

AGENDA
OF THE
TRINITY RIVER AUTHORITY OF TEXAS
REGULAR MEETING OF THE BOARD OF DIRECTORS

Trinity River Authority of Texas
 Board Room
 5300 South Collins Street
 Arlington, Tarrant County, Texas
 Wednesday, August 26, 2015
 10:30 a.m.

1. CALL TO ORDER BY THE PRESIDENT, KIM C. WYATT.
2. INVOCATION.
3. PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.
4. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG.
5. ROLL CALL BY THE SECRETARY, HOWARD S. SLOBODIN.

<u>Area No.</u>	<u>County</u>	<u>Board Member</u>	
1	Tarrant	Martha A. Hernandez	_____
	Tarrant	Henry Borbolla III	_____
	Tarrant	William W. Collins, Jr.	_____
2	Dallas	Christina M. Crain	_____
	Dallas	Ana Laura Saucedo	_____
	Dallas	James W. Neale	_____
	Dallas	Valerie E. Ertz	_____
3	Kaufman	Michael Cronin	_____
4	Henderson	Jess A. Laird	_____
5	Ellis	Harold L. Barnard	_____
6	Navarro	Kim C. Wyatt	_____
7	Anderson	Dudley K. Skyrme	_____
8	Freestone	C. Dwayne Somerville	_____
9	Leon	Amanda B. Davis	_____
10	Houston	Kevin Maxwell	_____
11	Trinity	D. Joe McCleskey	_____
12	Madison	J. Carol Spillars	_____
13	Walker	Tommy G. Fordyce	_____
14	San Jacinto	Steve Cronin	_____
15	Polk	Manny Rachal	_____
16	Liberty	David B. Leonard	_____
17	Chambers	Shirley K. Seale	_____
18	Area-at-Large	John W. Jenkins	_____
	Area-at-Large	Ronald J. Goldman	_____
	Area-at-Large	Amir A. Rupani	_____

- 6. CERTIFICATION OF A QUORUM BY THE SECRETARY.
- 7. CERTIFICATION BY THE SECRETARY OF COMPLIANCE WITH THE OPEN MEETING REQUIREMENTS OF THE GOVERNMENT CODE. TEX. GOV'T CODE § 551.001 *et seq.*
- 8. APPROVAL OF THE [MINUTES](#) OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TRINITY RIVER AUTHORITY OF TEXAS HELD JUNE 24, 2015 AT TRA'S GENERAL OFFICE, BOARD ROOM, 5300 SOUTH COLLINS STREET, ARLINGTON, TARRANT COUNTY, TEXAS. **Pg. 13**
- 9. PRESENTATION OF [RESOLUTIONS](#) AND PLAQUE RECOGNIZING EFFORTS OF U.S. ARMY CORPS OF ENGINEERS, CONSTRUCTION SERVICES STAFF AND COLLECTION SYSTEM GROUP IN RESPONSE TO FLOODING AND LINE FAILURES. **Pg. 23**
- 10. NEW BUSINESS:

(ITEMS A THROUGH C WERE PRESENTED TO THE ADMINISTRATION AND AUDIT COMMITTEE AT ITS MEETING ON AUGUST 18, 2015.)

A. ANNUAL BUDGET FOR FISCAL YEAR 2016 — LETTER OF TRANSMITTAL. **Pg. 25**

Memorandum dated July 31, 2015 from General Manager.

- (1) Explanation by J. Kevin Ward and Alison A. Mackey.
- (2) Recommendation: This item is presented for information only; no action is necessary.

B. INVESTMENT AND FINANCIAL POLICIES — REVISIONS AND UPDATES OF POLICIES. **Pg. 173**

Memorandum dated July 31, 2015 from Manager, Cash and Capital Projects.

- (1) Explanation by Shirley K. Seale and Alison A. Mackey.
- (2) Recommendation: The Administration and Audit Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Adopt Resolution No. R-1433, thereby approving the Investment Policy as presented; and
- (b) Rescind the eight following policies:
 - Negotiated Placement of Bonds
 - Pollution Control & Industrial Development Bonds
 - Selection and Employment of Consultants

Selection of Professional Consultants

Investment of Authority Funds

Investment Policies & Purchase of Securities

Financial Reporting

Guidelines for Making of Contracts under \$25,000

C. INVESTMENT OFFICERS' REPORT. **Pg. 194**

Memorandum dated July 9, 2015 from Manager, Cash and Capital Projects.

