

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, December 7, 2022
1:00 p.m.

1. CALL TO ORDER BY THE PRESIDENT, TOMMY G. FORDYCE.
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	Megan W. Deen	_____
	Tarrant	Henry Borbolla III	_____
	Tarrant	William O. Rodgers	_____
2	Dallas	Lisa A. Hembry	_____
	Dallas	Amir A. Rupani	_____
	Dallas	Lewis H. McMahan	_____
	Dallas	Margaret S.C. Keliher	_____
3	Kaufman	Victoria K. Lucas	_____
4	Henderson	Kathryn L. Sanders	_____
5	Ellis	Cathy Altman	_____
6	Navarro	Frank H. Steed, Jr.	_____
7	Anderson	Brenda K. Walker	_____
8	Freestone	C. Dwayne Somerville	_____
9	Leon	Jerry F. House	_____
10	Houston	Kevin Maxwell	_____
11	Trinity	D. Joe McCleskey	_____
12	Madison	David G. Ward	_____
13	Walker	Tommy G. Fordyce	_____
14	San Jacinto	Steven L. Roberts	_____
15	Polk	Benny L. Fogleman	_____
16	Liberty	David B. Leonard	_____
17	Chambers	John W. Jenkins	_____
18	Area-at-Large	Robert F. McFarlane	_____
	Area-at-Large	Vacant	_____
	Area-at-Large	C. Cole Camp	_____

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 OCTOBER 26, 2022 AT TRA'S GENERAL OFFICE, BOARD ROOM, 5300 SOUTH COLLINS STREET, ARLINGTON, TARRANT COUNTY, TEXAS. Pg. 10
9. PUBLIC COMMENT.

Any person wishing to make a public presentation to the Board of Directors on any matter under the Authority's jurisdiction must complete a registration form that indicates the agenda item or other topic on which they wish to comment, along with the speaker's name, address and other relevant information. Speakers who have not completed a registration form will not be recognized by the presiding officer. The presiding officer shall limit the length of time for each speaker to three minutes. Speakers may not trade or donate time to other speakers. Speakers and members of the public must avoid disruptive conduct that interferes with the orderly conduct of a public meeting.

10. NEW BUSINESS:



To access the story map link use any QR Code Reader Apps on the phone or tablet to scan the image or click on this hyperlink: <https://arcg.is/1KC5jW>

(ITEMS A THROUGH J WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON NOVEMBER 29, 2022.)

- A. ELLIS COUNTY WATER SUPPLY PROJECT — ASSIGNMENT FROM CITY OF RED OAK, TEXAS TO ROCKETT SPECIAL UTILITY DISTRICT — ASSIGNMENT AND ASSUMPTION OF CONTRACT. Pg. 21

Memorandum dated November 14, 2022 from General Counsel.

- (1) Explanation by Megan W. Deen and by Howard S. Slobodin.
- (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 Assignment and Assumption of Contract between the City of Red Oak, Texas and the Rockett Special Utility District.

B. MOUNTAIN CREEK REGIONAL WASTEWATER SYSTEM — STRATEGIC REGIONALIZATION STUDY — ENGINEERING SERVICES AGREEMENT. Pg. 57

Memorandum dated November 21, 2022 from Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (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 Engineering Services Agreement between the Trinity River Authority of Texas and K Friese & Associates, Inc. in the amount of \$488,674 for Basic Services and \$100,000 for Special Services for engineering services associated with the Strategic Regionalization Study for the Mountain Creek Regional Wastewater System; and
- (b) Authorize the General Manager to execute amendments to the compensation provisions of the Engineering Services Agreement between the Trinity River Authority of Texas and K Friese & Associates, Inc. as are deemed prudent in his judgment provided the same do not increase the total approved cost.

C. MOUNTAIN CREEK REGIONAL WASTEWATER SYSTEM — PEAK FLOW STORAGE — FIRST AMENDMENT — MATERIALS TESTING SERVICES AGREEMENT. Pg. 80

Memorandum dated December 1, 2022 from Manager, Construction Services, PDCA and Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (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 to the Materials Testing Services Agreement between the Trinity River Authority of Texas and Professional Service Industries, Inc., increasing the amount of Basic Services from \$180,000 to \$195,000 for materials testing services associated with the Peak Flow Storage for the Mountain Creek Regional Wastewater System.

