

## RECORD OF PROCEEDINGS

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### MINUTES OF THE BOARD OF WATER COMMISSIONERS

**Open Session**

**March 10, 2010**

A duly called Regular Meeting of the Board of Water Commissioners was held on Wednesday, March 10, 2010 beginning at 8:40 a.m. in the Board Room, Room 309, 1600 West 12<sup>th</sup> Avenue, Denver, Colorado. Members of the Board present during the Regular Meeting were:

**Penfield W. Tate, III, President**  
**John R. Lucero, First Vice President**  
**Thomas A. Gougeon, Vice President**  
**Paula Herzmark, Vice President**  
**H. Gregory Austin, Vice President**

Board employees and others present during portions of the Meeting were:

H. J. Barry, Manager	D. B. LaFrance, Director of Finance
M. L. Bassett, Director of Public Affairs	R. J. Mahoney, Director of Engineering
P. L. Wells, General Counsel	D. L. Little, Director of Planning
B. D. Good, Director of Operations Maintenance	C. R. Dermody, Director of Information Technology
C. Elam-Floyd, Director of Human Resources	S. Duncan, Intergovernmental Affairs Coordinator
M. L. Walker, Attorney	P. Coleman, Chief Internal Auditor
J. H. Bambei, Jr., Chief of Engineering	U. Sharma, Treasurer
R. G. Steger, Water Resource Engineer	G. Wilcox, Manager of Budgeting
J. Heath, Engineer	M. Leister, Engineer
L. Dennis, Engineer	J. Ross, Engineer
M. Price, Planner	T. J. Bray, Environmental Scientist
G. Fisher, Manager of Demand Planning	M. Hoddinott, Manager of Treated Water Planning

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

T. Mountfort, Environmental Compliance Supervisor	B. Reum, Manager of Geospatial Information and Technology
G. Bryant, Water Resources GIS Coordinator	D. O. McCollum, Manager of Records and Document Administration
S. Miller, Manager of Benefits and Health Care Administration	K. R. Keefe, Superintendent of Source of Supply
T. L. McGuire-Collier, Manager of Community and Media Relations	E. E. Weeams, Maintenance Supervisor
S. Hall, Community Relations	A. T. Spaulding, Manager of Purchasing
N. Willis, Community Relations	J. B. Buerkle, Purchasing Agent
L. Billeter, Staff Analyst	
S. Chesney, Community Affairs	
T. Chavez, Community Affairs	
Tony Asabedo, Retiree	Mike Suple, Suple Advertising and Design
Adrienne Anderson, CoWatch	Amy Neujahr, Suple Advertising and Design
Bruce Field	Joe Pacheco, Retiree
Jim Darner, Retiree	Carry Lobato
Clyde Weatherford, Retiree	Mario Muniz, Retiree
Carol Stevens	Curtis Stevens, Retiree
Ernie Quintana, Retiree	
Heidi Hemmat, Fox 31	

Commissioner Tate called the meeting to order.

Upon motion regularly made, seconded and unanimously carried, the reading of the Minutes of the Regular Meetings of February 10 and 24, 2010 was dispensed with and such Minutes were approved.

Upon motion regularly made, seconded and unanimously carried, the Minutes of the Executive Sessions of February 10 and 24, 2010 were approved.

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

#### Public Comment

Commissioner Tate invited members of the public to comment to the Board on matters not included in the Agenda for the meeting. Because of the length of the Agenda, Commissioner Tate asked that comments be limited to three minutes.

Joe Pacheco, a Denver Water retiree, addressed the Board regarding disposal of cement asbestos pipe and other alleged toxins both at a landfill at 12<sup>th</sup> and Sheridan and at the Foothills Water Treatment Plant. Mr. Pacheco alleged that he and those retirees who were in attendance were suffering long-term health effects from exposure to various environmental contaminants during their employment at Denver Water. Mr. Pacheco reported that, at the time, employees were told where to dispose of the materials and were threatened with retaliation by their supervisors if they didn't follow through. Mr. Pacheco asked that the Board undertake an investigation to determine the ongoing health and safety of Denver Water workers and threatened that he and members of his group would meet with the Mayor, and other elected officials, if the Commissioners did not take his report seriously.

Adrienne Anderson, a representative of CoWatch, which is associated with Rocky Mountain Peace and Justice Center, commented that her organization was appearing in support of the retirees who were alleged to be suffering long-term health effects from exposure to contaminants during their work career. Ms. Anderson requested the Board address the health issues of the retirees. Ms. Anderson also spoke regarding cost and project overruns which had been identified by former employees Bruce Field and Jim Phillips. Ms. Anderson suggested that Denver Water had wrongfully terminated Messrs. Field and Phillips for being whistleblowers.

Bruce Field, a former employee, commented he had been fired because of his allegations of waste and fraud in the construction of recent projects. Mr. Field also commented regarding the contamination and health issues raised by Mr. Pacheco. Mr. Field urged the Board to undertake a complete investigation of public health and safety issues.

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

In response to questions from the Commissioners, Mr. Good explained that the 12<sup>th</sup> and Sheridan location was an old landfill and there was no evidence of dumping of toxic material by Denver Water at that location. In response to further comments from Mr. Pacheco regarding health and safety issues at Foothills, Mr. Good asked that Mr. Pacheco meet with him and provide more specific information regarding materials and the location of the alleged activities at Foothills Treatment Plant. In response to questions regarding cement asbestos pipe, Mr. Mountfort explained the method of handling CA pipe has changed over the years, and that Denver Water has proceeded with regard to handling and disposal of the pipe in compliance with the guidelines appropriate at the time.

Commissioner Tate then asked if there were any further comments from the public. There was no response. Commissioner Tate thanked the members of the public for attending and their comments.

Upon motion regularly made, seconded and unanimously carried by the Commissioners then present, unless otherwise noted, the Board acted upon the following agenda items:

1. **ITEM V-A-1: HUMAN RESOURCE CHANGES**

Approved the human resource changes set forth in Agenda Item V-A-1 dated March 10, 2010, a copy of which is attached to and incorporated in these Minutes as Exhibit "A," effective the pay period beginning **February 6, 2010** unless otherwise noted.

2. **ITEM V-A-2: EMPLOYEES ELIGIBLE FOR REGULAR STATUS**

The following employees were classified as regular employees of the Board, with all rights and privileges thereof, effective **March 1, 2010**, unless otherwise noted:

**RECORD OF PROCEEDINGS**

**MINUTES  
OF THE  
BOARD OF WATER COMMISSIONERS**

<b>Employee Name</b>	<b>Employment Date</b>	<b>Retirement Plan Participation Date</b> Unless otherwise noted^	<b>Division/Section</b>
Stacy Hyde	08/24/2009	08/24/2009	Engineering #200
Rochelle Medina^	11/04/2008	08/22/2009 Exclude Prior Service as Temporary Status 11/04/2008 to 08/21/2009	Customer Care #460
Kimberly Unger^	01/05/2009	08/08/2009 ^Exclude Prior Service as Project Status 01/05/2009 to 08/07/2009	Sales Administration #470
David Shaw^	05/13/2009	08/08/2009 ^Exclude Prior Service as Temporary Status 05/13/2009 to 08/07/2009	Winter Park Area #520
Christopher Vendegnia^	04/28/2009	08/08/2009 ^Exclude Prior Service as Temporary Status 04/23/2009 to 08/07/2009	Ditches & Canals #540
Damon Stoker	05/18/2009	05/18/2009	T&D Construction & Maintenance #710
Cora Borrego	08/26/2009	08/26/2009	Buildings Maintenance #870
Michael Sims^	04/13/2009	08/08/2009 ^Exclude Prior Service as Temporary Status 04/13/2009 to 08/07/2009	Metal Shop #930

**3. ITEM V-A-3: CONTRACTS SCHEDULED TO RENEW AND/OR ADD FUNDING IN THE 2ND QUARTER OF 2010**

Authorized renewal of additional funding or extension of the following annual contracts:

Contract with Metrocall to provide approximately 275 pagers and airtime for the period April 1, 2010 through April 11, 2011, at an additional cost of \$24,000;

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

Contract with VENTYX, Inc., to provide Mobile Workforce Automation for treated water operations for the contract period December 31, 2009 through December 31, 2010, at an additional cost of \$56,000;

Contract with ORACLE Corporation to provide database software for the contract period May 31, 2010 through May 31, 2011, at an additional cost of \$140,000; and

Contract with Checkpoint Software Technologies to provide Smart Defense Software through January 1, 2012, for an additional \$4,000,

all as more particularly described in the attachment to Agenda Item V-A-3, dated March 10, 2010, a copy of which is attached to and incorporated in these Minutes as Exhibit "B."

