

BUSINESS OFFICE, 4725 MOFFETT ROAD, MOBILE, ALABAMA
February 4, 2019

The Board of Water and Sewer Commissioners of the City of Mobile met this Monday in their regular session at 2:00 p.m. at MAWSS' Park Forest Plaza.

PRESENT:

Mr. Samuel L. Jones, Chair

Mr. Kenneth W. Nichols, Vice Chair

Mr. Walter Bell, Secretary-Treasurer

Mr. Maynard V. Odom, Commissioner

Ms. Sheri N. Weber, Commissioner

Ms. Barbara Drummond, Commissioner

Mr. Thomas Zoghby, Commissioner

Mr. Douglas L. Cote, Assistant Director

Mr. Bud McCrory, Assistant Director

Mr. Bradley Dean, Attorney

ABSENT:

Mr. Charles E. Hyland, Jr., Director

Chair Jones called the meeting to order and Commissioner Drummond gave the invocation. **Committee Reports** was next and Commissioner Odom said the HR Committee met and Ms. King & Mr. McCrory reported on that discussion at today's pre-meeting. **Visitors** was next with **Resolution for Retiree** and Mr. Cote read the following into record:

RESOLUTION

WHEREAS, MR. BENNY D. WHITE, Treatment Plant Operator III, began his employment with the Board of Water and Sewer Commissioners on August 22, 1981, as an hourly employee, became classified on May 1, 1982, and has worked continuously since; and

WHEREAS, he served the System faithfully for over 37 years, performing his duties with the highest quality, working in a cooperative spirit with his fellow employees, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF WATER AND SEWER COMMISSIONERS OF THE CITY OF MOBILE that **MR. BENNY D. WHITE**, whose retirement was effective February 1, 2019, be recognized and commended for his years of service to the Board of Water and Sewer Commissioners of the City of Mobile and to the citizens of Mobile.

ADOPTED this 4th day of February 2019.

Mr. Cote said Benny's years of service to the Board have been impeccable. When we talk about an employee who has institutional knowledge, over 37 years, he carries quite a bit of knowledge and has remembered many things that have helped us over the years. Big Creek Lake is one of the most beautiful, not to mention important, natural resources to our community. Benny was always very passionate about taking care of Big Creek Lake. He took care of it as though it was his own and you can't ask more than that from any employee. Benny also has this characteristic, if you will, that if you talk to him and leave him, you always feel better than before you talked to him. His ability to talk to people is incredible. His interpersonal relationships always left people feeling good. He always found solutions and was willing to find solutions. He was willing to do anything necessary to help MAWSS and the community. It's difficult to find enough words to pinpoint all that he has done for us. He has been a very exceptional employee and we're very blessed to have him for all these many years.

Mr. White thanked everyone. He said he appreciates this and it has been a pleasure and a passion of his to work here. If he's ever needed, just call, and he'll be here. Even as a retiree, he'll come back and help.

Chair Jones said on behalf of the Board and the people of this community, we thank him for his service to MAWSS and the people of this community. We certainly wish him a very long, happy, and healthy retirement.

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Commissioner Drummond said when she became a Board member, she went to Big Creek Lake and Benny gave her a tour. Everything that Mr. Cote said is true. He is most congenial and he is certainly in love with Big Creek Lake and looking out for MAWSS' interests, and she thanks him.

The **Minutes of January 7, 2019** were presented for approval. Commissioner Odom moved for approval and Commissioner Drummond seconded. The motion then carried with the unanimous vote of the Board.

Bids and Purchasing was next and Mr. Cote reviewed the following bids opened today:

M5712-2638, 2019 Annual Painting Contract

Construction:	\$150,000.00	Construction:	\$150,000.00
Engineering:	\$ 7,000.00	Engineering:	\$ 7,000.00
Total Original Estimate:	\$157,000.00	Total Current Estimate:	\$157,000.00

<u>Bidders</u>	<u>Total Bid Amount</u>
Dortch, Figures & Sons, Inc.	\$107,151.00
Melvin Pierce Painting	\$126,070.00

MGI 50175, Halls Mill Sewer Extension New

Original Estimates:		Current Estimates:	
Construction:	\$4,769,484.00	Construction:	\$5,364,250.00
Engineering:	\$ 391,097.69	Engineering:	\$ 439,868.50
Total Original Estimate:	\$5,160,581.69	Total Current Estimate:	\$5,804,118.50

