>
<td>64.19%</td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Family Tract</td>
<td>$753,708.00</td>
<td>$710,292.00</td>
<td>$1,464,000.00</td>
<td>48.52%</td>
<td>51.48%</td>
</tr>
</tbody>
</table>

$24,680,193.00  $13,958,407.00  $38,638,600.00

*Note: The Developer is eligible for impact fee credits for their share of the cost for the water and/or wastewater infrastructure.*
The Developer is required to install all other necessary on-site facilities in accordance with the Board’s regulations at the Developer’s total cost.

Attachments: Table 1, Tract Information
### Table 1
**Tract Information**

<table>
<thead>
<tr>
<th>No.</th>
<th>Tract Name</th>
<th>Developer</th>
<th>Principal</th>
<th>CoSA / CoSA ETJ / Outside</th>
<th>EARZ / CZ</th>
<th>JBSA</th>
<th>PZ</th>
<th>Acres</th>
<th>Water EDU</th>
<th>WW EDU</th>
<th>Watershed</th>
<th>Board Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Stevens Ranch Tract</td>
<td>Potranco 2013 Land, Ltd.</td>
<td>George A. Field</td>
<td>CoSA ETJ</td>
<td>OUTSIDE</td>
<td>N</td>
<td>1170</td>
<td>1,950</td>
<td>7,090</td>
<td>7,725</td>
<td>Medio Creek &amp; Polecat Creek - Medina River</td>
<td>CCN &amp; IFC &amp; OVR</td>
</tr>
<tr>
<td>2</td>
<td>Specht Tract</td>
<td>Meritage Homes of Texas, LLC</td>
<td>Brian Otto</td>
<td>CoSA ETJ</td>
<td>INSIDE</td>
<td>Y</td>
<td>1400</td>
<td>173.30</td>
<td>430</td>
<td>430</td>
<td>Indian Creek - Cibolo Creek</td>
<td>IFC &amp; OVR</td>
</tr>
<tr>
<td>3</td>
<td>Somerset Tract</td>
<td>Lennar Homes</td>
<td>Richard Mott</td>
<td>CoSA</td>
<td>OUTSIDE</td>
<td>Y</td>
<td>790</td>
<td>68.75</td>
<td>362</td>
<td>362</td>
<td>Lower Leon Creek</td>
<td>OVR</td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Tract</td>
<td>Chris Schuchart</td>
<td>Chris Schuchart</td>
<td>Partially OUTSIDE</td>
<td>OUTSIDE</td>
<td>N</td>
<td>1170</td>
<td>1,198.90</td>
<td>4,700</td>
<td>4,700</td>
<td>Diversion Lake - Medina River &amp; Lower San Geronimo Lake</td>
<td>CCN &amp; IFC &amp; OVR</td>
</tr>
</tbody>
</table>

**Total** 3,412.93 12,802 13,349

**Acronyms:**
- EARZ = Edwards Aquifer Recharge Zone
- OVR = Oversizing
- CZ = Edwards Aquifer Contributing Zone
- WW = Wastewater
- PZ = Pressure Zone
- CoSA = City of San Antonio limits
- ETJ = Extraterritorial Jurisdiction
- JBSA = Joint Base San Antonio Buffer Zone
- IFC = Impact Fee Credits
- CCN = Congress Natural Water Supply Rights
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING UTILITY SERVICE AGREEMENTS TO PROVIDE WATER AND/OR WASTEWATER SERVICES TO THE SPECIFIED TRACTS OF LAND REQUIRING THE SAN ANTONIO WATER SYSTEM’S FINANCIAL PARTICIPATION IN THE DEVELOPMENT OF INFRASTRUCTURE THROUGH OVERSIZING AND/OR IMPACT FEE CREDITS AND/OR ARE LOCATED OUTSIDE THE SAN ANTONIO WATER SYSTEM’S WATER AND/OR WASTEWATER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN), SUBJECT TO THE EXPIRATION OF SUCH AGREEMENT IF NOT EXERCISED IN THIRTY-SIX MONTHS; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Developer Customer, specified in the table below, has requested the San Antonio Water System (the “System”) to provide water and/or wastewater service(s), and has satisfied the requirements of the Board's Regulations for Developer Customer Applicant; and