4. **ITEM V-A-4: ANNUAL CONTRACT FOR NATURAL GRASS MOWING**

Authorized the award of a contract to Terracare Associates to provide natural grass mowing services for the contract period March 1, 2010 through February 29, 2012, at the prices set forth on the Tabulation of Bidder's Proposal No. 12792A, dated February 9, 2010, a copy of which is attached to and incorporated in these Minutes as Exhibit "C" for a total contract amount not to exceed \$130,000.

5. **ITEM V-A-5: CONTRACT FOR BUTTERFLY VALVES FOR FOOTHILLS TREATMENT PLANT**

Authorized the award of a contract to Henry Pratt Company to furnish described butterfly valves and actuators necessary to replace leaky valves and lever actuators at the Foothills Treatment Plant at the unit prices set forth in the Tabulation of Bidder's Proposal No. 12897A, dated March 1, 2010, a copy of which is attached to and incorporated in these Minutes as Exhibit "D" for a total contract amount not to exceed \$394,096.00.

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

6. **ITEM V–A–6: ANNUAL CONTRACT FOR DUCTILE IRON PIPE**

Authorized the award of a contract to HD Supply Waterworks to furnish Denver Water's requirements of ductile iron single gasket joint pipe at the unit prices set forth in the Tabulation of Bidder's Proposal No. 12863A dated March 1, 2010, for the contract period May 1, 2010 through April 30, 2011, for a total contract amount not to exceed \$360,000.

7. **ITEM V–A–7: ANNUAL CONTRACT FOR PVC PIPE**

Authorized the award of a contract to HD Supply Waterworks to furnish Denver Water's requirements of PVC pressure pipe for the period May 1, 2010 through April 30, 2011, at the unit prices set forth in the Tabulation of Bidder's Proposal No. 12866A, dated March 1, 2010, a copy of which is attached to and incorporated in these Minutes as Exhibit "E" for a total contract amount of \$310,000.

8. **ITEM V–A–8: ANNUAL CONTRACT FOR TRAFFIC CONTROL BARRICADES**

Authorized the award of a contract to Northern Barricade to provide Denver Water's requirements for the rental of temporary traffic control barricades and to furnish flag personnel services for the contract period May 1, 2010 through April 30, 2012, at the unit prices set forth in the Tabulation of Bidder's Proposal No. 12862A, dated March 1, 2010, a copy of which is attached to and incorporated in these Minutes as Exhibit "F" for a total contract amount not to exceed \$1,000,000.00.

9. **ITEM V–A–9: REVISIONS TO PERSONNEL POLICIES**

Approved revisions to the Personnel Policies in Sections 2-10 and 14-21 regarding Denver Water's ethics hotline and changes in shift differential pay related to the new timekeeping system, all as more particularly described in

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

legislative fashion on the attached Exhibit "G." The changes to Section 2-10 are effective March 10, 2010. The changes to Section 14-21 will become effective when the new time-keeping system is on-line.

10. **ITEM V-A-10: AMENDMENT TO MEDIATION/FACILITATION AGREEMENT WITH BICKERMAN**

Approved a Third Amendment to the May 1, 2007 Agreement with Bickerman Dispute Resolution PLLC, extending time for completion of the work to August 31, 2010, and increasing the Board's share of compensation under the Agreement by \$50,000, all as more particularly described in the Third Amendment to Agreement, a copy of which is attached to and incorporated in these Minutes as Exhibit "H."

11. **ITEM V-A-11: CONTRACT WITH SPIREMEDIA FOR INTRANET AND WEBSITE ENHANCEMENTS**

Authorized entering into a contract with SpireMedia to redesign the Denver Water intranet site, at a cost of \$350,000, all as more particularly described in the Agreement, a copy of which is attached to and incorporated in these Minutes as Exhibit "I."

In response to questions from the Commissioners, Mr. Dermody explained an internal website is necessary to provide accurate and timely information to employees. Mr. Dermody will provide a more complete explanation of the use of the intranet when he completes his Information Technology Overview at the Board's March 24 Study Session.

12. **ITEM V-A-12: SECOND AMENDMENT TO AGREEMENT WITH BLACK AND VEATCH FOR UPDATE OF THE TREATED WATER STUDY**

Approved a Second Amendment to the September 10, 2008 Consulting Agreement with Black and Veatch Corporation to update the treated water

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

study, extending the time for completion of work under the agreement to August 31, 2010 and increasing compensation by \$116,051 for a total amended compensation of \$491,881, all as more particularly described in the Second Amendment, a copy of which is attached to and incorporated in these Minutes as Exhibit "J."

13. **ITEM V-A-13: CHANGE ORDER NO. 3 WITH BT CONSTRUCTION, INC. FOR THE REPLACEMENT OF CONDUIT NO. 94 IN 56TH AVENUE**

Approved Change Order No. 3 to the July 22, 2009 Contract with BT Construction, Inc., to replace Conduit 94 in 56<sup>th</sup> Avenue from I-25 to Washington Street, in the amount of \$165,670.45, for a total amended contract amount of \$1,750,658.59, all as more particularly described in Change Order No. 3, a copy of which is attached to and incorporated in these Minutes as Exhibit "K."

14. **ITEM V-A-14: CONSTRUCTION CONTRACT AMENDMENT NO. 2 WITH BT CONSTRUCTION, INC. FOR THE REPLACEMENT OF CONDUIT NO. 94 IN 56TH AVENUE**

Authorized Contract Amendment No. 2 to the July 22, 2009 Contract with BT Construction, Inc., to replace Conduit 94 in 56<sup>th</sup> Avenue from I-25 to Washington Street, in the amount of \$74,607.00, for a total amended contract amount of \$1,825,265.59, all as more particularly described in Contract Amendment No. 2, a copy of which is attached to and incorporated in these Minutes as Exhibit "L."

15. **ITEM V-A-15: CHANGE ORDER NO. 3 WITH GLOBAL DIVING AND SALVAGE, INC. FOR THE WILLIAMS FORK PENSTOCK LINING**

Approved Change Order No. 3 to the July 22, 2009 contract with Global Diving and Salvage, Inc., for the Williams Fork Penstock Lining Project in the amount of \$45,308, for a total amended contract amount of \$956,785.50, all

## RECORD OF PROCEEDINGS

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### MINUTES OF THE BOARD OF WATER COMMISSIONERS

as more particularly described in Change Order No. 3, a copy of which is attached to and incorporated in these Minutes as Exhibit "M."

16. **ITEM V-A-16: ADDITIONAL FUNDS FOR SUBLEASE OF OFFICE SPACE FOR THE CIS PROJECT**

Approved payment of the additional amount of \$60,000 to Prestige Capital Funding, Inc. pursuant to the September 12, 2007 sublease, for the lease of office space at 650 S. Cherry Street, necessary for the CIS implementation project for a total amended contract amount not to exceed \$510,000.

17. **ITEM V-A-17: CHANGE ORDER NO. 2 WITH ASLAN CONSTRUCTION, INC. FOR 56TH AVENUE PUMP STATION AND RESERVOIR SURGE TANK AND OVERHEAD CRANE MODIFICATIONS**

Approved Change Order No. 2 to the September 23, 2009 contract with Aslan Construction, Inc., for the Surge Tank and Overhead Crane Modifications at the 56<sup>th</sup> Avenue Pump Station and Reservoir, in the amount of \$74,857, for a total amended contract amount of \$905,397.00 and extending the Milestone 1 completion date to February 15, 2010, all as more particularly described in Change Order No. 2, a copy of which is attached to and incorporated in these Minutes as Exhibit "N."

18. **ITEM V-A-18: CHANGE ORDER NO. 5 WITH LILLARD & CLARK CONSTRUCTION CO. CONDUIT NOS. 12 AND 18 - 48-INCH AND 54-INCH STEEL PIPE RELOCATION AT THE SOUTH PLATTE RIVER**

Approved Change Order No. 5 to the August 12, 2009 Contract with Lillard & Clark Construction Company, Inc., for the relocation of Conduits numbered 12 and 18 at the South Platte River for an additional \$84,345.72, all as more particularly described in Change Order No. 2, a copy of which is attached to and incorporated in these Minutes as Exhibit "O."

**RECORD OF PROCEEDINGS**

---

**MINUTES  
OF THE  
BOARD OF WATER COMMISSIONERS**

19. **ITEM V–A–19: CONTRACT FOR THE DILLON DAM HYDROELECTRIC POWER PLANT 10-YEAR MAINTENANCE**

Authorized award of a contract to USA Construction, Inc. to provide the 10-year maintenance work for the Dillon Dam Hydroelectric Power Plant, at a cost of \$196,400.

20. **ITEM V–A–20: CONSTRUCTION CONTRACT AMENDMENT NO. 4 WITH MOLTZ CONSTRUCTION FOR MARSTON TREATMENT PLANT MISCELLANEOUS UPGRADES WORK**

Authorized Amendment No. 4 to the May 13, 2009 Contract with Moltz Construction, acting as the Construction Manager at Risk for the Marston Treatment Plant Upgrades for the Headhouse Window Replacement work at a cost of \$118,018.00, bringing the total guaranteed maximum price for the project to date to \$11,559,702.00.

21. **ITEM V–A–21: RATIFICATION OF CONSTRUCTION CONTRACT CHANGE ORDERS AND AMENDMENTS TO AGREEMENTS**

Ratified construction contract change orders and amendments to agreements authorized by the Manager between November 1, 2009 and February 28, 2010 as follows:

Change Order No. 8 to Contract No. 11557A with Aslan Construction for the Cat Reservoir Pump Station and Miller Reservoir Electrical Control Work;

Change Order No. 1 to Contract No. 11577A with Global Diving and Salvage, Inc. for the Cheesman Dam Upstream Control Project Phase I;

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

Change Orders Numbered 1 and 3 to Contract 11773A with Sturgeon Electric for the Broomfield Pump Station Switchgear Replacement Project;

Change Order No. 1 to Contract No. 11797A with Braconier Plumbing and Heating for the Foothills Treatment Plant Safety Showers and Eyewash Station Upgrades;

Change Order No. 7 to Contract No. 11969A with Triston Construction, Inc., for the Howe-Haller Reservoir Slope Improvement Project;

Change Order No. 1 to Contract No. 11992B with Moltz Construction, Inc. for the Marston Filter Plant No. 2 Upgrades Amendment No. 1;

Change Order No. 1 to Contract No. 11992C with Moltz Construction, Inc. for the Marston Filter Plant No. 2 Upgrades Amendment No. 2;

Change Order No. 1 to Contract No. 12014A with Universal Dynamics, Inc., for the Hydraulic Operable Wedge Steele-Plate Barriers on Dillon Dam Road;

Contract Amendment No. 2 and Change Order Nos. 1 and 2 to Contract 12019A with Lillard & Clark Construction Company, Inc., for the relocation of Conduits. 12 and 18;

Change Order No. 1 to Contract No. 12129A with American West Construction, LLC, for the Miller Reservoir and Dam Completion Work;

Change Orders 1 and 2 to Contract No. 12170A with W.M. Brown Construction Corp., for the Foothills Treatment Plant Sample Pump Vault Access House;

Change Orders 2, 3 and 4 to Contract No. 12243A with Alliance Construction Solutions, LLC, for the remodel of the building at 555 Quivas Street;

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

Change Orders 1 and 2 to Contract 12307A with BT Construction for the replacement of a described portion of Conduit No. 94;

Change Order No. 1 to Contract No. 12414A with BT Construction for construction of the Fulton Inlet Pipeline System;

Change Order No. 1 to Contract No. 12689A with Concrete Works of Colorado, Inc., for installation of a 60-inch butterfly valve and appurtenances in Conduit No. 25;

Sixth Amendment to Letter Agreement 10869A with Craft Metal, Inc., regarding snow and ice removal at the Moffat Collection System Headquarters;

First Amendment to Task Order Agreement 11110E with Brown and Caldwell for the Dillon Reservoir Drawing Conversion Phase II;

First Amendment to Task Order Agreement No. 11114G with CH2M Hill, Inc., for the IRP 2010 Water Treatment Cost Estimating;

Third Amendment to Agreement 11447A with Simpson, Gumpertz & Heger, Inc., for a failure risk and repair of Conduit 94;

Fifth Amendment to Agreement 11542A with Wong Strauch Architects for the Wynetka Decentralization Station;

Second Amendment to Agreement 11633A with URS Corporation for the Phase II Engineering Support Services for the Strontia Springs Reservoir Sediment Removal Project;

Second Amendment to Agreement 11783A with Wong Strauch Architects for the Einfeldt Decentralization Station;

First Amendment to Agreement 12513B with SDG Incorporated for the Kendrick Reservoir – Basin No. 1 Structural Distress Evaluation;

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

Amendment to Agreement 11277A with Ciba Specialty Chemicals Corporation for polydadmec polymer; and

Amendment to Agreement 11504 with Keesen Enterprises, Inc., for natural grass mowing,

all as more particularly described in the attachment to Agenda Item V-A-21, a copy of which is attached to and incorporated in these Minutes as Exhibit "P."

22. **ITEM V-A-22: GENERAL RELEASE AND SETTLEMENT WITH QWEST**

Approved reimbursement of \$115,000 to Qwest Corporation for direct costs and expenses involving the February 7, 2008 rupture of Conduit No. 94 at approximately 56<sup>th</sup> Avenue and I-25, pursuant to the Settlement Agreement and General Release, a copy of which is attached to and incorporated in these Minutes as Exhibit "Q."

23. **ITEM V-A-23: PROPOSED 2010 CARRIER FACILITY RATES (DITCH RATES)**

Adopted 2010 Rates for Denver Water's Carrier Facilities as follows:

Facility Name	Units	Existing 2009 Rate	Proposed 2010 Rate	% Change
Harriman Lake	Inch Right	\$38.58	\$38.58	0.00
City Ditch	Inch Right	\$429.79	\$429.79	0.00
Antero Reservoir	Acre Foot	\$54.65	\$54.65	0.00
High Line Canal	Acre Right	\$41.27	\$41.27	0.00

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

24. **ITEM V-E-1: CONTRACT EXTENSION WITH THE DOYLE GROUP FOR SOFTWARE DEVELOPMENT SERVICES**

Approved an extension of the August 29, 2009 contract with the Doyle Group, Contract Number 12549A, to provide the services of Shannon Stewart as a software developer, augmenting staffing in the Tier III New Solutions Section of the Information Technology Division at a rate of \$85 an hour for an additional 12-month period at a cost of \$170,000, and a total amended contract amount not to exceed \$253,000.

Mr. Dermody provided the Commissioners with a table of organization of the IT Division as of March 2010 showing the areas of responsibility and outsourced services, a copy of which is attached to and incorporated in these Minutes as Exhibit "R." Mr. Dermody explained he would provide an explanation of the responsibilities of the tiers when he completes his presentation on March 24.

25. **ITEM V-E-2: CONTRACT EXTENSION WITH SEMPRA PROFESSIONAL SERVICES FOR A MAXIMO SOFTWARE DEVELOPER / CONFIGURATION SPECIALIST**

Approved extension of the April 9, 2008 contract with Sempra Professional Services, Contract Number 11607A, to provide the services of Dinesh Shenoy as a MAXIMO Software Developer/Configuration Specialist, augmenting staffing in the Tier III New Solutions Section of the Information Technology Division at \$110 per hour for an additional 12 months at a cost of \$220,000 and a total amended contract amount of \$641,600.

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

26. **ITEM V–E–3: CONTRACT EXTENSION WITH THE CONFLUENCE GROUP, LLC. FOR ENTERPRISE APPLICATION INTEGRATION SERVICES**

Approved extension of the March 11, 2009 Contract with the Confluence Group LLC, Contract Number 12206A, to provide the services of Phil Ragsdale and Max Pitard, senior service oriented architects and developers, augmenting staffing in the Tier III New Solutions Section of the Information Technology Division for an additional 12 months at the rate of \$120 per hour for an additional \$420,000, and a total amended contract amount not to exceed \$756,000.