- (1) Explanation by Shirley K. Seale and Alison A. Mackey.
- (2) Recommendation: The Administration and Audit Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors approve the Investment Officers' Report of the Trinity River Authority of Texas for the Second Quarter of Fiscal Year 2015.

(ITEMS D THROUGH R WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON AUGUST 19, 2015.)

D. CENTRAL REGIONAL WASTEWATER SYSTEM — PHASE V REHABILITATION AERATION BASIN IMPROVEMENTS — CONTRACT AWARD AND ENGINEERING SERVICES AGREEMENT. **Pg. 225**

Memorandum dated August 1, 2015 from Assistant Construction Services Manager and Engineer, Planning and Development, Northern Region.

- (1) Explanation by Kevin Maxwell, Thomas D. Sanders and Fiona M. Allen.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the contract between the Trinity River Authority of Texas and Eagle Contracting, LP in the amount of \$14,590,000 for the construction of the Phase V Rehabilitation Aeration Basin Improvements for the Central Regional Wastewater System; and
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and CH2M Hill Engineers, Inc., in the amount of \$754,400 for Basic Services and \$50,000 for Special Services for construction administration engineering services associated with the construction of the Phase V Rehabilitation Aeration Basin Improvements for the Central Regional Wastewater System.

E. CENTRAL REGIONAL WASTEWATER SYSTEM — PHASE II SOLIDS MANAGEMENT IMPROVEMENTS — CONTRACT AWARD AND ENGINEERING SERVICES AGREEMENT. Pg. 253

Memorandum dated August 19, 2015 from Assistant Construction Services Manager and Senior Engineer, Planning and Development, Northern Region.

- (1) Explanation by Kevin Maxwell, Thomas D. Sanders and Fiona M. Allen.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Management will present its recommendation for the award of a construction contract at the meeting of the Board of Directors; and
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and CDM Smith Inc. in the amount of \$1,849,000 for Basic Services and \$140,000 for Special Services for construction phase engineering services associated with the Phase II Solids Management Improvements for the Central Regional Wastewater System.

F. CENTRAL REGIONAL WASTEWATER SYSTEM — PHASE III SOLIDS MANAGEMENT IMPROVEMENTS — CONSTRUCTION MANAGER AT RISK (CMAR) CONTRACT. Pg. 279

Memorandum dated August 6, 2015 from Construction Services Manager and Regional Manager, Northern Region.

- (1) Explanation by Kevin Maxwell, Thomas D. Sanders and Fiona M. Allen.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the Central Regional Wastewater System Phase III Solids Management Improvements Construction Manager at Risk (CMAR) contract between the Trinity River Authority of Texas and McCarthy/Black & Veatch Joint Venture in the amount of \$15,261,068 for the pre-construction scope of services for the Phase III Solids Management Improvements for the Central Regional Wastewater System.

G. CENTRAL REGIONAL WASTEWATER SYSTEM — PHASE III SOLIDS MANAGEMENT IMPROVEMENTS — OWNER'S REPRESENTATIVE SERVICES AGREEMENT. Pg. 448

Memorandum dated August 5, 2015 from Construction Services Manager.

- (1) Explanation by Kevin Maxwell and Thomas D. Sanders.

- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the Owner's Representative Services Agreement between the Trinity River Authority of Texas and Freese & Nichols, Inc. in the amount of \$2,978,500 for Basic Services and \$250,000 for Special Services for technical support and document tracking related to the Phase III Solids Management Improvements for the Central Regional Wastewater System.

H. CONSTRUCTION SERVICES STAFF — TRAILER COMPLEX AND ELECTRICAL SERVICE FOR TRAILER COMPLEX — CONTRACT AWARD. Pg. 468

Memorandum dated August 5, 2015 from Assistant Construction Services Manager.