<table>
<thead>
<tr>
<th>No.</th>
<th>Tract Name</th>
<th>Developer</th>
<th>Acres</th>
<th>W EDUs</th>
<th>WW EDUs</th>
<th>CoSA / CoSA ETJ / Outside</th>
<th>EARZ / CZ</th>
<th>JBSA</th>
<th>Board Reason</th>
<th>W CCN</th>
<th>WW CCN</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Stevens Ranch Tract</td>
<td>Potranco 2013 Land, Ltd.</td>
<td>1.950</td>
<td>7,090</td>
<td>7,725</td>
<td>CoSA ETJ</td>
<td>OUTSIDE</td>
<td>N</td>
<td>CCN &amp; IFC &amp; OVR</td>
<td>OUTSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>2</td>
<td>Specht Tract</td>
<td>Meritage Homes of Texas, LLC</td>
<td>173.30</td>
<td>430</td>
<td>430</td>
<td>CoSA ETJ</td>
<td>INSIDE</td>
<td>Y</td>
<td>IFC &amp; OVR</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>3</td>
<td>Somerset Tract</td>
<td>Lennar Homes</td>
<td>68.75</td>
<td>362</td>
<td>362</td>
<td>CoSA</td>
<td>OUTSIDE</td>
<td>Y</td>
<td>OVR</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>4</td>
<td>Tuscan Oaks Tract</td>
<td>Lee Hagan Partnership, Ltd.</td>
<td>21.98</td>
<td>220</td>
<td>132</td>
<td>COSA &amp; CoSA ETJ</td>
<td>INSIDE</td>
<td>Y</td>
<td>OVR</td>
<td>INSIDE</td>
<td>INSIDE</td>
</tr>
<tr>
<td>5</td>
<td>Schuchart Tract</td>
<td>Chris Schuchart</td>
<td>1,198.90</td>
<td>4,700</td>
<td>4,700</td>
<td>Partially OUTSIDE</td>
<td>OUTSIDE</td>
<td>N</td>
<td>CCN &amp; IFC &amp; OVR</td>
<td>Partially OUTSIDE</td>
<td>Partially OUTSIDE</td>
</tr>
</tbody>
</table>

Total 3,412.93 12,802 13,349

WHEREAS, the Developer Customer’s provisions to acquire water and/or wastewater services within the System’s jurisdiction is generally illustrated in the attached Project Site Maps; and
WHEREAS, the Developer Customer is obligated to pay the prescribed fees and to comply with other applicable requirements as set forth in the Regulations for Water and/or Wastewater Service; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve the Utility Service Agreements and to provide water and/or wastewater services to tracts of land requiring the System’s financial participation in the development of infrastructure through oversizing and/or impact fee credits and/or are located outside the System’s water and/or wastewater Certificate of Convenience and Necessity, and (ii) to provide that the Utility Service Agreement will be honored for a period of thirty-six months, and that if not exercised during this period, the Utility Service Agreement will expire; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the System hereby approves the Utility Service Agreements and agrees to provide water and/or wastewater services to tracts of land requiring the System’s financial participation in the development of infrastructure through oversizing and/or impact fee credits and/or are located outside the System’s water and/or wastewater Certificate of Convenience and Necessity as generally illustrated in the attached Project Site Maps hereto, on a Developer Customer basis as provided for in the Board’s Regulations, applicable amendments to the Regulations, and any other applicable federal, state or local regulations.

2. That the Utility Service Agreement shall be honored for a period of thirty-six months, and if not exercised during this thirty-six-month period, the Utility Service Agreement will expire.

3. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

4. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

5. This resolution becomes effective immediately upon its passage.
PASSED AND APPROVED this 9th day of June, 2020.

__________________________________

Berto Guerra, Jr., Chairman

ATTEST:

_________________________________

Amy Hardberger, Secretary

Attachments:
Location Map
Project Site Maps
Utility Service Agreements outside of SAWS water or wastewater CCN and/or with oversized infrastructure and/or impact fee credits

<table>
<thead>
<tr>
<th>Board Approved USA</th>
<th>Acreage</th>
<th>Water EDUs</th>
<th>Wastewater EDUs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Items Total:</td>
<td>3,412.93</td>
<td>12,802</td>
<td>13,349</td>
</tr>
<tr>
<td>Year-to-Date Total:</td>
<td>6,020.96</td>
<td>38,203</td>
<td>37,936</td>
</tr>
</tbody>
</table>
Tract is Located:
- Over The Edwards Aquifer Recharge Zone
- Within the 5-Mile Camp Bullis Awareness Zone
- Within the 5-Mile JBSA Buffer Zone
- Within the APZ