<u>Bidders</u>	<u>Total Base Bid Amount</u>	<u>Total Alternate Bid Amount</u>
Ballcon, Inc.	\$6,388,034.00	\$7,095,430.00
CLS	(no bid)	
Hemphill Construction Co., Inc.	\$8,026,676.00	\$7,889,504.00

V644123 Annual Contract – SRF Water Meter Replacement Installation Ph. 2

Original Project Estimate:		Current Project Estimate:	
Construction:	\$2,000,000.00	Construction:	\$2,000,000.00
Engineering:	\$ 10,000.00	Engineering:	\$ 10,000.00
Total:	\$2,010,000.00	Total:	\$2,010,000.00

<u>Bidders</u>	<u>Total Base Bid Amount</u>	<u>Total Additive No. 1 Amount</u>	<u>Total Base Bid + Additive No. 1 Amount</u>
Core & Main LP	\$2,135,225.00	\$374,480.00	\$2,509,705.00
Vanguard Utility Service, Inc.	\$1,909,250.00	\$ 88,000.00	\$1,997,250.00

Mr. Cote said staff requests a Director's award for this project upon review by the engineers and recommendation. Commissioner Bell moved for approval and Commissioner Odom seconded. The motion then carried with the unanimous vote of the Board.

IT Director Mahir Butt reviewed Item D as follows:

Annual Kronos Software Support Agreement	Value - \$30,042.17
Support term: 4/27/19 – 4/26/20	
Supplier: Kronos, Inc.	

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Based on staff's recommendation, Commissioner Drummond moved for approval and Commissioner Odom seconded. The motion then carried with the unanimous vote of the Board.

Item E, reviewed by Mr. Butt, is entered here for the record:

Service Agreement for Mimecast Anti-Spam and Anti-Virus Protection Value – \$30,448.80
 Agreement term: 12/31/18 – 12/31/19
 Provider: MCG Business Solutions

Based on staff's recommendation, Commissioner Drummond moved for approval and Commissioner Odom seconded. The motion then carried with the unanimous vote of the Board.

Mr. Butt then reviewed Item F as follows:

Annual GIS Software Support Agreement 2019 Value - \$32,300
 Software support term: 2/1/19 – 1/31/20
 Supplier: ESRI, Inc.

Based on staff's recommendation, Commissioner Drummond moved for approval and Commissioner Odom seconded. Mr. Bell asked if we ever look at multi-year contracts. Mr. Butt said we have actually researched that and have a proposal that's with the Assistant Director for an enterprise agreement that we're considering. That will be a multi-year commitment, similar to a Microsoft enterprise agreement. We haven't executed it yet because we're looking at how it might be impacted by the Master Plan. The motion then carried with the unanimous vote of the Board.

Mr. Cote reviewed the following item:

Sole Source Purchase of Flygt Repair Parts for Halls Mill LS155 Value - \$39,508.60
 Sole Source Provider: Jim House & Associates

Based on staff's recommendation, Commissioner Odom moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board.

Mr. Cote reviewed Item H as follows:

Sole Source Purchase of Replacement Cartridge for Moyno Annihilator Value - \$75,696
 Sole Source Provider: CEJCO

Mr. Cote said this is a large grinder that's placed in the Perch Creek Lift Station. Based on staff's recommendation, Commissioner Odom moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board.

Next, Mr. Cote reviewed Item I as follows:

IFB 18-051, Lift Station Perimeter Lighting (3 bids) Value - \$31,761
 Low responsive bidder: CED

Based on staff's recommendation, Commissioner Drummond moved for approval and Commissioner Odom seconded. The motion then carried with the unanimous vote of the Board.

Item J was reviewed by Mr. Cote as follows:

IFB-052 Clean Septic Tanks (Rebid) (2 bids) Value - \$39,025
 Low bidder: Southern Grease Hauling

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Based on staff's recommendation, Commissioner Odom moved for approval and Commissioner Drummond seconded. The motion then carried with the unanimous vote of the Board.

Mr. Cote then reviewed Item K:

IFB 18-053 Manhole Covers and Adjustable Risers – Annual Contract (2 Bids, 2 N/B)
 Value - \$130,000
 Contract period: 2/1/19 – 1/31/20 w/2 additional extension options
 Low responsible bidder: Alabama Pipe/Port City Pipe

Based on staff's recommendation, Commissioner Odom moved for approval and Commissioner Drummond seconded. The motion then carried with the unanimous vote of the Board.

