

**BUSINESS OFFICE, 4725 MOFFETT ROAD, MOBILE, ALABAMA
November 1, 2021**

The Board of Water and Sewer Commissioners of the City of Mobile met this Monday in their regular session at 1:30 p.m. at MAWSS' Park Forest Plaza.

PRESENT:

Mr. Walter Bell, Chair	Mr. Bud McCrory, Jr., Director
Ms. Sheri N. Weber, Vice Chair	Mr. Bradley Dean, Attorney
Mr. Thomas Zoghby, Secretary-Treasurer	Mr. Douglas L. Cote
Mr. Kenneth Nichols, Commissioner	Mrs. Calressia Clark
Ms. Maria Gonzalez, Commissioner	Mr. Daryl Russell
Mr. Raymond L. Bell, Jr., Commissioner	Ms. Fatima Washington

ABSENT:

Ms. Barbara Drummond, Commissioner

Chair W. Bell called the meeting to order and then read a passage from the book of Psalms. **Committee Reports** was next and Commissioner Zoghby stated briefly for the record that the Finance/Risk Management Committee met on October 11, 2021 and reviewed the 2022 Proposed Budget, and discussed the bond refinance issue that is in position to be moved within a thirty-day notice. There were no **Visitors**.

Chair W. Bell presented the **Consent Agenda Items** for approval, and they are as follows:

- Item 3A** **IFB 21-035 Mowing and Grounds Maintenance Zones 7 and 9**
Supplier: Invasive Management
Contract Period: 11/1/21-1/31/22
2022 Est Value: \$199,265
2021 Est Value: \$126,750
- Item 3B** **IFB 21-036 Test Bench**
Supplier: MARS Company
Value: \$208,480

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Item 3C IFB 21-040 Annual Contract – Tapping Sleeves (Cat 1-3)

Supplier: Ferguson Waterworks
Contract Period: 12/1/21-11/30/22
Est Value 2022: \$36,000
Est Value 2021: \$31,000

Item 3D IFB 21-041 Annual Contract for Heavy Equipment Rental

Supplier: Various Heavy Equipment Companies
Contract Period: 11/1/21-10/31/22
2022 Est Value: \$113,000
2021 Est Value: \$75,000

Commissioner Nichols moved for approval of the **Consent Agenda** and Commissioner R. Bell seconded. The motion then carried with the unanimous vote of the Board present.

The **Minutes of October 4, 2021** were presented for approval. Commissioner Zoghby moved for approval and Commissioner R. Bell seconded. The motion then carried with the unanimous vote of the Board present.

Item 5A HDR Project No. 10170707 Myers WTP Solids Handling Improvements

Original Estimate:		Current Estimate:	
Construction:	\$ 9,280,422.00	Construction:	
Engineering:	<u>\$ 989,578.00</u>	Base Bid:	\$11,424,272.00
Total Original Estimate:	\$10,270,000.00	Additive Alt. No. 1	\$ 177,617.00
		Additive Alt. No. 2	\$ 133,428.00
		Additive Alt. No. 3	<u>\$ 117,732.00</u>
		Base Bid + Additive Alt. 1-3	\$11,853,049.00
		Engineering:	<u>\$ 1,029,684.00</u>
		Total Current Estimate:	\$12,882,733.00

Mr. Cote addressed the Board and stated there were two bidders for this project today and the apparent low bidder according to the base bid was The Creel Company in the amount of \$7,945,004.00. The apparent low bidder according to the base bid and additive alternates was Max Foote Construction Company in the amount of \$8,268,700.00. The engineers estimate base bid was \$11,424,272.00; the engineers estimate for the base bid including three additive alternates was \$11,853,049.00 and we ask the Board to grant the Director the authority to award this project upon review and recommendation of the engineer. Commissioner Weber moved for approval and Commissioner Gonzalez seconded. The motion then carried with the unanimous vote of the Board present.