**Phase I:**
- Approximately 3,000 LF of oversized 24-inch main

**Phase II:**
- Approximately 11,000 LF of oversized 24-inch main

**Proposed PRV**
- Proposed PRV

**Existing 12-inch main**

**Existing 24-inch main**

Legend:
- Parcels Update
- USA Tract
- Existing Water Main
- Proposed 12-inch (Oversized to 16-inch) Water Main
- Proposed 12-inch (Oversized to 24-inch) Water Main
- Proposed PRV

Project Location: 173.3 Acres
Tract is Located:
- Over The Edwards Aquifer Recharge Zone
- Within the 5-Mile Camp Bullis Awareness Zone
- Within the 5-Mile JBSA Buffer Zone
- Within the APZ

Phase II Downstream Requirements
Replace existing 8-inch main with upsized 12-inch main

Sterling Ridge Lift Station (LS 296)
Tract is Located:
- Within the 5-Mile JBSA Buffer Zone

Approximately 2,000 LF of Oversized 12-inch Main
Tract is Located:
- Within the 5-Mile JBSA Buffer Zone
Tract is located:
- Over the Edwards Aquifer Recharge Zone
- Within the 5-mile Camp Bullis Awareness Zone
- Within the 5-Mile JBSA Buffer Zone

Tuscan Oaks
229 Water EDUs
132 Sewer EDUs
21.98 Acres
USA-24215

Existing 16-inch main

Legend
- Parcels Update
- USA Tract
- Existing Water Main
- Proposed 12-inch (oversized to 16-inch) Water Main
Tuscan Oaks
220 Water EDUs
132 Sewer EDUs
21.98 Acres
USA-24215

Tract is located:
- Over the Edwards Aquifer Recharge Zone
- Within the 5-mile Camp Bullis Awareness Zone
- Within the 5-Mile JBSA Buffer Zone
TO: San Antonio Water System Board of Trustees

FROM: Nancy Belinsky, Vice President and General Counsel and Donovan Burton, Vice President, Water Resources and Governmental Relations

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: DECLARATION OF 5.168 ACRE TRACT OF REAL PROPERTY NEAR MITCHELL LAKE IN BEXAR COUNTY, TEXAS, AS SURPLUS TO THE NEEDS OF THE SAN ANTONIO WATER SYSTEM

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution declares an approximately 5.168 acre tract of land (the “Property”) being a portion of the 285.47 acre tract acquired from 16795, LTD, for the Mitchell Lake Wetlands Project belonging to the City of San Antonio (the “City”), for the use and benefit of the System (“SAWS” or the “System”), surplus to the needs of the System.

- City Ordinance No. 75686 requires all System assets be declared as surplus to the needs of the System prior to their disposition.

- SAWS acquired the parent tract containing 285.47 acres (the “Parent Tract”) for the construction of the Mitchell Lake Wetlands Project (the “Project”). At the time of purchase, SAWS staff could not determine exactly how much of the Parent Tract would be needed for the Project, so staff acquired the entire Parent Tract, with the intention of declaring some portion surplus at a future date, once it was determined what land was needed for the Project. Staff has currently determined that the 5.168 acre Property out of the Parent Tract is no longer necessary for the Project and wishes to declare this Property surplus to the needs of the System.

- The Property more particularly described in Attachment I and depicted in Attachment II to the Resolution, is owned by the City of San Antonio, for the use and benefit of the System, is surplus to the needs of the System and will be transferred to the City for the construction of a public right of way.

- SAWS staff has determined that the Property is no longer necessary for the efficient operation of the System.

- The System will transfer use and control of the Property to the City to support the construction of a public right of way and this right of way will provide enhanced access to the System’s Mitchell Lake Wetlands Project and will enhance the value of the remainder adjoining System property.
• Any easements, rights of way or other reservations needed for the efficient operation of the System will be identified by staff and retained at the time of transfer.

• Staff has determined that the cost of constructing the roadway exceeds the value of the Property being transferred to the City and thus significantly benefits the System.

Staff recommends that the Board approve this resolution.

**FINANCIAL IMPACT:**

None. As the transfer of use and control of the Property to the City will benefit SAWS adjoining remainder property by providing enhanced road access, consideration for the transfer is non-monetary.
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM (THE "SYSTEM") BOARD OF TRUSTEES DECLARING AN APPROXIMATELY 5.168 ACRE TRACT OF LAND LOCATED IN THE SOUTHEAST AND SOUTHWEST QUADRANTS OF BEXAR COUNTY, TEXAS NEAR MITCHELL LAKE (THE "PROPERTY"), AS SURPLUS TO THE NEEDS OF THE SYSTEM AS REQUIRED BY CITY ORDINANCE NO. 75686; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO TRANSFER USE AND CONTROL OF THE PROPERTY TO THE CITY OF SAN ANTONIO FOR CONSTRUCTION OF A PUBLIC RIGHT OF WAY; FINDING THIS RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, City Ordinance No. 75686 requires all System assets be declared as surplus to the needs of the System prior to their disposition; and

WHEREAS, staff has determined that this Property is no longer necessary for the efficient operation of the System; and

WHEREAS, use and control of the Property will be transferred to the City of San Antonio to support the construction of a public right of way and such right of way will enhance accessibility to the System’s adjoining property; and

WHEREAS, the System will benefit from the construction of a public right of way along its adjoining property, therefore the value of the Property transferred will be offset by enhanced access to the System’s adjoining property; and

WHEREAS, any easements, rights of way or other reservations needed for the efficient operation of the System will be identified by staff and retained at the time of transfer; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to declare the Property as herein described surplus to the needs of the System as required by City Ordinance No. 75686 and (ii) to authorize the President/Chief Executive Officer or his duly appointed designee to transfer use and control of the Property to the City of San Antonio for use as a public right of way; now therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the Property is hereby declared surplus to the needs of the System. Such real property is more particularly described in Attachment I and generally depicted on Attachment II, both of which are attached hereto and incorporated herein for all purposes.
2. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to transfer use and control of the Property to the City of San Antonio for use as a public right of way, reserving any easements, rights of way or other reservations identified by staff as needed for the efficient operation of the System.

3. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

4. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

5. This resolution becomes effective immediately upon its passage.

   PASSED AND APPROVED this 9th day of June, 2020.

   ________________________________
   Berto Guerra, Jr., Chairman

ATTEST:

______________________________
Amy Hardberger, Secretary

Attachments:
I. Legal Description
II. Property Depiction
FIELD NOTES DESCRIPTION
5.168 ACRE TRACT

A 5.168 acre tract of land, situated in the Jose Antonio De La Garza Two League Grant, Abstract No. 3, County Block 4006, Bexar County, Texas, being a portion of a called 285.47 acres, conveyed to the City of San Antonio, recorded in Document 20180010715 of the Official Public Records of Bexar County, Texas; Said 5.168 acre tract being more particularly described by metes and bounds as follows:

BEGINNING: at a 15 inch cedar post (N = 13,648,040.255, E = 2,136,944.521) found on the west right-of-way line of U.S. Highway 281 (200’ R.O.W.) at the northeast corner of the City of San Antonio 285.47 acre tract, being also the southeast corner of a called 426.472 acre tract conveyed to Navistar San Antonio Manufacturing, LLC, recorded in Document No. 2019.231231, Official Public Records, Bexar County, Texas, for the northeast corner hereof, from which a broken Texas Department of Transportation concrete monument found bears North 00° 38’ 29” West a distance of 37.30 feet;

THENCE: South 00° 38’ 29” East along the east boundary line of the City of San Antonio 285.47 acre tract, being also the west right-of-way line of U.S. Highway 281, a distance of 90.03 feet (record South 00° 38’ 29” East), for the southeast corner hereof;

THENCE: Leaving the east boundary line and crossing through the City of San Antonio 285.46 acre tract, the following two (2) courses and distances:

1. North 89° 07’ 34” West, 90 feet from and parallel to the north boundary line of the City of San Antonio 285.457 acre tract, a distance of 2502.38 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for the southwest corner hereof;

2. North 00° 52’ 26” East a distance of 90.00 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc” (N = 13,648,078.383, E = 2,134,444.812), in the north boundary line of the City of San Antonio 285.47 acre tract, being also the south boundary line of the Navistar 426.472 acre tract, for the northwest corner hereof, from which a 1/2 inch iron rod found, with broken plastic cap, at the northwest corner of the City of San Antonio 285.47 acre tract bears North 89° 07’ 34” West (record North 89° 07’ 34” West) a distance of 1436.15 feet;
THENCE: South 89° 07' 34" East, along the north boundary line of the City of San Antonio 285.47 acre tract, being also the south boundary line of the Navistar 426.472 acre tract, a distance of 2500.00 feet (record South 89° 07’ 34” West, 3936.15 feet) to POINT OF BEGINNING, containing 5.168 acres of land.