Item L was reviewed by Mr. Cote as follows:

IFB 18-054 Annual Contract – Sulfur Dioxide Value - \$70,000
 Contract period: 3/1/19 – 2/28-20 w/2 one year extension options
 Supplier: DPC

Mr. Cote said, although not mentioned in the Board's memo, we contacted and solicited a DBE for providing these chemicals and they were no response. Based on staff's recommendation, Commissioner Odom moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board.

Mr. Cote said Billy Wilkerson, McCrory & Williams will cover Item M. It's entered here:

IFB 19-001, Bypass Pump Rental – Annual Contract (2 bids) Est. Value - \$50,000
 Contract period: 2/1/19 – 1/31/20 w/2 one year extension options
 Low responsible bidder: Hydra Service

Mr. Wilkerson said they recommend award but they communicated with the Alabama General Contractors Licensing Board and due to the nature of this rental, they concluded the best way to respond to any inquiries if there's a disagreement between the rental agency or general contractor, that the Value of the work be limited to \$50,000 so, therefore, they are recommending the amount of work to be utilized will be \$50,000. Commissioner Bell asked if there is a dispute between someone? Mr. Wilkerson said in the past, we tried to bid this project to a general contractor but we were unsuccessful because their prices were extremely high. We talked to pump rental companies and they can do the work but because of the type of work, the Contractors Licensing Board says if they take a wrench or screwdriver and touch the material, they become a contractor. That's their opinion. In communicating with the Licensing Board, they told us as long as the value of the work is \$50,000 or less, they have no objection to awarding this effort. The project is an annual contract, on an as needed basis. The last two years we've done this has generally been around two different sites and the pump rental cost was about \$50,000 so we probably can get 2 or 3 potential uses out of this project during a year's period. Commissioner Zoghby said the pump rental company doesn't have an Alabama Contractor's License and Mr. Wilkerson said no; no rental company has a GC license. Commissioner Bell said and we won't be spending any more than \$50,000 and Mr. Wilkerson said that's right. The investigators for the Licensing Board were perfectly fine with that arrangement. Commissioner Zoghby said they're not telling us if it's legal or illegal. Is that right? Mr. Wilkerson said they made the suggestion. Based on staff's recommendation, Commissioner Odom moved for approval and Commissioner Weber seconded. The motion then carried with the unanimous vote of the Board.

Commissioner Bell asked that this be reviewed by our attorney, if he has not already. Commissioner Drummond asked if there is a reason why. Attorney Dean said no; this is somewhat of a new issue to him but he can review and look into it, if the Board would like. Mr. Cote said it was not provided to him because it's simply a rental purchase. We're going to try this to see if we can do this work at a much lesser cost than going through a General Contractor but of course we have to comply with the Alabama General Contractors Licensing Board. Commissioner Drummond asked if there will be any liability to MAWSS and Mr. Cote said he doesn't think so, not as long as we

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stay within those constraints. If it turns out there is an issue that will take us outside of the constraints, we'll have to come back to the Board and bid it as a separate project. Mr. Wilkerson said all the labor is done by the Board's forces. The rental company brings the pumps out and brings the pipes and works with your staff. Commissioner Nichols said basically they bring the pumps and materials to the site and tell our guys there it is, go get it.

Mr. Wilkerson said they'll direct and do whatever they routinely do in a rental for any entity. Chair Jones asked if we can have the attorney look at it even though it's already passed. Mr. Cote said absolutely.

Legal was next and Attorney Dean said an **Executive Session** is needed to discuss a property matter. He expects it will take 10 minutes or less.

Unfinished Business was next with **Jacobs 697482 Three Mile Creek SWAT -- Reject December 10, 2018 bids and rebid the project**. Mr. Stejskal said this was presented at the January 7, 2019 Board meeting with their recommendation at the time to rebid the project. Since that meeting, they've done some additional investigation and talked to their design team and contractors, and looked at some of the constraints as they exist as well as opportunities to reduce the project cost. They identified several things which materially impact the project scope; therefore, after consideration and talking with staff, they again come with the recommendation that the bids be rejected and rebid the project. Mr. Cote said staff asks the Board to reject the bids and rebid. Commissioner Drummond moved for approval and Commissioner Odom seconded. The motion then carried with the unanimous vote of the Board.

New Business was next with **Facilities for Acceptance** was next and Water & Sewer Engineering Manager Daryl Russell reviewed the following:

Mobile County Emergency Operations Center – 7350 Zeigler Blvd.

Water and Sewer Facilities

Value – Water	\$18,000	Value – Sewer	\$30,000
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Mr. Russell said staff has reviewed the facilities and recommends acceptance. Based on staff's recommendation, Commissioner Drummond moved for approval and Commissioner Odom seconded. The motion then carried with the unanimous vote of the Board.

Item B was **HR Policy 91-1, Accident/Incident Reporting Policy – Proposed Revision**. Mr. McCrory said staff requests Board approval of the revision presented by Ms. King during the pre-meeting. Based on staff's recommendation, Commissioner Drummond moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board.

Item C was **HR Policy 96-6, Uniform Policy – Proposed Revision**. Mr. McCrory said staff requests Board approval of the revision to the Uniform Policy as presented by Ms. King during the pre-meeting. Based on staff's recommendation, Commissioner Odom moved for approval and Commissioner Drummond seconded. The motion then carried with the unanimous vote of the Board.

Item D was **HR Policy 97-1, Safety Shoes – Proposed Revision**. Mr. McCrory said staff requests Board approval of the revision to the Safety Shoes Policy as presented by Ms. King during the pre-meeting. Based on staff's recommendation, Commissioner Nichols moved for approval and Commissioner Drummond seconded. The motion then carried with the unanimous vote of the Board.

Item E was **HR Policy 19-01, MAWSS Standby Policy**. Mr. McCrory said staff requests Board approval of this new Policy he presented during the pre-meeting. Based on staff's recommendation, Commissioner Bell moved for approval and Commissioner Drummond seconded. The motion then carried with the unanimous vote of the Board.

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Item F was **HR Policy 19-02, MAWSS Wellness Center (MWC) No-Show Policy**. Mr. McCrory said staff requests Board approval of this new Policy as presented during the pre-meeting with one change to the term "within" being removed. There are two spots referring to "within" a four hour period; we will remove within. Based on staff's recommendation, Commissioner Weber moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board.

Commissioner Drummond said on the AMI Base Station Information item, where is that going to be located? Is that for the entire system or one portion of the system? Mr. McCrory said the original AMI project proposed 6 towers and we currently have 2 up. This will be an additional tower and we've been looking at the Metro Plaza Area, downtown. We're looking more now at our C. C. Williams plant because we will have more authority to go in and out of the area. Commissioner Drummond asked what area that will cover. Mr. McCrory said most of our areas are like a circle and they overlap each other. Of course it's going to cover the downtown area and it will reach out into the south Mobile County area, and even the mid-town area. It will give us more overlap.

There being no further business to come before the Board, at 2:34 p.m., Commissioner Bell moved to adjourn and reconvene in Executive Session. Commissioner Odom said, before we do that, he would like to congratulate Commissioner Drummond who was recently named Citizen of the Year by an outstanding organization within the City, Kappa Appa Psi Fraternity, Inc. She graciously accepted and they were so proud to have her do that. Commissioner Odom then seconded and the motion carried with the unanimous vote of the Board.

Items presented to the Board for **Information Only** were:

- A. **Purchase of AMI Sensus M400 Base Station** Value - \$23,175
Supplier: Core & Main
- B. **IFB 18-050 Purchase Two Peristaltic Hose Pumps** (3 bids) Value - \$21,066
Low responsible bidder: Dwight Prouty Company
- C. **Sensitive Positions**
- D. **Professional Services Agreement – LEAN Frog Business**
- E. **CMOB180015, Wright Smith Trickling Filter**, with underrun Change Order No. 1 (Final) in the amount of \$70,000 (25% of original \$272,000 contract) resulting in a revised \$202,000 contract Change rectifies final quantities for the project.
- F. **Professional Service – Change Order 1 to enQuesta-Link to MAWSS Mobile Devices w/Service Plan** – Change #1 in the amount of \$21,242.05 (7.5% of original \$281,794 contract) resulting in a revised \$303,036.05 contract.
- G. **Disclosure of Property Purchases**
 - 1. Part of Key 4009015 and Key 4009016 Permanent Easement – Langham
 - 2. Key 1172368 Permanent Easement - Latham, Menge, Akers

There being no further business to come before the Board, at 3:05 p.m., Commissioner Drummond moved to adjourn and Commissioner Odom seconded. The motion then carried with the unanimous vote of the Board. The next regular meeting is scheduled for Monday, March 11, 2019 at 2 p.m.



 Walter Bell, Secretary-Treasurer