- (1) Explanation by Kevin Maxwell and Thomas D. Sanders.

- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the contract between the Trinity River Authority of Texas and Modular Management Group, in the amount of \$782,876 for the construction of the Construction Services Staff Trailer Complex; and
- (b) Authorize the General Manager to execute the contract between the Trinity River Authority of Texas and FSG Electric, in the amount of \$403,245 for the construction of the Electrical Service for the CSS Trailer Complex.

I. DENTON CREEK REGIONAL WASTEWATER SYSTEM — HENRIETTA CREEK RELIEF INTERCEPTOR, HC-1 — CONTRACT AWARD AND ENGINEERING SERVICES AGREEMENT. Pg. 471

Memorandum dated July 24, 2015 from Assistant Construction Services Manager and Engineer, Planning and Development, Northern Region.

- (1) Explanation by Kevin Maxwell, Thomas D. Sanders and Fiona M. Allen.

- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the contract between the Trinity River Authority of Texas and S.J. Louis Construction of Texas, LTD in the amount of \$16,752,928.11 for the construction of the Henrietta Creek Relief Interceptor HC-1 Project for the Denton Creek Regional Wastewater System; and

- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Schrickel, Rollins and Associates, Inc., in the amount of \$505,000 for Basic Services and \$50,000 for Special Services for construction phase engineering services associated with the Henrietta Creek Relief Interceptor, HC-1 for the Denton Creek Regional Wastewater System.

J. CENTRAL REGIONAL WASTEWATER SYSTEM — MASTER PLAN AND FACILITY MODELING — ENGINEERING SERVICES AGREEMENT. Pg. 496

Memorandum dated July 29, 2015 from Senior Engineer, Planning and Development, Northern Region.

- (1) Explanation by Kevin Maxwell and Fiona M. Allen.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the Engineering Services Agreement between Trinity River Authority of Texas and Garver, LLC in the amount of \$3,131,300 for Basic Services and \$250,000 for Special Services for engineering services associated with the Master Plan and Facility Modeling for the Central Regional Wastewater System.

K. CENTRAL REGIONAL WASTEWATER SYSTEM — PHASE IIIA FILTER IMPROVEMENTS — ENGINEERING SERVICES AGREEMENT. Pg. 529

Memorandum dated July 28, 2015 from Engineer, Planning and Development, Northern Region.

- (1) Explanation by Kevin Maxwell and Fiona M. Allen.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the Engineering Services Agreement between Trinity River Authority of Texas and Alan Plummer Associates, Inc., in the amount of \$423,330 for Basic Services and \$40,000 for Special Services for design phase services associated with the Phase IIIA Filter Improvements at the Central Regional Wastewater System.

L. CENTRAL REGIONAL WASTEWATER SYSTEM — PUMP STATION 14 PHASE II SERVICE AND POTABLE WATER LOOP — FIRST AMENDMENT ENGINEERING SERVICES AGREEMENT. Pg. 552

Memorandum dated July 28, 2015 from Engineer, Planning and Development, Northern Region.

- (1) Explanation by Kevin Maxwell and Fiona M. Allen.

- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the First Amendment Engineering Services Agreement between the Trinity River Authority of Texas and Alan Plummer Associates, Inc., increasing the amount for Basic Services by \$48,150 and the amount for Special Services by \$5,000 associated with the Pump Station 14 Phase II Service and Potable Water Loop for the Central Regional Wastewater System.

M. CENTRAL REGIONAL WASTEWATER SYSTEM — METER STATION REHABILITATIONS, PHASE I — FIRST AMENDMENT ENGINEERING SERVICES AGREEMENT. Pg. 557

Memorandum dated July 28, 2015 from Engineer, Planning and Development, Northern Region.

- (1) Explanation by Kevin Maxwell and Fiona M. Allen.

- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the First Amendment Engineering Services Agreement between the Trinity River Authority of Texas and Burgess & Niple, Inc., increasing the amount of Basic Services by \$173,000 and Special Services by \$35,000 to provide additional final design engineering services associated with the Meter Station Rehabilitations, Phase I for the Central Regional Wastewater System.

N. CENTRAL REGIONAL WASTEWATER SYSTEM — METER STATION 5.0J RELOCATION — ENGINEERING SERVICES AGREEMENT. Pg. 569

Memorandum dated July 28, 2015 from Engineer, Planning and Development, Northern Region.

- (1) Explanation by Kevin Maxwell and Fiona M. Allen.

- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the Engineering Services Agreement between Trinity River Authority of Texas and Espey Consultants, Inc., dba RPS in the amount of \$114,300 for Basic Services and \$25,000 for Special Services for engineering services associated with the Meter Station 5.0J Relocation at the Central Regional Wastewater System.

O. CENTRAL REGIONAL WASTEWATER SYSTEM — JEFFERSON AVENUE RELIEF TUNNEL — PIPELINE RELOCATION AGREEMENT. Pg. 594

Memorandum dated July 27, 2015 from Manager, Development Services, Northern Region.

(1) Explanation by Kevin Maxwell and Fiona M. Allen.

(2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the Pipeline Relocation Agreement between Trinity River Authority of Texas and Texas Department of Transportation for the relocation of a portion of the Authority's Jefferson Avenue Relief Tunnel of the Central Regional Wastewater System in substantially the form presented.

P. NORTHERN REGION REGULATORY UPDATES — ENGINEERING SERVICES AGREEMENT. Pg. 601

Memorandum dated July 28, 2015 from Manager of Technical Resources, Northern Region.

(1) Explanation by Kevin Maxwell and Fiona M. Allen.

(2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Alan Plummer Associates, Inc., in the amount of \$911,350 for Basic Services and \$60,000 for Special Services associated with Northern Region Regulatory Updates.

Q. NORTHERN REGION PLANNING AND DEVELOPMENT — CAPITAL PROGRAM MANAGEMENT SYSTEM (CPMS) – SOFTWARE AND IMPLEMENTATION SERVICES — INFORMATION TECHNOLOGY SERVICES AGREEMENT AND ENGINEERING SERVICES AGREEMENT. Pg. 633

Memorandum dated July 28, 2015 from Assistant Regional Manager/Planning and Development, Northern Region.

(1) Explanation by Kevin Maxwell and Fiona M. Allen.

(2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the Information Technology Services Agreement between the Trinity River Authority of Texas and Aurigo Software Technologies, Inc., in the amount of \$383,900 for procurement and implementation of the Masterworks software to serve as the Capital Program Management System, with follow-on four year annual subscription of \$165,000, and \$35,000 for Special Consultant Services; and
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and IT Nexus, Inc., in the amount of \$148,140 for Basic Services and \$20,000 for Special Services associated with engineering services for configuring, populating, integrating, testing, and training related to Capital Program Management System software implementation.

R. DIRECT ENERGY — FIRST AMENDMENT TO THE POWER SUPPLY COORDINATION SERVICE AGREEMENT. Pg. 698

Memorandum dated August 4, 2015 from Purchasing Manager, General Services.

- (1) Explanation by Kevin Maxwell and Don A. Tucker.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion Directors:

Motion that the Board of Directors authorizes the General Manager to execute the First Amendment to the Direct Energy Coordination Service Agreement between the Trinity River Authority of Texas and Direct Energy allowing the Authority the option to participate in Direct Energy's voluntary curtailment program.

(ITEMS S THROUGH Z WERE NOT PRESENTED TO A COMMITTEE.)

S. APPOINTMENT OF NOMINATING COMMITTEE TO RECOMMEND ELECTIVE OFFICERS AND EXECUTIVE COMMITTEE MEMBERS. Pg. 702

Memorandum dated August 17, 2015 from the President.

- (1) Explanation by Kim C. Wyatt.
- (2) Recommendation: This item is presented for information only; no action is necessary.

T. SUMMARY REPORT OF TRINITY RIVER AUTHORITY DEBT — SUMMARY REPORT OF CAPITAL CONTRACTS. **Pg. 703**

Memorandum dated August 2, 2015 from Chief Financial Officer.

- (1) Explanation by Shirley K. Seale and Alison A. Mackey.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

U. SUMMARY REPORT OF GENERAL MANAGER-APPROVED AGREEMENTS. **Pg. 713**

Memorandum dated August 17, 2015 from General Manager.

- (1) Explanation by J. Kevin Ward.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

V. SUMMARY REPORT OF CHANGE ORDERS. **Pg. 715**

Memorandum dated August 26, 2015 from Construction Services Manager.

- (1) Explanation by Thomas D. Sanders.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

[ITEMS W THROUGH Z INVOLVE LITIGATION, POTENTIAL LITIGATION, ACQUISITION OF REAL PROPERTY, OR NECESSITATE CONFIDENTIAL CONSULTATION WITH COUNSEL AND ARE EXEMPT FROM THE OPEN MEETING REQUIREMENTS CONTAINED IN CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. THE TRINITY RIVER AUTHORITY OF TEXAS RESERVES THE RIGHT TO CONVOKE AN EXECUTIVE, OR CLOSED, SESSION ON THE FOREGOING ITEMS SUBJECT TO THE REQUIREMENTS OF THE TEXAS GOVERNMENT CODE CHAPTER 551, SUBCHAPTER E, AND PURSUANT TO TEX. GOV'T CODE SEC. 551.071 AND SEC. 551.072. ANY FINAL DECISION, ACTION OR VOTE MUST BE MADE IN OPEN SESSION.]

W. CENTRAL REGIONAL WASTEWATER SYSTEM — MOUNTAIN CREEK INTERCEPTOR SUBSYSTEM. MC-3 RELIEF INTERCEPTOR PROJECT, PHASE 2 — AUTHORIZATION FOR LAND ACQUISITION BY EMINENT DOMAIN. **Pg. 719**

Memorandum dated August 10, 2015 from General Counsel.

- (1) Explanation by Howard S. Slobodin.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion.

Motion that the Board of Directors adopt Resolution No. R-1434 authorizing the General Manager, or his designated representative, and his staff, consultants and attorneys, to do all such acts as may be necessary to invoke eminent domain proceedings as described by Texas law against the owners of the required parcels of land located in an area generally south of S. Forum Drive to Outlet Parkway/Sara Jane Parkway and east of SH-360 to an area on the east side of Great Southwest Parkway, in the city of Grand Prairie, Tarrant County, Texas, and specifically located in the W. Hayman Survey, Abstract No. 642 and the Charles Ball Survey, Abstract No. 197, in order to acquire all required interests in real property for the public purpose of constructing, operating and maintaining the necessary Central Regional Wastewater System, Mountain Creek Interceptor Subsystem, MC-3 Relief Interceptor Project, Phase 2.

X. CONDEMNATION STATUS REPORT. **Pg. 725**

Memorandum dated August 17, 2015 from General Counsel.

- (1) Explanation by Howard S. Slobodin.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

Y. SELECTED MATTERS PENDING BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY — STATUS REPORT. **Pg. 729**

Memorandum dated August 17, 2015 from General Counsel.

- (1) Explanation by J. Kevin Ward, Howard S. Slobodin and Michael J. Booth.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

Z. LITIGATION STATUS REPORT. **Pg. 733**

Memorandum dated August 17, 2015 from General Counsel.

- (1) Explanation by J. Kevin Ward, Howard S. Slobodin and Michael J. Booth.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

AA. BID AWARD.

NORTHERN REGION PROJECTS — SUPPLIES, SPARE PARTS AND SERVICES.
Pg. 736

Memorandum dated July 29, 2015 from Purchasing Manager, General Services.

- (1) Explanation by the President, Kim C. Wyatt.

- (2) Recommendation: The President recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors accept the following vendor bids for Supplies and Services for the Northern Region Projects:

<u>BID ITEM</u>	<u>VENDOR</u>
Aqua Aerobics Parts and Supplies	Aqua-Aerobics Systems, Inc.
Electrical Supplies	Summit Electric Supply
Janitorial Services	Oriental Building Services, Inc.

11. OTHER BUSINESS:

12. ADJOURNMENT: