

# AGENDA

## Denver Board of Water Commissioners

Denver Water Administration Building  
1600 West 12<sup>th</sup> Avenue  
Denver, CO  
Board Room, Third Floor

**Wednesday, January 13, 2016 9:00 a.m.**

---

### I. BOARD ADMINISTRATIVE BUSINESS

#### A. Call to Order and Determination of Quorum

#### B. Public Comment and Communications

At this point in the agenda, the Board may allow members of the public to address the Board on any item of interest within the jurisdiction of the Board, and not on the agenda for action. Speakers wishing to address a specific Action Item will be invited to address the Board when the item is being considered. Three minutes are allowed for each person unless the President determines otherwise.

1. Distributor Communications
2. Citizen Advisory Committee Communications

#### C. Ceremonies, Awards and Introductions

### II. ACTION ITEMS

#### A. Consent Items

Items listed below are considered routine and may be enacted by one motion and vote. If any Board member desires discussion beyond explanatory questions, or corrections to the Minutes, the President may order that item to be considered in a separate motion and vote.

1. Annual Minutes from December 9, 2015
2. Minutes from December 9, 2015 – Open and Executive
3. Minutes from December 16, 2015 – Open and Executive
4. Employees Eligible for Regular Status
5. Employees Hired Above Mid-Point
6. Dry Barrel Fire Hydrants Bid Tabulation
7. Lease Agreement with Foothills Park and Recreation District Agreement at Harriman Lake

8. Ratification of Construction Contracts Change Orders and Amendments to Contracts/Agreements
9. Nalco Non-Ionic Polymers
10. Fourth Amendment for Lean Consulting Services
11. Aggregate Material Bid Tabulation
12. MPA, Giardia and Cryptosporidium, and LT2 Laboratory Analysis
13. Tabulation of Proposals for Lupton Lakes Groundwater Cutoff Walls
14. Amendment to Contract with Trimble Navigation for Virtual Reference System
15. Ratification of Authorization to Bind Workers' Compensation Excess Insurance and Purchase Workers' Compensation Self- Insurance Bond
16. Contract with Berenbaum, Weinshenk for Legal Services

**B. Individual Approval Items**

**1. Management of Fixture Retrofits for the WaterSense Challenge Program**

Jeannine Shaw

5 minutes

**2. Second Amendment for Water Conservation Audit and Retrofit/Repair Program for Low Income and Non-Profit Customers**

**III. POLICY MATTERS**

**A. National Wester Complex – Water Quality Lab**

Greg Fisher/Zeke Campbell

20 minutes

**B. IRP Overview**

Marc Waage/Sarah Dominick

45 minutes

#### **IV. MONTHLY AND QUARTERLY REPORTS**

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

#### **V. INFORMATION ITEMS**

- A. Scheduling of Future Board Meetings and Tentative Discussion Topics**
- B. Event Calendar**
- C. 2012 – 2015 (“On-Call) General Engineering and Construction Management Service Contracts**
- D. 2015 – 2018 (“On-Call) General Engineering, Construction Management, and Planning Service Contracts**
- E. Reporting of Staff Administered Construction Contract Contingencies and Allowances**
- F. Status of Contract Work**

#### **VI. ADJOURNMENT**

#### **VII. TRUSTEE MATTERS**

#### **VIII. EXECUTIVE SESSION**

The Board may adjourn the regular meeting and reconvene in executive session on topics authorized by C.R.S. Sec. 24-6-402 or D.R.M.C Sec. 2-34.

- A. Confidential Report § 24-6-402(4)**

## Employees Eligible for Regular Status

Board Item: II-A-4

Action by Consent

Action

Information

The following employees have completed the introductory period and are recommended for regular status effective January 1, 2016, unless otherwise noted \*:

<u>Employee Name, ID#</u>	<u>Employment Date</u>	<u>Division/Section</u>
GUZIKOWSKI,EUGENE B, #65038	2015-06-08	Operations and Maintenance Division Moffat, #640
COGAN,HAROLD E, #64914	2015-01-20	Operations and Maintenance Division Recycled Water Plant, #650
MCKENNA,BRENLEY A, #65057	2015-06-08	Planning Division Treated Water Planning, #360
SLINKARD,WESLEY J, #64167	2015-06-29	Planning Division Treated Water Planning, #360
GEBHART,JOHN M, #65004	2015-04-27	Public Affairs Division Conservation, #022

### Monthly Employment Totals

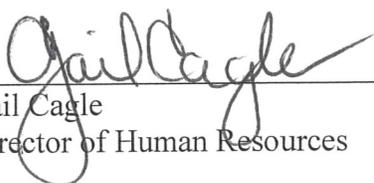
	<u>Reg&amp; Intro</u>	<u>Reg P.T.</u>	<u>Reg Total</u>	<u>Temp</u>	<u>Temp P.T.</u>	<u>Temp Total</u>
December 2015–FTE End of Mo.	1056.0	6.3	1062.3	5.0	2.8	7.8
November 2015– FTE End of Mo.	1054.0	6.3	1060.3	4.0	2.8	6.8
December 2014–FTE End of Mo.	1052.0	9.0	1061.0	1.0	0	1.0

Recommendation:

It is recommended that the Board approve these employees for regular status.

**Approvals:**

Respectfully submitted,



---

Gail Cagle  
Director of Human Resources



---

James S. Lochhead  
CEO/Manager

**Employees Hired Above Mid-Point  
December 1, 2015**

Board Item: II-A-5

Action by Consent

Action

Information

Denver Water Personnel Policies require that the Board approve placement of new hires whose recommended pay rate is above the midpoint of their respective pay range. Such placement is recommended by Human Resources based on a candidate's education, experience, certifications, and other qualifications. The following individual is recommended for placement at a rate of pay higher than the midpoint of the pay range:

Candidate Name	Job Title	Hire Date	Rate of Pay	Midpoint of Range	% Higher than Midpoint
Sandip Banerjee	IT Sr Application Developer Constr Proj Electrical	11/09/2015	\$9,166.66	\$8,437.87	8.0%
Daniel Petramala	Inspect	12/02/2015	\$8,807.07	\$7,362.34	16.4%
Matthew Behning	IT Infrac.Tech III (Hyper-V)	12/07/2015	\$9,327.07	\$7,670.00	17.8%
David Winter	Lean Program Manager	12/21/2015	\$9,333.33	\$8,311.34	10.9%

Denver Water Personnel Policies require that the Board approve placement of employees who successfully bid into a new position where the recommended pay rate is above the midpoint of their respective pay range. Such placement is recommended by Human Resources based on a candidate's education, experience, certifications, and other qualifications. The following individual is recommended for placement at a rate of pay higher than the midpoint of the pay range:

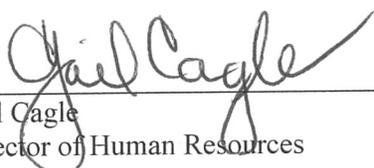
Candidate Name	Job Title	Successful Bid Date	Rate of Pay	Midpoint of Range	% Higher than Midpoint
Alan Chotiner	Div. Office Business Manager	12/07/2015	\$8,666.67	\$8,311.34	10.9%

Recommendation:

It is recommended that the Board approve the employee to be hired above the midpoint of the pay range.

**Approvals:**

Respectfully submitted,

  
\_\_\_\_\_  
Gail Cagle  
Director of Human Resources

  
\_\_\_\_\_  
James S. Lochhead  
CEO/Manager

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2015

Board Item: II-A-6

**Dry Barrel Fire Hydrant Bid Tabulation  
Contract # 16520B & 16520C**

Action by Consent

Action

Information

Summary:

Dry barrel fire hydrants are used for new installations and replacements throughout the distribution system.

Budget Information:

Funds for these materials were included in the 2016 Operations and Maintenance budget for Warehouse stock, and will be added to the 2017 and 2018 budgets.

2016 Budget	\$7,500,000.00
Amount Requested This Item	\$ 800,000.00
YTD Expenditures	\$ 0.00
Dollars Budgeted for Future Years	\$
Revised Estimate	\$
Budget Adjustment	\$

Selection of Business Partner:

Denver Water issued an Invitation for bid to the public on the Rocky Mountain E-Purchasing System (BidNet), Denver Water's website, and notified the SBE and MWBE community. Three materials schedules were included for this bid: Schedule I – Dry Barrel Fire Hydrants; Schedule II – AVK extension kits; and Schedule III - American Flow Control extension kits. Denver Water received two bids: HD Supply Waterworks was the lowest bidder for Schedule I and II, and American Flow Control was the only bidder for Schedule III. Neither vendor is an SBE / MWBE company.

Recommendation:

It is recommended that the Board approve Contract 16520B with HD Supply Waterworks - Schedule I and II, and Contract 16520C American Flow Control - Schedule III for the contract period January 13, 2016 through December 31, 2018 for a total contract amount not to exceed \$800,000.00.

**Approvals:**

Respectfully submitted,

  
\_\_\_\_\_  
Thomas J. Roode  
Director of Operations and Maintenance

  
\_\_\_\_\_  
James S. Lochhead  
CEO/Manager

  
\_\_\_\_\_  
Terri Bryant, Controller

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-A-7

**Lease Agreement with Foothills Park and Recreation District  
at Harriman Lake  
Agreement No. 15967A**

Action by Consent

Action

Information

Summary:

In June 1995, the Foothills Park and Recreation District and the Board of Water Commissioners entered into a 20-year recreational lease (Agreement No. 08157A) approving public use of portions of the Board's Harriman Lake Property in Littleton. Over the last 20 years, the site has successfully coexisted as an operating reservoir and a beneficial recreational amenity to the public.

The Board and Foothills Park and Recreation District wish to continue the fundamental terms and conditions of Agreement No. 08157A with a new 20-year agreement. Agreement No. 15967A contains minor modifications while still preserving the basic lease terms of the original agreement including the Board's ability to terminate the lease at any time if the property is needed for water works purposes. The Foothills Park and Recreation District will be obligated to compensate the Board \$1,250.00 per year for recreational use of the property. Maintenance of the recreational facilities is the responsibility of the Foothills Park and Recreation District. The operation and maintenance of the dam and the reservoir remains the responsibility of the Board.

Recommendation:

It is recommended that the Board approve Agreement No. 15967A.

**Approvals:**

Respectfully submitted,



Robert J. Mahoney  
Director of Engineering



James S. Lochhead  
CEO/Manager



Patricia Wells  
General Counsel



Terri Bryant  
Controller

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-A-8

**Ratification of Construction Contracts Change Orders  
and Amendments to Contracts/Agreements**

---

Action by Consent

Action

Information

---

Summary:

The attached are Construction Contracts Change Orders and Amendments to Contracts/Agreements for Board ratification for November and December 2015.

**Approvals:**

Respectfully submitted,



---

Robert J. Mahoney  
Director of Engineering



---

James S. Lochhead  
CEO/Manager

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-A-9

## Nalco Non-ionic Polymers Contract # 16488A

Action by Consent

Action

Information

### Summary:

The Nalco 8181 non-ionic polymer is used as an aid in the coagulation/flocculation process at the water treatment plants; this product ensures the filters effectively remove particles from the treated water. Ultimately, this saves money by reducing the amount of coagulant (liquid aluminum sulfate) used in the treatment process. This polymer provides the best additional solids removal given the chemistry of Denver Water's source water. The products supplied by Nalco are proprietary formulations and Denver Water has pre-qualified only one product, which is the Nalco 8181. Under the new agreement, the unit price will increase 2% for calendar year 2016.

### Budget Information:

Funds for these services were included in the 2016 Operations and Maintenance budget; funds will be included in the 2017 through 2020 budgets to cover the remainder of the contract.

2016 Budget	\$	105,310.00
Amount Requested This Item	\$	486,000.00
YTD Expenditures	\$	0.00
Dollars Budgeted for Future Years	\$	644,865.68
Revised Estimate	\$	
Budget Adjustment	\$	

### Selection of Business Partner:

The products supplied by Nalco are proprietary formulations and Denver Water has pre-qualified only one product, Nalco 8181. Denver Water is using a Competitive Selection Waiver because Nalco Company is the sole source supplier for Nalco 8181 Non-ionic Polymer.

### Recommendation:

It is recommended that the Board approve Contract No. 16488A with Nalco Company for non-ionic polymers for the contract period January 13, 2016 through December 31, 2020 for a total contract amount not to exceed \$486,000.00.

**Approvals:**

Respectfully submitted,



FOR TJR

Thomas J. Roode  
Director of Operations and Maintenance



James S. Lochhead  
CEO/Manager



Terri Bryant  
Controller

12/30/2015  
11:58 AM  
12/30/2015  
11:58 AM  
12/30/2015  
11:58 AM

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-A-10

## Fourth Amendment for Lean Consulting Services Contract # 13913A

Action by Consent

Action

Information

### Summary:

The Board entered into Contract No. 13913A with Simpler North America, LLC to provide Lean Consulting Services for the contract term November 16, 2011 through December 31, 2012. The contract was amended to December 31, 2015 to extend Simpler's work on the Lean Initiative. From the outset, Simpler's methodology was adopted with the objective of training in-house resources to provide Lean-facilitation services. Last year we informed the Board that we would begin to scale back the Simpler contract in 2015. This amendment is \$111,000 less than the previous amendment for services in 2015.

In 2016, Simpler's work will include delivery of Lean events, helping train a new team of Denver Water facilitators, value stream team coaching, coaching in the field where continuous improvement is being implemented, Managing for Daily Improvement, and delivery of 2P events related to the proposed Water Quality Lab and Ralston Water Treatment Plant.

### Budget Information:

A balance of \$120,000 remains on the contract due to lower than expected utilization of consultant services in 2015. Additional contract funds of \$214,360 are being requested, which will provide compensation in the amount of \$334,360 in 2016.

Funds for Lean consulting services are included in the Strategic Planning 2016 budget in the amount of \$300,000.

2016 Budget	\$ 300,000
Amount Requested This Item	\$ 334,360
YTD Expenditures	\$ 0
Dollars Budgeted for Future Years	\$ 0
Revised Estimate	\$ 334,360
Budget Adjustment	\$ 34,360

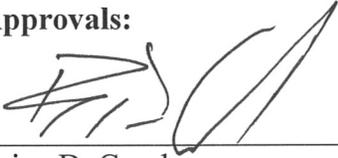
### Selection of Business Partner:

In June and August 2011, respectively, Denver Water issued a Request for Qualifications (RFQ) and subsequent Request for Proposals (RFP) seeking a firm to provide Lean consulting services. Denver Water received 25 RFQ responses and four RFP responses, and selected Simpler North America LLC as the consultant best meeting the Board's requirements.