Item 5B Volkert Project No. 1025610 Augusta Lift Station Force Main 2022 Annual Contract for Painting

Original Estimate:		Current Estimate:	
Construction:	\$440,000.00	Construction:	\$700,000.00
Engineering:	\$ 38,280.00	Engineering/CEI:	<u>\$ 91,000.00</u>
CEI:	<u>\$ 28,600.00</u>	Total Current Estimate:	\$791,000.00
Total Original Estimate:	\$506,880.00		

There were three bidders for this project and the apparent low bidder was Underground, Inc. in the amount of \$1,004,245.00. The engineers estimate for this project was \$700,000.00.

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Item 5C Volkert Project No. 1025620 2021 Annual Electrical Maintenance Contract

Original Estimate:		Current Estimate:	
Construction:	\$284,400.00	Construction:	\$284,400.00
Engineering:	<u>\$ 9,000.00</u>	Engineering/CEI:	<u>\$ 9,000.00</u>
Total Original Estimate:	\$293,400.00	Total Current Estimate:	\$293,400.00

There was one bidder for this project, A&B Electric Company of Mobile, Inc. in the amount of \$268,757.00. The engineers estimate was \$284,400.00.

Item 5D Volkert Project No. 1025621 2021 Annual Plant Maintenance Contract

Original Estimate:		Current Estimate:	
Construction:	\$1,227,500.00	Construction:	\$1,227,500.00
Engineering:	<u>\$ 9,000.00</u>	Engineering/CEI:	<u>\$ 9,000.00</u>
Total Original Estimate:	\$1,236,500.00	Total Current Estimate:	\$1,236,500.00

There was one bidder for this project, G.A. West & Company, Inc. in the amount of \$1,214,314.29. The engineers estimate was \$1,227,500.00.

Item 5E McCrory & Williams Project No. M5712-2715 Boat Wash Facility

Mr. Cote continued and said this item did not bid today and is scheduled to bid later this week. As demonstrated to the Board, staff plans to expediate the construction of the boat wash facility at Big Creek Lake to assist in the removal of the Giant Salvinia invasive species. We ask the Board to give the Director the authority to award this project once it is bid for the clearing of the site where the facility will be located.

Commissioner Zoghby asked the amount of the estimate and Mr. Cote responded the estimate is \$45,000.00. Commissioner Zoghby moved for approval and Commissioner Gonzalez seconded. Commissioner Nichols asked if the estimate includes both clearing and structure. Mr. Cote responded and said the estimate is for clearing only. The work will be completed in phases, some of which can be done with our annual contractors, but the clearing portion needed to be bid. The motion then carried with the unanimous vote of the Board present.

Legal was next and Attorney Dean said there are two matters appropriate for discussion in an Executive Session.

There were no items of **Unfinished Business**.

New Business was next and they are as follows:

***D3197100 Wright Smith Jr. Wastewater Treatment Plant Headworks Replacement Project
Change Order No. 2 *(Late Agenda Item)**

Mr. Stejskal with Jacobs Engineering Group addressed the Board and expressed his appreciation for the inclusion of this item to the agenda. It is a change order in the amount of \$75,609.00 and a request for an addition of 115 days to the contract schedule for completion of the project. We are still in negotiations with the contractor about the actual number of days they are requesting because Jacobs Engineering Group does not agree to the days the contractor requested. We are asking approval to the amount of days we feel is sufficient to add to the contract at this time. We will continue negotiations with The Creel Company, Inc. and if necessary we will bring another request to the Board in regards to additional days.

Commissioner R. Bell moved for approval with a question and Commissioner Nichols seconded with a question. Commissioner R. Bell asked the range of days that are being disputed. Mr. Stejskal responded the contractor requested a total of an additional 175 days; however, Jacobs Engineering Group determines that 115 days is more

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appropriate. Commissioner Nichols asked if Jacobs Engineering Group is requesting the 115 days as a placeholder while they continue negotiations. Mr. Stejskal replied, yes it is a placeholder, but we also feel it is justified based on their current schedule.

Chair W. Bell asked the reasoning given by the contractor validating the need for an additional 60 days. Mr. Stejskal responded and said it is a variety of factors, including additional mud out days, non-critical path items, and additional time that was included in prior discussions. Jacobs Engineering Group does not agree with or support any of those factors in validating the need for additional time and at this point, we do not recommend the additional 60 days. We do recommend approval of the change order amount as presented. The motion then carried with the unanimous vote of the Board present.

Item 8A McCrory & Williams Project No. M5712-2717 2022 Annual Contract for Painting

Mr. Wilkerson addressed the Board and said at the October 4, 2021 meeting of the Board; bids were accepted for the referenced project. Melvin Pierce Painting, Inc. was the low bidder in the amount of \$101,935.00. We recommend approval of this award. Commissioner Zoghby moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board present.

Item 8B McGowin Property for Sale (off of Glenwood Road)

Mr. Moore presented this item to the Board and said after the Property Committee approved the purchase of the referenced property, further negotiations brought the price down to \$300,000.00 and staff requests approval from the Board to purchase this property. Commissioner Weber moved for approval and Commissioner Nichols seconded. The motion then carried with the unanimous vote of the Board present.

Item 8C Facilities for Acceptance: Magnolia Springs (Phase 13) – Water and Sewer Facilities

Mr. Russell addressed the Board and said this phase contains 48 lots and is located within the Magnolia Springs Subdivision off of Silver Pine Road east of Schillinger Road. The total value of the water and sewer facilities we are requesting approval for acceptance is \$281,329.26. Staff has reviewed the facilities and we recommend acceptance by the Board. Commissioner Zoghby moved for approval and Commissioner R. Bell seconded. The motion then carried with the unanimous vote of the Board present.

Item 8D Service Agreements with Automated Control Service, LLC (ACS)

Mr. Cote said staff requests the Board approve two service agreements with Automated Control Service, LLC. These services will assist staff as we overhaul and replace our current SCADA systems, vastly improving our technology and reliability. The first agreement is the SCADA and PICS Lead Services and the second agreement is the SCADA Operational Technology and Management Support System. Commissioner Nichols moved for approval with a question and Commissioner Gonzalez seconded.

Commissioner Nichols questioned, when subsequent projects are performed by a prime contractor and require some form of SCADA, they will have to receive bids from one of the approved subcontractors on this list as referenced in the supporting documentation? Mr. Cote responded and said yes, that is correct. We have three approved SCADA integrators that can work as subcontractors to the primes. It is at the contractors discretion if they choose to work with one or solicit bids from all three. As the Board is aware, we have a number of engineering firms that design our projects that incorporate SCADA. There are also numerous contractors that perform the installation of the SCADA hardware/software. All of these items need to be aligned and constructed in the same format so that SCADA systems company-wide will be uniform. ACS will assist staff by monitoring this so that the end product is standardized and in accordance with our specifications. We anticipate the project taking three to five years until completion, and the system will be one platform that is consistent.

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Mr. Cote continued and answered a question from Commissioner Zoghby, the project is approximately one year into the process; the Williams Wastewater Treatment Plant has a SCADA aspect, the Myers WTP Solids Handling Improvements Project has equipment and SCADA instrumentation that will be involved as well. The Three Mile Creek SWAT as mentioned has SCADA instrumentation that alerts us as to how many gallons of water are in the SWAT. This is all included in the (IT) Master Plan and we will have a designated employee in the IT Department overseeing the OT side of this project ensuring that everything will be integrated as it should be, including cyber security.

Chair W. Bell questioned individual cost center breakdown for these agreements, is it included? Mr. Cote said yes, it is, for the SCADA agreement. In the Operations and Maintenance Budget, there are line items for each cost center identified as OT SCADA services. The second agreement is covered in the capital budget and some of our drinking water SRF funds with the first task being to develop and build within our IT Department the necessary SCADA systems that will support our plants and liftstations. Once completed, overall costs will be approximately \$14,000,000 - \$16,000,000. The motion then carried with the unanimous vote of the Board present.