D. TARRANT COUNTY WATER SUPPLY PROJECT — FILTER REHABILITATION AND DISINFECTION IMPROVEMENTS — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT AND MATERIALS TESTING SERVICES AGREEMENT.

Pg. 85

Memorandum dated October 31, 2022 from Manager, Construction Services, PDCA and Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize:

- (a) Authorize the General Manager to execute the contract between the Trinity River Authority of Texas and RAVA Construction, LLC in the amount of \$32,181,000 for the construction of the Filter Rehabilitation and Disinfection Improvements at the Tarrant County Water Supply Project treatment plant;
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Hazen and Sawyer, DPC, in the amount of \$1,253,968 for Basic Services and \$100,000 for Special Services for construction administration engineering services associated with the Filter Rehabilitation and Disinfection Improvements at the Tarrant County Water Supply Project treatment plant;
- (c) Authorize the General Manager to execute amendments to the compensation provisions of the Engineering Services Agreement between the Trinity River Authority of Texas and Hazen and Sawyer, DPC, as are deemed prudent in his judgment provided the same do not increase the total approved cost; and
- (d) Authorize the General Manager to execute the Materials Testing Services Agreement between the Trinity River Authority of Texas and D&S Engineering Labs, LLC, in the amount of \$175,000 for construction materials testing services associated with the Filter Rehabilitation and Disinfection Improvements at the Tarrant County Water Supply Project treatment plant.

E. TARRANT COUNTY WATER SUPPLY PROJECT — FOURTH OZONE GENERATOR AND TRANSFER PUMP STATION NO. 1 UPGRADES — ENGINEERING SERVICES AGREEMENT. Pg. 129

Memorandum dated December 1, 2022 from Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (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 Engineering Services Agreement between the Trinity River Authority of Texas and AECOM Technical Services, Inc., in the amount of \$1,221,841 for Basic Services and \$160,000 for Special Services for preliminary design engineering services associated with the Fourth Ozone Generator and Transfer Pump Station No. 1 Upgrades at the Tarrant County Water Supply Project treatment plant; and
 - (b) Authorize the General Manager to execute amendments to the compensation provisions of the Engineering Services Agreement between the Trinity River Authority of Texas and AECOM Technical Services, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

F. TARRANT COUNTY WATER SUPPLY PROJECT — RAW WATER TRANSMISSION IMPROVEMENTS — ENGINEERING SERVICES AGREEMENT. Pg. 158

Memorandum dated December 1, 2022 from Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (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 Engineering Services Agreement between the Trinity River Authority of Texas and Lockwood, Andrews & Newnam, Inc., in the amount of \$2,162,659 for Basic Services and \$325,000 for Special Services for preliminary engineering services associated with the Raw Water Transmission Improvements for the Tarrant County Water Supply Project; and
 - (b) Authorize the General Manager to execute amendments to the compensation provisions of the Engineering Services Agreement between the Trinity River Authority of Texas and Lockwood, Andrews & Newnam, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

G. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — SECURITY SURVEILLANCE SYSTEM — AWARD OF CONTRACT. Pg. 186

Memorandum dated November 9, 2022 from Chief Information Officer.

- (1) Explanation by Megan W. Deen and Douglas L. Short.
- (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 contract between the Trinity River Authority of Texas and EPIC IO not to exceed cost of \$323,000.00 over a 5-year period as outlined in Exhibit A.

H. LAKE LIVINGSTON PROJECT — REVISED FEE SCHEDULE FOR LABORATORY SERVICES. Pg. 193

Memorandum dated October 31, 2022 from Assistant Manager, Administration.

- (1) Explanation by Megan W. Deen and Jim R. Sims.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors adopt the revised Lake Livingston Project Fee Schedule for Laboratory Analyses.

I. CENTRAL REGIONAL WASTEWATER SYSTEM — SUPERVISORY CONTROL AND DATA ACQUISITION. Pg. 198

Memorandum dated November 9, 2022 from Chief Information Officer.