Recommendation:

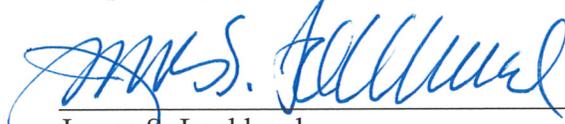
It is recommended that the Board approve the Fourth Amendment to Agreement No. 13913A with Simpler North America, LLC, for Lean consulting services, for an extension of the contract period through December 31, 2016 and for an addition of \$214,360 for a total amended contract amount not to exceed \$1,831,258.

**Approvals:**



\_\_\_\_\_  
Brian D. Good  
Deputy Manager of Organizational Improvement

Respectfully submitted,



\_\_\_\_\_  
James S. Lochhead  
CEO/Manager



\_\_\_\_\_  
Terri Bryant  
Controller

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-A-11

## Aggregate Material Bid Tabulation Contract # 16489B, 16489C, 16489D, 16489E

Action by Consent

Action

Information

### Summary:

Denver Water uses aggregate material (Class 6 Road Base; Squeegee Sand; 1 ½" Washed River Rock; ¾ Crushed Granite; Top Soil; and 1 ½" Angular Aggregate) as part of the construction process when upgrading and maintaining distribution mains and service lines in the system. As part of the new aggregates delivery process, these materials are delivered to, stored, and loaded by Iron Woman Construction at their location.

### Budget Information:

Funds for these materials were included in the 2016 Operations and Maintenance budget and will be added to the budget for 2017 and 2018 to cover the remainder of this contract.

2016 Budget for Warehouse Stock	\$ 7,500,000.00
Amount Requested This Item	\$ 1,400,000.00
YTD Expenditures	\$ 0.00
Dollars Budgeted for Future Years	\$ 20,200,000.00
Revised Estimate	\$
Budget Adjustment	\$

### Selection of Business Partner:

Denver Water issued an Invitation for Bid to the public on the Rocky Mountain E-Purchasing System (BidNet), Denver Water's website, and notified the SBE and MWBE community. Denver Water received nine bids. Awards were based on lowest price except for the 1 ½ Washed River Rock and ¾ Crushed Granite, which was awarded to Elk Creek Sand and Gravel LLC to promote MWBE participation in an identified disparity category. These awards differed in total from the low bids by approximately \$6,733 per year. Other awards were made to Albert Frei and Sons LLC, Colorado Recycling and Landscape Materials and Martin Marietta. Frei and Sons is an SBE; neither Colorado Recycling nor Martin Marietta are MWBE/SBE.

### Recommendation:

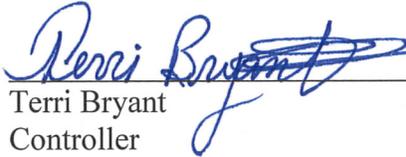
It is recommended that the Board approve Contract 16489B/16489C/16489D/16489E with Albert Frei And Sons, Inc., Elk Creek Sand and Gravel LLC, Dave Stefanich Inc. DBA All Demolition Excavating Company Colorado Recycling and Landscape Materials, and Martin Marietta Materials, Inc. for aggregate material for the contract period January 13, 2016 to December 31, 2018 for a total contract amount not to exceed \$1,400,000.00.

**Approvals:**

  
\_\_\_\_\_  
FOR TJR  
Tom Roode  
Director of Operations

Respectfully submitted,

  
\_\_\_\_\_  
James S. Lochhead  
CEO/Manager

  
\_\_\_\_\_  
Terri Bryant  
Controller

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-A-12

## **MPA, Giardia and Cryptosporidium, and LT2 Laboratory Analysis Contract # 16392A**

Action by Consent

Action

Information

### Summary:

Denver Water utilizes this analysis for routine water quality monitoring as well as for compliance reporting. Denver Water's Microscopic Particulate Analysis (MPA) monitoring program allows Water Quality and Treatment to promptly identify and address potential issues and troubleshoot the various stages of water treatment. In addition, the MPA analysis is used to assess the condition of Denver Water's raw water storage and supports Water Quality's efforts to identify harmful algal blooms.

### Budget Information:

Funds for analytical testing are included in the 2016 Operations and Maintenance budget; additional funds will be added to future budget years.

2016 Budget	\$ 180,000.00
Amount Requested This Item	\$ 165,000.00
YTD Expenditures	\$ 0.00
Dollars Budgeted for Future Years	\$ 975,000.00
Revised Estimate	\$
Budget Adjustment	\$

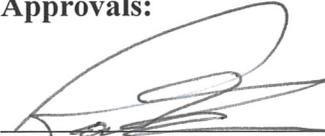
### Selection of Business Partner:

A competitive selection waiver has been approved for the execution of this contract. As per regulation, the Cryptosporidium analysis must be performed by a laboratory certified in EPA Method 1623 (LT2 Certified). CH Diagnostic and Consulting is the only Colorado-based laboratory certified in EPA Method 1623 (LT2 Certified) and the EPA's Consensus Method for MPA.

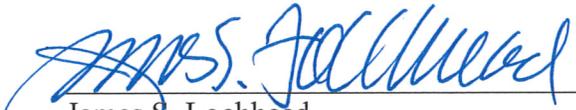
### Recommendation:

It is recommended that the Board approve Contract No. 16392A with CH Diagnostic & Consulting Services, Inc. for the purchase of laboratory testing services for the contract period of January 13, 2016 through January 13, 2019 for a total contract amount not to exceed \$165,000.00.

**Approvals:**

  
\_\_\_\_\_  
FOR TJR  
Thomas J. Roode  
Director of Operations and Maintenance

Respectfully submitted,

  
\_\_\_\_\_  
James S. Lochhead  
CEO/Manager

  
\_\_\_\_\_  
Terri Bryant  
Controller



# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2015

Board Item: II-A-13

## **Tabulation of Proposals for Lupton Lakes Groundwater Cutoff Walls Contract 16402A**

Action by Consent

Action

Information

### Summary:

On December 15, 2015, proposals were received for Design-Build services for the Lupton Lakes Groundwater Cutoff Walls project. The goal of the project is to design and construct groundwater cutoff walls to prevent groundwater migration to and from the Lupton Lakes reservoir complex. There are two open-pit sand and gravel mines (gravel pits) at the complex and they are referred to as the North Cell and the South Cell. Denver Water intends to convert the gravel pits into surface water reservoirs. Mining activity in the North Cell is nearly complete and mining in the South Cell is expected to last several more years.

In order to convert the gravel pits into surface water reservoirs, each gravel pit must have a leakage rate less than the rate stipulated in the State Engineer Guidelines for Lining Criteria for Gravel Pits – August 1999. These State Engineer guidelines are the primary design consideration and performance criteria for the project.

Denver Water chose Design-Build project delivery instead of traditional Design-Bid-Build project delivery to shorten the project schedule and shift risk of the groundwater cutoff wall performance to the contracting team. A shortened project schedule is necessary because mining in the North Cell has depleted the groundwater table and has impacted adjacent groundwater wells.

The Design-Builder's services for this project are split into base bid and bid alternates, for the North Cell and the South Cell, respectively. An existing oil and gas well and existing drilling windows in the South Cell, owned and operation by Anadarko Petroleum, must be addressed before staff is certain the South Cell is a viable option for a surface water reservoir. Therefore, staff recommends awarding the North Cell entirely and waiting to award the South Cell until the oil and gas issues are resolved. The South Cell work may be added to this contract as late as November 2016.

### Budget Information:

The 2016 Capital Improvement Plan (MPC 1AL0227) includes sufficient funds for this project.

2016 Budget	\$	7,400,000.00
Amount Requested This Item	\$	3,984,955.00
YTD Expenditures	\$	0.00
Dollars Budgeted for Future Years (2017)	\$	7,100,000.00
Revised 2016 Estimate	\$	7,400,000.00
Budget Adjustment	\$	0.00

### Selection of Business Partner:

Denver Water used a two-step process for the selection of a Design-Builder. Step one included a publically advertised Request for Statement of Qualifications from Design-Build Teams on Denver Water's website and subsequent evaluation of the qualification submittals. Nine Design-Build Teams

submitted a qualification package and five of those were qualified. Step two included the issue of a Request for Proposal to the five shortlisted Design-Build Teams.

Four Proposals were received using the QuestCDN platform. The lowest cost and best value proposal was submitted by Magnus Pacific, LLC of Denton, Texas in the amount of \$3,984,955.00. The Opinion of Probable Cost (OPC) for the base bid work was \$6,900,000.00. The proposal cost and the OPC differ because the OPC was a concept estimate with a 30% contingency (\$1.4M). This OPC was the best attempt at estimating a Design-Build project with a concept level of definition. This project includes design and construction services.

*The Minority and Women Business Enterprise (MWBE) goal established for this construction project is 5% participation. Magnus Pacific, LLC achieved 8.01% MWBE participation for the base bid (North Cell). Magnus Pacific, LLC achieved 5.23% MWBE participation for the entire project (North Cell and South Cell).*

**Recommendation:**

It is recommended that the Board approve Contract 16042A with Magnus Pacific, LLC for Lupton Lakes Groundwater Cutoff Walls for the contract period of January 13, 2016 through February 23, 2018 for a total contract amount of \$3,984,955.00.

**Approvals:**

  
\_\_\_\_\_  
Robert J. Mahoney  
Director of Engineering

Respectfully submitted,  
  
\_\_\_\_\_  
James S. Lochhead  
CEO/Manager

  
\_\_\_\_\_  
Patricia Wells  
General Counsel

  
\_\_\_\_\_  
Terri Bryant  
Controller

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-A-14

## Amendment to Contract with Trimble Navigation Virtual Reference System Contract 15292A

Action by Consent

Action

Information

### Summary:

GPS Coordination is seeking approval to amend Contract 15292A with Trimble Navigation (Trimble). GPS Coordination would like to extend the current contract through 2016 to take advantage of the third-year set price. During the initial contract negotiations Trimble and Denver Water agreed to a set yearly price for three years. GPS technology changes so quickly both parties felt it advantageous to evaluate the technology on a yearly basis. The contract with Trimble provides a significant cost savings over Denver Water operating and maintaining its own GPS network system.

Trimble provides a VRS (Virtual Reference System) correction service to Denver Water employees who utilize GPS equipment to collect location and attribute information on Denver Water assets. Thirty-five employees from across the organization rely on the service to collect location and attribute information for assets ranging from meter sets to large capital projects.

The VRS correction service increases the accuracy of our equipment from three meters to five centimeters. The five centimeter accuracy is required to perform survey and inspection tasks that meet industry standards. The data collected by GPS users support design, as-built, and GIS efforts throughout Denver Water. Collecting asset spatial information at the highest level ensures the databases and documents produced by Denver Water are accurate and complete. The service also allows GPS users to locate underground assets at the same accuracy it was collected regardless of surface conditions.

Denver Water and Trimble have built a productive business relationship through the duration of the contract. GPS Coordination has not seen any interruptions in service and has been very pleased with Trimble's customer service. The service that Trimble provides has increased data collection efficiency and as-built accuracy throughout the entire organization. Denver Water is Trimble's largest user of VRS in the Denver Metro area and is leading the way for utilities nationwide. Trimble has made a commitment to supply Denver Water with the most reliable service and support to help Denver Water in becoming the best utility in the nation.

### Budget Information:

The 2016 Capital Improvement Plan (MPC 4JA0004) included funds in professional services (TOE 5900) for this project.

2016 Budget	\$	165,000.00
Amount Requested This Item	\$	40,000.00
YTD Expenditures	\$	0.00
Additional Anticipated Expenditures	\$	125,000.00
Dollars Budgeted for Future Years	\$	0.00
Revised Estimate	\$	165,000.00
Budget Adjustment	\$	0.00

Selection of Business Partner:

Denver Water stood up its own GPS reference system in 2005 to achieve the level of accuracy required for survey and inspection tasks. The system worked very well but the equipment started to become antiquated and did not meet the standard operating system required by Denver Water. In 2013, GPS Coordination was asked to review the current system and develop a sustainable option.

The first option was to upgrade the current system to meet current Denver Water standards. This option required a large investment in new hardware and software. GPS technology is changing at a very rapid pace and the investment would not be sustainable moving forward.

The next option was to use a subscription-based reference system. This option would allow Denver Water to continue collecting at the accuracy level needed without the large investment and maintenance of a Denver Water-owned system. Only two companies offer a subscription-based GPS reference system in the Denver Metro area, Lieca SmartNet and Trimble VRSnow. After a request for quotes and months of testing, Trimble VRSnow was selected.

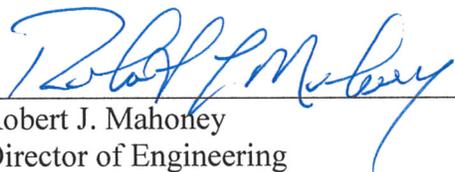
Trimble VRSnow required no investment from Denver Water and the subscriptions were substantially less than Lieca SmartNet. Lieca SmartNet also required Denver Water to donate sites for future reference stations.

Recommendation:

It is recommended that the Board approve the second Amendment to Contract 15292A with Trimble Navigation for VRS service for an extension of the contract period through December 31, 2016 and for an additional \$40,000.00 for a total amended contract amount not to exceed \$120,000.00.

**Approvals:**

Respectfully submitted,

  
\_\_\_\_\_  
Robert J. Mahoney  
Director of Engineering

  
\_\_\_\_\_  
James S. Lochhead  
CEO/Manager

  
\_\_\_\_\_  
Patricia Wells  
General Counsel

  
\_\_\_\_\_  
Terri Bryant  
Controller

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-A-15

## **Ratify the authorization to bind workers' compensation self-insurance excess liability and the purchase of the workers' compensation self-insurance bond**

### **Contract # 13390B**

Action by Consent

Action

Information

#### Summary:

On December 16, 2015, staff presented a cost analysis for self-insurance of workers' compensation to the Board and requested and received authorization to proceed with implementation. To date staff has received preliminary approval to self-insure from the Colorado Department of Labor and Employment ("DOLE"). The Board's broker, Arthur J. Gallagher ("AJG") released an RFP for a third party administrator ("TPA") and an excess coverage provider and has solicited for a DOLE required bond from the broker's bonding agent. HR and Finance staff reviewed the respondent RFP's and selected a TPA and excess insurance provider. Staff expects to ask the Board to approve the selection of TPA and associated budgeted expenditure during the regularly scheduled Board meeting on January 27, 2016.

DOLE is requesting Denver Water to bind the excess insurance and purchase the bond as soon as possible. AJG requires a signed Client Authorization to Bind ("CAB") to initiate this process. Once signed, AJG will procure invoices for the respective policy and bond and request payment from the Board when due. The excess insurance will cost \$175,000 and the bond from will cost \$9,000 for a total expenditure of \$184,000.

Staff is requesting the Board ratify the CEO/Manager's authorization to bind the excess insurance with Midwest Employers Casualty Company and purchase the self-insurance bond from the Travelers Indemnity Company.

#### Budget Information:

2016 Budget	\$	1,283,400
Amount Requested This Item	\$	184,000
YTD Expenditures	\$	0
Dollars Budgeted for Future Years	\$	0
Revised Estimate	\$	NA
Budget Adjustment	\$	NA

#### Selection of Business Partner:

AJG issued an RFP, on behalf of Denver Water, for workers' compensation excess insurance coverage. Five carriers were solicited and three responded. They also solicited a quote for a self-insurance bond from Travelers Indemnity Company. Midwest Employers Casualty and Travelers Indemnity Company were selected based on the lowest price.

Recommendation:

It is recommended the Board ratify the authorization to bind for worker's compensation self-insurance with Midwest Employers Casualty Company for the period February 1, 2016 to January 31, 2017 and the purchase of the self-insurance bond, covering the same period, from the Travelers Indemnity Company.

**Approvals:**



Angela Bricmont  
Director of Finance

Respectfully submitted,



James S. Lochhead  
CEO/Manager



Terri Bryant  
Controller

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-A-16

**Contract with Berenbaum Weinshenk for Legal Services  
Contract # 16583A**

Action by Consent

Action

Information

Summary:

In 2010 Denver Water entered into agreement 12852A with Berenbaum Weinshenk to provide legal services to the Board with regard to employee health, benefits and welfare matters, including Denver Water's medical plans, insurance, and wellness programs. In May 2015 Denver Water issued a request for proposals for legal services related to the retirement plan as well as employee health, benefits and welfare matters. Six law firms responded, and four were interviewed. Based upon the level of professional expertise, hourly rates, and ability to assist Denver Water through its Total Rewards transitions, it is recommended that the Board continue to receive legal services from Berenbaum Weinshenk.

Budget Information:

2016 Budget	\$600,000.00
Amount Requested This Item	\$150,000.00
YTD Expenditures	\$0
Dollars Budgeted for Future Years	\$0
Revised Estimate	\$0
Budget Adjustment	\$0

Recommendation:

It is recommended that the Board approve Contract 16583 with Berenbaum Weinshenk for legal services a contract period of January 13, 2016 through December 30, 2018 and for a total contract amount not to exceed \$150,000.00.

**Approvals:**

Respectfully submitted,

  
\_\_\_\_\_  
Patricia L. Wells  
General Counsel

  
\_\_\_\_\_  
James S. Lochhead  
CEO/Manager

  
\_\_\_\_\_  
Terri Bryant  
Controller

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-B-1

## **Management of Fixture Retrofits for the WaterSense Challenge Program Contract # 16456A**

---

Action by Consent

Action

Information

---

### Summary:

Denver Water's WaterSense Challenge Program identifies and engages large, multi-family properties that have inefficient indoor water use, by getting them to participate in high-efficiency plumbing fixture retrofits. Historically, Denver Water would provide the plumbing fixtures to the multi-family property and their representative was responsible for finding their own installer and project manager. Conservation's recommendation is to instead utilize a third party service provider, Sustain Ability Solutions, to manage and implement these large scale fixture retrofits for Denver Water and the participating customers. We expect the third party managed program will provide:

- Higher quality, professional product installation with exceptional technical expertise specific to large multi-family plumbing retrofits.
- Fewer project disruptions, resulting in increased ability to deliver projects on time.
- A consistent party for Denver Water and the customer to coordinate with on project schedules, deliveries, installations, and customer service needs.
- An ability for Denver Water to enroll the highest target customers into the program by removing barriers, such as having to find their own installers and project managers.
- An increase in staff's ability to shift time away from managing project details towards other organizational priorities.

Denver Water currently has a contract (15160A) with Niagara Conservation to provide WaterSense-labeled ultra-high-efficiency toilets for two programs: the WaterSense Challenge Program and the Conservation Audit and Retrofit Program for Low Income and Non-profit Customers. The services for the low-income program are managed through a contract with Mile High Youth Corps (15085A).

It is Conservation's intention to extend the Niagara Conservation toilet fixture and the Mile High Youth Corp Agreements by one year (through 2017) and then re-bid after that date. The Sustain Ability Solutions Agreement for the WaterSense Challenge is for two years (through 2017), with a one-time, optional, two-year extension, dependent on satisfactory service and toilet fixture vendor selected.

This allows Conservation to align all agreements involving direct installation of conservation fixtures for re-bidding or renewal in 2017. By aligning Agreements to the end of 2017, Denver Water will be able to incorporate up to date information and best meet goals identified as part of the Conservation plan to determine how to best move forward.

Budget Information:

Funds are included in the 2016 budget and are planned for the 2017 budget for these expenditures.

2016 Budget	\$145,600.00
Amount Requested This Item	\$350,000.00
YTD Expenditures	\$0.00
Dollars Budgeted for Future Years	\$204,400.00
Revised Estimate	\$n/a
Budget Adjustment	\$0

Selection of Business Partner:

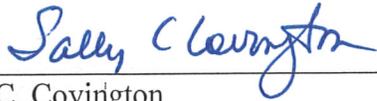
On October 12, 2015 Denver Water issued a Request for Proposals (RFP) for management of the fixture retrofits WaterSense Challenge Program. This RFP was posted on the Denver Water website, the Rocky Mountain E-Purchasing System and notified the Small Business Enterprise (SBE / Minority Women Business Enterprise (MWBE) trade organizations. Three responded; none are MWBE. The vendor selection criteria included understanding of the work to be performed, ability to meet work requirements, including staffing plan, work guarantee and price.

Recommendation:

It is recommended that the Board approve Contract 16456A with Sustain Ability Solutions for management of the fixture retrofits for the WaterSense Challenge Program for the contract period January 13, 2016 through December 31, 2017 for a total contract amount not to exceed \$350,000.00.

**Approvals:**

Respectfully submitted,



Sally C. Covington  
Director of Public Affairs



James S. Lochhead  
CEO/Manager



Terri Bryant  
Controller

# DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: January 13, 2016

Board Item: II-B-2

## **Second Amendment for Water Conservation Audit and Retrofit/Repair Program for Low Income and Non-Profit Customers Contract #15085A**

Action by Consent

Action

Information

Summary: The Water Conservation Audit and Retrofit/Repair Program for Low Income and Non-Profit Customers involves the selected vendor, Mile High Youth Corps, to manage customer intake and installation of ultra-high-efficiency toilets, aerators and showerheads into the properties of low income and non-profit customers in an effort to lower their water bills and achieve conservation savings. Mile High Youth Corp is a 501(c)3 non-profit community organization that supports youth education, training, and development of hands-on career skills related to resource conservation.

As part of developing Denver Water's next Conservation Plan, staff will be exploring options for how we may be able to even better serve low-income customers and achieve water efficiency goals. To maintain program consistency and ensure the low-income community has continuity of service, while also allowing sufficient time to determine potential bid needs for 2018, Conservation recommends extending the current contract with Mile High Youth Corps through the end of 2017.

It is Denver Water's intention to align all Agreements involving direct installation of conservation fixtures for re-bidding or renewal in 2017. By aligning Agreements to the end of 2017, Denver Water will be able to incorporate up to date information and best meet goals identified as part of the Conservation plan to determine how to best move forward. The two other agreements related to direct installation of conservation fixtures include Niagara Conservation (15160A) for toilet fixtures and Sustain Ability Solutions (16456A) for the WaterSense Challenge (large multi-family properties).

### Budget Information:

Funds are included in the 2016 budget and are planned for the 2017 budget for Mile High Youth Corps.

2016 Budget	\$ 317,647
Amount Requested This Item	\$ 180,000
YTD Expenditures	\$ 0
Dollars Budgeted for Future Years	\$ 422,440
Revised Estimate	\$ n/a
Budget Adjustment	\$ 0

### Selection of Business Partner:

Denver Water issued a Request for Proposals (RFP) in September 2013 seeking a contractor to perform water conservation audits and toilet/fixture replacements and repairs for qualified low income and non-profit Denver Water customers. The RFP was posted on Rocky Mountain E-Purchasing System (BidNet), and was sent via direct e-mail to the SBE Bid Hotline list and to five known potential respondents. Mile High Youth Corps (MHYC) was the sole respondent. MHYC is a 501(c)(3)

community organization that supports youth education, training, and development of hands-on career skills.

Recommendation:

It is recommended that the Board approve the Second Amendment to Agreement No. 15085A with Mile High Youth Corps, for the Water Conservation Audit and Retrofit/Repair Program for Low Income and Non-Profit Customers, for an extension of the contract period through December 31, 2017, and for an addition of \$180,000 for a total amended contract amount not to exceed \$1,662,911.

**Approvals:**

Respectfully submitted,



Sally C. Covington  
Director of Public Affairs



James S. Lochhead  
CEO/Manager



Terri Bryant  
Controller

11/11/2015 10:11 AM  
11/11/2015 10:11 AM  
11/11/2015 10:11 AM  
11/11/2015 10:11 AM