BEARINGS AND COORDINATES ARE BASED ON LAMBERT GRID, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE NAD 83/93; COORDINATES SHOWN HEREON HAVE AN APPLIED SURFACE SCALE FACTOR OF 1.00017.

Robert W. Johnston, RPLS
Registered Professional Land Surveyor
License Number 5579
SURPLUS PROPERTY
PUBLIC ROW 5.168 ACRE TRACT

AERIAL DEPICTION
ATTACHMENT II
TO: San Antonio Water System Board of Trustees

FROM: Nancy Belinsky, Vice President and General Counsel and Donovan Burton, Vice President, Water Resources and Governmental Relations

THROUGH: Robert R. Puente, President/Chief Executive Officer

SUBJECT: DECLARATION OF 123.133 ACRE TRACT OF REAL PROPERTY NEAR MITCHELL LAKE IN BEXAR COUNTY, TEXAS, AS SURPLUS TO THE NEEDS OF THE SAN ANTONIO WATER SYSTEM

Board Action Date: June 9, 2020

SUMMARY AND RECOMMENDATION:

The attached resolution declares an approximately 123.133 acre tract of land (the “Property”) being a portion of the 285.47 acre tract acquired from 16795, LTD. for the Mitchell Lake Wetlands Project belonging to the City of San Antonio (the “City”), for the use and benefit of the San Antonio Water System (“SAWS” or the “System”), surplus to the needs of the System.

- City Ordinance No. 75686 requires all System assets be declared as surplus to the needs of the System prior to their disposition.

- SAWS acquired the parent tract containing 285.47 acres (the “Parent Tract”) for the construction of the Mitchell Lake Wetlands Project (the “Project”). At the time of purchase, SAWS staff could not determine exactly how much of the Parent Tract would be needed for the Project, so staff acquired the entire Parent Tract, with the intention of declaring some portion surplus at a future date, once it was determined what land was needed for the Project. Staff has currently determined that the 123.133 acre Property out of the Parent Tract is no longer necessary for the Project and wishes to declare this Property surplus to the needs of the System.

- Any easements, rights of way or other reservations needed for the efficient operation of the System will be identified by staff and retained at the time of sale.

- Market value of the Property will be established by an appraisal performed by an independent contractor.

Staff recommends that the Board approve this resolution.
**FINANCIAL IMPACT:**

The proceeds from said sale shall be deposited in the Gain/Loss Account for the Sewer Delivery System.
RESOLUTION NO.

OF THE SAN ANTONIO WATER SYSTEM (THE “SYSTEM”) BOARD OF TRUSTEES DECLARING AN APPROXIMATELY 123.133 ACRE TRACT OF LAND LOCATED IN THE SOUTHEAST AND SOUTHWEST QUADRANTS OF BEXAR COUNTY, TEXAS NEAR MITCHELL LAKE (THE “PROPERTY”), AS SURPLUS TO THE NEEDS OF THE SYSTEM AS REQUIRED BY CITY ORDINANCE NO. 75686; RECOMMENDING THAT THE SAN ANTONIO PLANNING COMMISSION AND CITY COUNCIL CONSENT TO SUCH DECLARATION AS REQUIRED BY CITY ORDINANCE NO. 75686; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO DISPOSE OF SAID PROPERTY PURSUANT TO SECTION 272.001 OR SECTION 253.014 OF THE TEXAS LOCAL GOVERNMENT CODE AND APPLICABLE CITY OF SAN ANTONIO AND SYSTEM POLICIES AND PROCEDURES; FINDING THIS RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, City Ordinance No. 75686 requires all System assets be declared as surplus to the needs of the System prior to their disposition; and

WHEREAS, staff has determined the Property is no longer necessary for the efficient operation of the System; and

WHEREAS, any easements, rights of way or other reservations needed for the efficient operation of the System will be identified by staff and retained at the time of sale; and

WHEREAS, upon the sale of said Property, the proceeds from said sale shall be deposited in the Gain/Loss Account for the Sewer Delivery System; and

WHEREAS, the San Antonio Water System Board of Trustees desires to (i) declare the Property as herein described surplus to the needs of the System as required by City Ordinance No. 75686, (ii) recommend that the Planning Commission and City Council consent to the declaration as required by City Ordinance No. 75686, and (iii) authorize the President/Chief Executive Officer or his duly appointed designee to dispose of the Property pursuant to Section 272.001 or Section 253.014 of the Local Texas Government Code and all applicable System and City of San Antonio policies and procedures; now therefore:
BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the Property is hereby declared surplus to the needs of the System. Such real property is more particularly described in Attachment I and generally depicted on Attachment II, both of which are attached hereto and incorporated herein for all purposes.

2. That a recommendation is hereby made to the Planning Commission and City Council to consent to the declaration as required by City Ordinance No. 75686.

3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to dispose of said Property pursuant to Section 272.001 or Section 253.014 of the Texas Local Government Code and all applicable System and City of San Antonio policies and procedures, reserving any easements, rights of way or other reservations identified by staff as needed for the efficient operation of the System.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.

Berto Guerra, Jr., Chairman

ATTEST:

Amy Hardberger, Secretary

Attachments:
I  Legal Description
II Property Depiction
FIELD NOTES DESCRIPTION
123.133 ACRES

A 123.133 acre tract of land, situated in the Jose Antonio De La Garza Two League Grant, Abstract No. 3, County Block 4006, Bexar County, Texas, being a portion of a called 285.47 acres, conveyed to the City of San Antonio, recorded in Document 20180010715 of the Official Public Records of Bexar County, Texas; Said 123.133 acre tract being more particularly described by metes and bounds as follows:

COMMENCING: at a 15 inch cedar post (N = 13,648,040.255, E = 2,136,944.521) found on the west right-of-way line of U.S. Highway 281 (200' R.O.W.) at the northeast corner of the City of San Antonio 285.47 acre tract, from which a broken Texas Department of Transportation concrete monument found bears North 00° 38’ 29” West a distance of 37.30 feet;

THENCE: South 00° 38’ 29” East along the east boundary line of the City of San Antonio 285.47 acre tract, being also the west right-of-way line of U.S. Highway 281, passing at a distance of 184.85 feet, a 1/2 inch iron rod found, with plastic cap, and continuing for a total distance of 200.07 feet (record South 00°38’29” East) to a 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for the POINT OF BEGINNING and northeast corner hereof;

THENCE: South 00° 38’ 29” East along the east boundary line of the City of San Antonio 285.47 acre tract, being also the west right-of-way line of U.S. Highway 281, a distance of 4668.75 feet (record South 00° 38’ 29” East, 4868.82 feet overall) to a Texas Department of Transportation concrete monument found at a corner in the east boundary line of the City of San Antonio 285.47 acre tract, being also the west right-of-way line of U.S. Highway 281, for a corner hereof;

THENCE: South 24° 13’ 46” West along the east boundary line of the City of San Antonio 285.47 acre tract, being also the west right-of-way line of U.S. Highway 281, passing at a distance of 20.52 feet, a 1/2 inch iron rod found, and continuing for a total distance of 213.67 feet (record South 24° 13’ 46” West, 213.67 feet) to a 1/2 inch iron rod found, with plastic cap marked “Pape Dawson”, at a corner in the east boundary line of the City of San Antonio 285.47 acre tract, being also the west right-of-way line of U.S. Highway 281, for a corner hereof;

THENCE: South 00° 43’ 52” East along the east boundary line of the City of San Antonio 285.47 acre tract, being also the west right-of-way line of U.S. Highway 281, a distance of 396.51 feet (record South 00° 43’ 52” East, 396.51 feet) to a Texas Department of Transportation concrete monument found leaning (N = 13,642,580.420, E = 2,136,916.390) on the Northwestern bank of the Medina River, at an angle point of the City of San Antonio 285.47 acre tract, for the an angle point hereof;

THENCE: Along the southern and southwestern boundary line of the City of San Antonio 285.47 acre tract, being also the north and northeastern top bank of the Medina River, the following thirty-four (34) courses and distances:
1. **South 38° 24’ 15” West** a distance of **100.75 feet** (record South 38° 24’ 15” West, 100.75 feet) to calculated angle point hereof;

2. **South 34° 35’ 03” West** a distance of **144.27 feet** (record South 34° 35’ 03” West, 144.27 feet) to a calculated angle point hereof;

3. **South 14° 24’ 28” East** a distance of **36.44 feet** (record South 14° 24’ 28” East, 36.44 feet) to a calculated angle point hereof;

4. **South 20° 19’ 48” West** a distance of **30.24 feet** (record South 20° 19’ 48” West, 30.24 feet) to a calculated angle point hereof;

5. **South 16° 32’ 04” East** a distance of **184.37 feet** (record South 16° 32’ 04” East, 184.37 feet) to a calculated angle point hereof;

6. **South 18° 13’ 37” West** a distance of **81.76 feet** (record South 18° 13’ 37” West, 81.76 feet) to the southeast corner hereof;

7. **South 89° 13’ 15” West** a distance of **106.71 feet** (record South 89° 13’ 15” West, 106.71 feet) to a calculated angle point hereof;

8. **North 81° 22’ 00” West** a distance of **99.00 feet** (record North 81° 22’ 00” West, 99.00 feet) to a calculated angle point hereof;

9. **South 70° 08’ 48” West** a distance of **108.88 feet** (record South 70° 08’ 48” West, 108.88 feet) to the southwest corner hereof;

10. **North 47° 52’ 51” West** a distance of **102.36 feet** (record North 47° 52’ 51” West, 102.36 feet) to a calculated angle point hereof;

11. **North 16° 42’45” West** a distance of **75.78 feet** (record North 16° 42’45” West, 75.78 feet) to a calculated angle point hereof;

12. **North 13° 46’ 59” East** a distance of **33.14 feet** (record North 13° 46’ 59” East, 33.14 feet) to a calculated angle point hereof;

13. **North 33° 00’ 32” East** a distance of **85.12 feet** (record North 33° 00’ 32” East, 85.12 feet) to a calculated angle point hereof;

14. **North 00° 17’ 29” East** a distance of **45.15 feet** (record North 00° 17’ 29” East, 45.15 feet) to a calculated angle point hereof;

15. **North 22° 22’ 37” West** a distance of **26.18 feet** (record North 22° 22’ 37” West, 26.18 feet) to a calculated angle point hereof;

16. **North 32° 45’ 14” East** a distance of **17.74 feet** (record North 32° 45’ 14” East, 17.74 feet) to a calculated angle point hereof;

17. **North 39° 04’ 48” West** a distance of **93.17 feet** (record North 39° 04’ 48” West, 93.17 feet) to a calculated angle point hereof;

18. **North 61° 35’ 00” West** a distance of **40.71 feet** (record North 61° 35’ 00” West, 40.71 feet) to a calculated angle point hereof;

19. **North 69° 23’ 15” West** a distance of **46.17 feet** (record North 69° 23’ 15” West, 46.17 feet) to a calculated angle point hereof;

20. **North 84° 46’ 22” West** a distance of **33.95 feet** (record North 84° 46’ 22” West, 33.95 feet) to a calculated angle point hereof;

21. **North 26° 09’ 37” West** a distance of **65.21 feet** (record North 26° 09’ 37” West, 65.21 feet) to a calculated angle point hereof;

22. **North 04° 38’ 44” East** a distance of **71.04 feet** (record North 04° 38’ 44” East, 71.04 feet) to a calculated angle point hereof;
23. North 65° 53' 00" East a distance of 55.49 feet (record North 65° 53' 00" East, 55.49 feet) to a calculated angle point hereof;
24. North 83° 04' 18" East a distance of 122.33 feet (record North 83° 04' 18" East, 122.33 feet) to a calculated angle point hereof;
25. North 87° 50' 29" East a distance of 28.69 feet (record North 87° 50' 29" East, 28.69 feet) to a calculated angle point hereof;
26. North 77° 00' 12" East a distance of 32.86 feet (record North 77° 00' 12" East, 32.86 feet) to a calculated angle point hereof;
27. North 37° 22' 03" East a distance of 70.21 feet (record North 37° 22' 03" East, 70.21 feet) to a calculated angle point hereof;
28. North 29° 37' 41" East a distance of 57.92 feet (record North 29° 37' 41" East, 57.92 feet) to a calculated angle point hereof;
29. North 00° 39' 38" West a distance of 79.18 feet (record North 00° 39' 38" West, 79.18 feet) to a calculated angle point hereof;
30. North 25° 25' 26" West a distance of 147.48 feet (record North 25° 25' 26" West, 147.48 feet) to a calculated angle point hereof;
31. North 37° 29' 46" West a distance of 54.39 feet (record North 37° 29' 46" West, 54.39 feet) to a calculated angle point hereof;
32. North 27° 31' 41" West a distance of 55.61 feet (record North 27° 31' 41" West, 55.61 feet) to a calculated angle point hereof;
33. North 01° 52' 07" West a distance of 62.55 feet (record North 01° 52' 07" West, 62.55 feet) to a calculated angle point hereof;
34. North 33° 58' 59" West a distance of 57.69 feet to a 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, on the northeastern top bank of the Medina River, for an angle point hereof, from which a calculated angle point in the southwestern boundary line of the City of San Antonio 285.47 acre tract bears North 33° 58' 59" West a distance of 50.21 feet (record North 33° 58' 59" West, 107.91 feet, overall);

THENCE: Leaving the southwestern boundary line and crossing through the City of San Antonio 285.46 acre tract, the following Fifteen (15) course and distances:

1. North 00° 38' 29" West a distance of 856.59 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for an exterior corner hereof;
2. North 30° 02' 28" East a distance of 256.11 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for an interior corner hereof;
3. North 17° 20' 03" East a distance of 278.84 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for an interior corner hereof;
4. North 02° 23' 00" West a distance of 99.15 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for an interior corner hereof;
5. South 88° 08' 24" West a distance of 213.77 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for an exterior corner hereof;
6. North 00° 38' 29" East a distance of 1320.02 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for an interior corner hereof;
7. North 89° 07' 34" West a distance of 378.19 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, in the northeast line of a 60’ irrigation canal easement, recorded in Volume 3297, Page 578, Deed Records of Bexar County, Texas, for an exterior corner hereof;

8. North 40° 00’ 50” West, along the northeast line of the 60’ irrigation canal easement, a distance of 97.47 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for an exterior corner hereof;

9. North 00° 44’ 13” West, leaving the northeast line of the 60’ irrigation canal easement, a distance of 563.35 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, in the southwest line of a 40’ water and sludge line easement, part 1, recorded in Volume 8743, Page 1336, Deed Records, Bexar County, Texas, for an interior corner hereof;

10. North 62° 14’ 29” West, along the southwest line of the 40’ water and sludge line easement, a distance of 637.19 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for an exterior corner hereof;

11. North 00° 44’ 13” West, crossing the 40’ water and sludge line easement, a distance of 45.53 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, in the northeast line of the 40’ water and sludge line easement, for an interior corner hereof;

12. North 62° 14’ 29” West, along the northeast line of the 40’ water and sludge line easement, a distance of 472.87 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, at an angle point of the 40’ water and sludge line easement, for an interior corner hereof;

13. North 72° 41’ 17” West, along the northeast line of the 40’ water and sludge line easement, a distance of 528.12 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, for an exterior corner hereof;

14. North 00° 52’ 26” East, leaving the northeast line of the 40’ water and sludge line easement, a distance of 580.80 feet to 1/2 inch iron rod set, with plastic cap marked “Ford Engineering Inc”, at a point that is 200 foot south of the north boundary line of the City of San Antonio 285.47 acre tract, for the northwest corner hereof;

15. South 89° 07’ 34” East, 200 foot south and parallel to the north boundary line of the City of San Antonio 285.47 acre tract, a distance of 2505.29 feet to POINT OF BEGINNING, containing 123.113 acres of land.

BEARINGS AND COORDINATES ARE BASED ON LAMBERT GRID, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE NAD 83/93; COORDINATES SHOWN HEREON HAVE AN APPLIED SURFACE SCALE FACTOR OF 1.00017.

Robert W. Johnston, RPLS
Registered Professional Land Surveyor
License Number 5579

10927 WYE DRIVE  SUITE 104  SAN ANTONIO, TX 78217  P. (210) 590-4777  TBPE No. F-1162
1-800-332-3109  www.fordengineering.com  F. (210) 590-4940  TBPLS No. 10018400