27. **ITEM V–E–4: CONTRACT EXTENSION WITH POINT B SOLUTIONS GROUP FOR IT PROJECT MANAGEMENT SERVICES**

Approved extension of the March 15, 2008 contract with Point B Solutions Group, LLP to provide the services of Sharon Flinn at the rate of \$178 per hour to serve as Senior Project manager, augmenting staffing in the Tier III New Solution Section of the Information Technology Division, working primarily with Enterprise Asset Management Systems for an additional amount of \$356,000, and a total amended contract amount not to exceed \$916,700.

28. **ITEM V–E–5: CONTRACT EXTENSION WITH CARPEDATUM CONSULTING, INC. FOR TM1 RELATED PRODUCTION SUPPORT SERVICES**

Approved extension of the May 9, 2008 Agreement with CarpeDatum Consulting to provide on-call production system support services for an additional 11 months for the TM1 based Engineering Project Planning and Enterprise Budgeting Systems under the Tier II Production Support Section for an additional amount not to exceed \$60,000, and a total amended contract amount not to exceed \$140,000.

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

29. **ITEM V-E-6: ENTERPRISE LICENSE AGREEMENT WITH ESRI FOR GIS SOFTWARE**

Approved entering into an Enterprise License Agreement with ESRI to provide unlimited use of all of ESRI's GIS products, including annual maintenance and support for ESRI software for a three-year period at a total cost not to exceed \$353,000.

Mr. Dermody explained how utilizing the Enterprise License Agreement will increase efficiency at a lower cost to the Board. In response to questions from the Commissioners regarding SDBE participation, Mr. Dermody explained the IT Division intended to target minority-owned firms for future contracting.

During discussion of the efforts of targeting IT consulting firms, Mr. Barry reported that Laurie Billeter had been named one of 100 Influential People in Minority Economic Development by a recent publication of Minority Business News. The Commissioners complemented Ms. Billeter for the award.

30. **ITEM V-E-7: AGREEMENT WITH SHORT & BRENNAN ARCHITECTS FOR THE DESIGN OF THE HEADQUARTERS FACILITY AT ANTERO RESERVOIR**

Approved entering into an Agreement with Short & Brennan Architects to provide consulting services for the design of the Antero Dam and Reservoir Headquarters facility, at a cost not to exceed \$199,351, as more specifically described in the Agreement, a copy of which is attached to and incorporated in these Minutes as Exhibit "S."

Mr. Ross provided a short overview of the efforts to construct a new headquarters facility at Antero and caretaker houses at Antero and Ralston. Mr. Ross explained the intent is to develop design templates which will be interchangeable for construction of similar facilities at other locations. The

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

new facilities will utilize energy efficient construction and will replace outdated facilities at both Antero and Ralston Reservoirs.

In response to questions from the Commissioners, Mr. Mahoney explained the current estimate of cost of construction of the housing, which includes finished living area of approximately 3,000 square feet, is estimated at \$400,000 per home. Mr. Keefe described the need to replace a maintenance building at Antero Reservoir which would accommodate heavy equipment that is needed during the winter season.

31. **ITEM V-E-8: AGREEMENT WITH BAB ASSOCIATES, P.C. FOR THE DESIGN OF ANTERO/RALSTON DAM & RESERVOIR CARETAKER HOUSES**

Approved entering into an Agreement with BAB Associates, P.C. Architects, for design and construction administration services necessary for replacement of caretaker houses at Ralston and Antero Reservoirs at a cost of \$129,525, all as more specifically described in the Agreement, a copy of which is attached to and incorporated in these Minutes as Exhibit "T."

32. **ITEM V-E-9: CONTRACT FOR THE 2010 PIPE REHABILITATION PROGRAM**

Authorized the award of a contract to Mainlining Service, Inc., for the 2010 Pipe Rehabilitation Project, a project consisting of cleaning and cement mortar lining 34,200 feet of 6-inch to 12-inch diameter cast iron water mains, at a cost of \$2,690,814.

Ms. Dennis provided background material regarding the proposed contract. Denver Water currently maintains about 450 miles of unlined cast iron pipe in its water distribution system. The 2010 Pipe Rehabilitation Project will be undertaken in an area west of Washington Park. Ms. Dennis explained the contract selection process. In order to provide continuity and efficiency to the

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

program, the contract contains terms whereby Denver Water may, if it chooses, retain the contractor for other rehabilitation projects over the next two years.

33. **ITEM V-E-10: SECOND AMENDMENT TO CONTRACT WITH CECOR STAFFING, INC.**

Approved a Second Amendment to the June 26, 2009 Agreement with Cecor Staffing, Inc., to provide temporary staffing services to Denver Water through March 31, 2010, at an additional cost of \$110,000 and a total amended contract amount not to exceed \$210,000.

Ms. Elam-Floyd explained the scope of the contract was expanded in November 2009 when several individuals previously categorized as project employees were transferred to Cecor when the classification of workers as project employees was abolished. Human Resources is currently evaluating proposals from temporary agencies to provide staffing services for Denver Water. Ms. Billeter explained a mandatory request for proposal meeting had been held with interested SMWBE parties and that the contract was not noticed on BidNet.

34. **ITEM VI-B-1: DISCUSSION AND INFORMATION: LEGISLATIVE REPORT**

Mr. Barry commented regarding the status of House Bill 1188. Ms. Duncan provided a report regarding Senate Bill 165 and House Bills 1348 and 1462.

35. **ITEM VI-B-2: DISCUSSION AND INFORMATION: ADVERTISING/ CONSERVATION PROGRAM**

Because of the need for the Commissioners to meet regarding matters that were to be held in Executive Session, Commissioner Tate requested the presentation by Suple Advertising be postponed. The Commissioners

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE BOARD OF WATER COMMISSIONERS

determined to meet to discuss the 2010 advertising program on Monday, March 15 at 12:30 p.m.

36. **ITEM VI-C-1: DISCUSSION AND INFORMATION: WATER SUPPLY UPDATE**

The Commissioners received a report of current snowpack and historical and projected reservoir storage as of March 10, 2010, a copy of which is attached to and incorporated in these Minutes as Exhibit "U."

37. **ITEM VI-F-1: DISCUSSION AND INFORMATION: STATUS OF THE INVESTMENT PORTFOLIO**

The Commissioners received the report, "Denver Water Investment Portfolio as of February 26, 2010" as set forth in Agenda Item VI-F-1 dated March 10, 2010, a copy of which is attached to and incorporated in these Minutes as Exhibit "V."

38. **ITEM VI-F-3: DISCUSSION AND INFORMATION: BUDGET STATUS REPORT**

The Commissioners received the 2010 Year-to-Date Board Budget Status Summary for the period ending February 28, 2010, a copy of which is attached to and incorporated in these Minutes as Exhibit "W."

39. **ITEM VI-G-1: SCHEDULING OF FUTURE BOARD MEETINGS**

The Board confirmed a Study Session will take place on **Wednesday, March 24, 2010**, at **8:30 a.m.** in the Board Room, Room 309, 1600 W. 12<sup>th</sup> Avenue, Denver, Colorado. The agenda for the meeting will be posted. A portion of the meeting will take place in Executive Session.

## RECORD OF PROCEEDINGS

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### MINUTES OF THE BOARD OF WATER COMMISSIONERS

The Board will meet to review the proposed 2010 advertising campaign at 12:30 p.m. in Room 308, 1600 West 12<sup>th</sup> Avenue, Denver, Colorado, on March 15, 2010.

The Board will meet in mediation at 1:00 p.m. March 15, 2010 in the Board Room, Room 309, 1600 West 12<sup>th</sup> Avenue, Denver, Colorado

The Board confirmed that the first regular meeting in April would take place on **Wednesday, April 14, 2010, at 9:15 a.m.** in the Board Room, Room 309, 1600 West 12<sup>th</sup> Avenue, Denver, Colorado.

No further business appearing, the Board voted unanimously to adjourn into Executive Session at approximately 10:05 a.m.

#### EXECUTIVE SESSION

On Wednesday, March 10, 2010, commencing approximately at 10:10 a.m. in the Manager's Office, located in the Administration Building, 1600 West 12<sup>th</sup> Avenue, Denver, Colorado, the Board of Water Commissioners met in Executive Session. The following matter which is authorized by C.R.S. § 24-6-402 or D.R.M.C. § 2-34 was discussed during the Executive Session:

1. Mediation § 24-6-402(4)(a)(b) & (e)

There being nothing further for the Board to consider, the Executive Session concluded at approximately 12:10 p.m.

  
Secretary

  
President