Item 8E SRF Resolutions for Revised CWSRF and DWSRF 2021 Supplemental Loan Applications

Mr. Cote continued addressing the Board and requested approval of:

1. Approve both Resolutions designating him as the official representative for approving the SRF loans that are scheduled to close in 2022.
2. Approve 2022 CWSRF loan closing amount increase from \$36,000,000 to \$41,000,000
3. Approve 2022 DWSRF loan closing amount increase from \$10,850,000 to \$15,350,000

It should be noted that when we reach the 2023 closing, staff will have all of the bids and will adjust, in the final request up or down, the amount necessary to cover the final projects. As seen today, one of the bids came in \$3,000,000 under the estimate. Commissioner R. Bell moved for approval and Commissioner Gonzalez seconded. The motion then carried with the unanimous vote of the Board present.

Item 8F Proposed Policy HR 21-02

Mr. McCrory addressed the Board and said as discussed during the Board Retreat, this item will be tabled until further information has been gathered and discussed with the Human Resources Committee.

Item 8G Proposed Amendment to the Water and Sewer Director Performance Evaluation

He continued and requested approval pursuant to the changes as directed during the Board Retreat of the referenced item. Commissioner R. Bell moved for approval and Commissioner Weber seconded. The motion then carried with the unanimous vote of the Board present.

Item 8H Appointment of Nominating Committee

Chair W. Bell appointed Commissioner Nichols, Commissioner Drummond, and Commissioner Gonzalez to the nominating committee.

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

Item 9 Information Only

- A. Ext 2 Annual Contract MAWSS 19016 – Security Guard Service
Third and Final Year
Supplier: King Security Service
Contract Period: 1/1/22-12/31/22
2022 Est Value: \$233,000
2021 Est Value: \$215,039

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- B. Ext 1 Annual Contract MAWSS 21003 Professional Service – Wildlife Services
Supplier: Waylon’s Wildlife Services
Contract Period: 1/1/22-12/31/22
2022 Est Value: \$15,600
2021 Est Value: \$15,600

- C. Ext 2 Project No. M5712-2665 Odor Control Contract for Lift Stations
Third and Final Year
Supplier: Evoqua Water Technologies
Contract Period: 1/1/22-12/31/22
2022 Est Value: \$394,090
2021 Est Value: \$394,090

- D. M5712-2712 Emergency Depressed Sewer Replacement Halls Mill Creek
Change Order No. 1 (FINAL)
Original Contract Amount: \$1,898,200.00
This Change Order Amount: <\$153,980.00>
Total Contract Amount: \$1,744,220.00
Percentage of Contract Amount: <8.11%>

- E. Volkert Project No. 1025619 C. C. Williams P3 Digester Dome Repair
[Confirmation of Directors Award]
Low Bidder: Rob’t J. Baggett, Inc.
Total Revised Bid Amount: \$796,726.00

- F. State of Alabama v. MAWSS Consent Order Section IX – Civil Penalty

- G. Disclosure of Property Purchases:
 - 1. Mobile County Key Nos. 786956, 786947

- H. December 2021 LifeSouth Blood Drive

- I. Consultant Project Status Reports
September 2021
 - 1. Asarisi & Associates, LLC
 - 2. CERM (No Active Projects)
 - 3. Constantine Engineering
 - 4. Dewberry
 - 5. Driven Engineering, Inc.
 - 6. GMC
 - 7. HDR
 - 8. Isaiah Engineering, Inc.
 - 9. Jacobs
 - 10. McCrory Williams
 - 11. Mobile Group, Inc.
 - 12. Mott McDonald
 - 13. Neel Schaffer, Inc.
 - 14. Stantec
 - 15. Volkert, Inc.

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There being no further business to come before the Board at 2:35 p.m., Commissioner Zoghby moved to adjourn into **Executive Session**. Commissioner Nichols seconded and the motion then carried with the unanimous vote of the Board present.

The next regular meeting is scheduled for December 6, 2021 at 1:30 p.m.



Thomas Zoghby, Secretary-Treasurer