- (1) Explanation by Megan W. Deen and Douglas L. Short.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the purchase as presented.

[ITEM J INVOLVES LITIGATION, POTENTIAL LITIGATION AND/OR ACQUISITION OF REAL PROPERTY, OR NECESSITATES CONFIDENTIAL CONSULTATION WITH COUNSEL AND IS 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 ITEM SUBJECT TO THE REQUIREMENTS OF THE TEXAS GOVERNMENT CODE CHAPTER 551, SUBCHAPTER E, AND PURSUANT TO TEX. GOV'T CODE SEC. 551.071. ANY FINAL DECISION, ACTION OR VOTE MUST BE MADE IN OPEN SESSION.]

J. CENTRAL REGIONAL WASTEWATER SYSTEM — SOLIDS MANAGEMENT IMPROVEMENTS PHASE III-B — CHANGE ORDER NO. 193 — COMPROMISE AND SETTLEMENT AGREEMENT. Pg. 200

Memorandum dated November 22, 2022 from Manager, Construction Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (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 Compromise and Settlement Agreement and Change Order No. 193 between the Trinity River Authority of Texas and MWH Constructors, Inc., in the amount of \$1,083,934, increasing the contract value from \$210,190,332.33 to \$211,274,266.33 and the addition of 240 calendar days to the contract completion date for the Solids Management Improvements Phase III-B project at the Central Regional Wastewater System; and
- (b) Authorize the General Manager to terminate the contract with MWH Constructors, Inc. should the same be deemed prudent in his judgment.

(ITEMS K THROUGH Q WERE NOT PRESENTED TO A COMMITTEE.)

K. TARRANT COUNTY WATER SUPPLY PROJECT — OFFER OF REAL PROPERTY BY TEXAS DEPARTMENT OF TRANSPORTATION — ACQUISITION AUTHORIZATION. Pg. 207

Memorandum dated November 29, 2022 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 authorize the General Manager to execute all documents necessary to effectuate the purchase from the Texas Department of Transportation of Tract 14-07, Part 1, at a cost of \$144,000 together with a service fee of \$1,600, and such other closing costs as may be deemed prudent in his judgment.

L. SUMMARY REPORT OF BUDGET AMENDMENTS. Pg. 211

Memorandum dated November 15, 2022 from Budget Manager.

- (1) Explanation by Lewis H. McMahan and Christine J. Epps.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

(ITEMS M THROUGH P WERE NOT PRESENTED TO A COMMITTEE AND ARE STANDING REPORTS AND MAY BE APPROVED IN ONE ACTION.)

M. SUMMARY REPORT OF TRINITY RIVER AUTHORITY DEBT — SUMMARY REPORT OF DECEMBER 2022 CAPITAL CONTRACTS. **Pg. 213**

Memorandum dated November 15, 2022 from Controller.

- (1) Explanation by Lewis H. McMahan and Christine J. Epps.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

N. SUMMARY REPORT OF GENERAL MANAGER-APPROVED AGREEMENTS. **Pg. 221**

Memorandum dated November 28, 2022 from General Manager.

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

[ITEMS Q AND P INVOLVE LITIGATION, POTENTIAL LITIGATION, AND/OR 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.]

O. CONDEMNATION STATUS REPORTS. **Pg. 223**

Memorandum dated November 7, 2022 from General Counsel.

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

P. REPORT ON SELECTED MATTERS PENDING BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND THE PUBLIC UTILITY COMMISSION OF TEXAS (PUC) AND LITIGATION STATUS REPORT THROUGH NOVEMBER 19, 2022.
Pg. 237

Memorandum dated November 19, 2022 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.

Q. BID TABULATION OF PURCHASE AND LEASE OF FISCAL YEAR 2023 VEHICLES.
Pg. 241

Memorandum dated November 4, 2022 from Purchasing Manager.

- (1) Explanation by Lewis H. McMahan and Taylor L. Huynh.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors accept the list of recommended bids for the purchase and lease of Fiscal Year 2023 Trinity River Authority vehicles.

11. OTHER BUSINESS:

12. ADJOURNMENT: