

AGENDA

MEETING OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES

Monday, March 5, 2012, 9:00 A.M.

6th Floor Board Room #609

Administrative Offices

2800 U. S. 281 North, San Antonio, Texas

1. **MEETING CALLED TO ORDER.**
2. **Announcements.**
 - A. **The San Antonio Water System Board of Trustees will, during the Meeting, close the Meeting and hold an Executive Session pursuant to and in accordance with Chapter 551 of the Texas Open Meetings Act. The Board of Trustees may, at any time during the Meeting, close the Meeting and hold an Executive Session for consultation with its attorneys concerning any of the matters to be considered during the Meeting pursuant to Chapter 551 of the Texas Open Meetings Act.**
3. **Minutes.**
 - A. **Approval of the Minutes of the San Antonio Water System Board of Trustees Regular Meeting of February 7, 2012.**
 - B. **Approval of the Minutes of the San Antonio Water System Board of Trustees Policy and Planning Meeting of January 23, 2012.**
4. **Ceremonial Items.**

No items for this Meeting.
5. **Citizens to be Heard.**

CONSENT AGENDA ITEMS

Items 6 – 35

ITEMS CONCERNING THE PURCHASE OF EQUIPMENT, MATERIALS AND SUPPLIES

SAN ANTONIO WATER SYSTEM HANDICAPPED ACCESSIBILITY STATEMENT

The San Antonio Water System Buildings and Meeting Rooms are accessible to individuals with disabilities. Accessible visitor parking spaces as well as the accessible entrance and ramp are located at the west side main entrance of the SAWS Headquarters Building, Tower I, 2800 U.S. Highway 281 North. Individuals with disabilities in need of auxiliary aids and services, including Deaf interpreters, must request such aids and services forty-eight (48) hours prior to the meeting. For assistance, contact the Board Administrator at 210.233.3690 or 711 (Texas Relay Service for the Deaf).

6. **A Resolution concerning both the San Antonio Water System (System) and the District Special Project (DSP) accepting recommendations regarding the contracting for certain services, equipment, materials, and supplies, and authorizing the acceptance of bids as follows: (DOUG EVANSON – YVONNE TORRES)**

A. Award of Contracts for the Purchase of Materials, Equipment and Services.

No items for this Meeting.

B. Award of Annual Service and Supply Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.

1. **Acceptance of the bid of Texas Disposal Systems to provide: Storage Container Rental/Disposal, Bid No. 10-2046, for a total of \$76,480.00. (This contract will be utilized to provide storage container units, hauling and disposal of contents generated at various SAWS locations. Base bid and first extension total \$76,480.00. This contract extension will be effective Date of Award (March 5, 2012) through September 30, 2012.)**

(SAWS-DSP) 2. **Acceptance of the bid of Clifford Power Systems, Inc., to provide: Generator Maintenance Service Repair and Parts, Bid No. 09-0625, for a total of \$245,000.00. (This contract will be utilized for maintenance, repair and parts for all generators as required at System and DSP service area locations. This contract extension will be effective June 1, 2012 through May 31, 2013.)**

(SAWS-DSP) 3. **Acceptance of the bid of United Rentals to provide: Vertical Shores Parts and Service, Bid No. 10-2065, for a total of \$79,051.48. (This contract will be utilized to provide excavation safety protection for designated System and DSP employees. Base bid and first extension total \$79,051.48. This contract will be effective Date of Award (March 5, 2012) through September 30, 2012. If determined that an extension is favorable to System and DSP, price and service considered, the award includes the availability of two (2) additional one-year options to extend as provided for and approved in future years budgets.)**

(SAWS-DSP) 4. **Acceptance of the bid of Vulcan Construction Materials, LP, to provide: Asphalt for Paving Mixtures, Bid No. 12-0211, for a total of \$444,860.00. (This contract will be utilized for the purchase of asphalt for the various paving mixtures on an as needed basis. This contract will be effective Date of Award (March 5, 2012) through August 31, 2012. If determined that an extension is favorable to System and DSP, price and service considered, the award includes the availability of five (5) additional five (5) six month options to extend as provided for and approved in future years budgets.)**

C. Authorization to Utilize the City of San Antonio's Competitive Bidding Process for Annual Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.

No items for this Meeting.

D. Authorization to Utilize the City of San Antonio's Competitive Bidding Process for Biennial Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.

No items for this Meeting.

E. Award of Biennial Service and Supply Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.

- (SAWS-DSP) 1. **Acceptance of the bid of Radio Satellite Integrators to provide: "Best Value" Bid for Global Positioning System (GPS), Bid No. 11-1137, for a total of \$264,500.00. (This contract will be utilized for the installation of a real time GPS tracking system to collect various types of information on the condition, operation and use of System and DSP owned vehicles. This contract will be effective Date of Award (March 5, 2012) through March 4, 2014. If determined that an extension is favorable to System and DSP, price and service considered, the award includes the availability of three (3) additional one-year options to extend as provided for and approved in future years budgets.)**

CAPITAL IMPROVEMENT CONTRACTS

**PROJECTS INVOLVING IMPROVEMENTS,
EXTENSIONS AND ADDITIONAL CAPACITY**

Developer Customer Contracts

- (SAWS-DSP) 7. **A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below which are located over the Edwards Aquifer Recharge or Contributing Zone and are within the 5-mile Awareness Zone of Camp Bullis. (KELLEY NEUMANN – SAM MILLS)**

No.	Tract Name	Developer	Acreeage	Water EDUs	WW EDUs	District Special Project (BMWD)	Board Reason	Water CCN	WW CCN
1	JOMO Tract	JOMO, Ltd.	14.12	80	93	NO	CZ/B	Inside	Applied for
2	North Park Lexus and Subaru	Kahlig Enterprises, Ltd.	14.23	54	57	NO	CZ/B	Inside	Applied for
3	Promenade at Encino Common	JAVCO Properties, Inc.	3.454	48	33	NO	EARZ/B	Inside	Inside
4	Rogers 1604 Commercial	Rogers 1604 Commercial, Ltd.	95.62	435	370	NO	EA/B/AC	Inside	Applied for
5	UTSA Park West	The University of Texas at San Antonio	125	1,073	873	NO	EA/B/AC	Inside	Inside
6	Hardy Oak Commercial	B&M Stone Oak LTD	13.82	100	47	YES	EA/B	DSP	Applied for
7	Stone Oak Apartments	Continental Properties Company, INC.	28.063	191	191	YES	EA/B	DSP	Applied for
8	Vineyard Ranch Elementary School	North East Independent School District	22.47	16	25	YES	EA/B	DSP	Applied for

Totals	<u>316.777</u>	<u>1,997</u>	<u>1,689</u>			
Totals (January 2012 - March 2012)	<u>336.367</u>	<u>2,014</u>	<u>1,736</u>			

**EDU/Acreage Comparison Totals
2012 – 2011**

EDU/Acreage Comparison Totals 2012 - 2011 (Year to Date - All Categories)	Total Acreage	Total Water EDU's	Total WW EDU's
Total (January- March 2012)	580.34	4,011	3,601
Total (January – March 2011)	1,193	1,016	1,545

8. **A Resolution approving Change Order No. 3 in the decreased amount of \$145,280.50 to the construction contract with Cash Construction Co., Inc., in connection with the Traders Village 36-inch Oversize (16-inch required) Water Main Project; authorizing the President/Chief Executive Officer to execute Change Order No. 3 resulting in a decrease of the project cost of \$145,280.50 for the reduction of project work in connection with Traders Village 36-inch Oversize (16-inch required) Water Main Project. Total expenditures are: \$145,280.50. (KELLEY NEUMANN – SAM MILLS)**

9. **A Resolution approving the request by Ricardo Muñoz to designate four lots on Shaenfield Road as a Local Benefit Extension area for water service. (KELLEY NEUMANN – SAM MILLS)**

Production, Transmission and Treatment Improvements

10. **A Resolution amending Resolution No. 11-028 by approving Change Order No. 3 in an amount not to exceed \$440,000.00 in connection with the Southwest Bexar Sewer Pipeline – Segment 2 Project; approving additional contingency funds in the amount of \$195,647.00; approving the expenditure of additional funds in an amount not to exceed \$440,000.00 from the Project Fund payable to Pipelayers, Inc., for Change Order No. 3; authorizing the President/Chief Executive Officer to executive Change Order No. 3 and to pay to Pipelayers, Inc., an additional amount not to exceed \$440,000.00 for the additional project work associated with Change Order No. 3. Total expenditures are: \$440,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)**

11. **A Resolution approving Change Order No. 9 in the amount of \$67,276.11 in connection with the Central Watershed Sewer Relief Line, C-01 Project; approving total payment in the amount of \$67,276.11 to Don Kelly Construction, Inc., for the additional project work associated with Change Order No. 9; authorizing the expenditure of additional funds in the amount of \$67,276.11 for Change Order No. 9 from the Project Construction Contingency Funds; amending Resolution No. 09-333 by increasing the authorization of the construction contingency by \$60,000.00 for a total construction contingency amount of \$259,541.00; authorizing additional funds in an amount not to exceed \$60,000.00 from the System's Project Fund for additional construction contingency expenses; authorizing the President/Chief Executive Officer to execute Change Order No. 9 and to pay to Don Kelly Construction, Inc., an additional amount not to exceed \$67,276.11 for the additional project work associated with Change Order No. 9 and additional construction contingency expenses. Located in Council District 4. Total expenditures are: \$67,276.11. (KELLEY NEUMANN – FRANCES PLOCEK)**

12. A resolution ratifying the actions of the Senior Vice President of Strategic Resources by approving Change Order No. 2 in the amount of \$27,117.32 in connection with the Central Watershed Sewer Relief Line, C-01 Phase I Rehabilitation Project; approving the expenditure of additional funds in the amount not to exceed \$27,117.32 payable to RePipe Construction, Ltd., for Change Order No. 2; authorizing the President/Chief Executive Officer to pay RePipe Construction, Ltd., an additional amount not to exceed \$27,117.32 for the additional project work associated with Change Order No. 2. Total expenditures are: \$27,117.32 for a revised contract amount of \$3,004,941.32.
(KELLEY NEUMANN – FRANCES PLOCEK)
13. A Resolution approving Change Order No. 5 in the decreased amount of \$779,181.45 in connection with the Twin 72 Sewer Main Replacement Project; approving Change Order No. 6 in the increased amount of \$36,315.42 in connection with the Twin 72 Sewer Main Replacement Project; authorizing the President/Chief Executive Officer to execute Change Order Nos. 5 and 6 and to pay to Renda Pacific, LLC, an additional amount not to exceed \$158,318.55 for the additional project work associated with Change Order No. 5 and additional amount not to exceed \$36,315.42 for the additional project work associated with Change Order No. 6. Total expenditures are: \$194,633.97.
(KELLEY NEUMANN – FRANCES PLOCEK)
14. A Resolution approving Recapitulation Change Order No. 2 in the decreased amount of \$14,433.20 to the construction contract with Pesado Construction Company, in connection with Indian Hills Pump Station Pressure Zone 12 Project; authorizing the return of funds in the amount of \$14,433.20 and the construction contingency of \$83,142.02 for a total amount of \$97,575.22 to the Project Fund; authorizing the President/Chief Executive Officer to execute Change Order No. 2 and to close the contract. Located in Council District 8. Total expenditures are: \$97,575.22.
(KELLEY NEUMANN – FRANCES PLOCEK)
15. A resolution approving Change Order No. 3 in the amount of \$39,423.51 in connection with the Pressure Reducing Valve Flow Monitoring and Pressure Monitoring Improvements Project; approving total payment in the amount of \$39,423.51 to Pesado Construction Company, Inc., for the additional project work associated with Change Order No. 3; authorizing the additional expenditure of funds in the amount of \$39,423.51 for Change Order No. 3 from the project construction contingency funds; amending Resolution No. 10-343 by increasing the authorization of the construction contingency by \$49,000.00 for a total construction contingency amount of \$82,000.00; authorizing additional funds in the amount not to exceed \$49,000.00 from the System's Project Fund for additional construction contingency expenses associated with the project work; authorizing the President/Chief Executive Officer to execute Change Order No. 3 and to pay Pesado Construction Company, Inc., the additional sum of \$39,423.51 from the project construction contingency funds for the additional project work associated with Change Order No. 3. Total expenditures are: \$39,423.51 for a revised contract amount of \$1,706,344.20. (KELLEY NEUMANN – ASHOK KAJI)
16. A Resolution approving Change Order No. 13 in the amount of \$31,923.04 in connection with the Medio Creek Water Recycling Center Recycled Water Pump Station and Line Project; approving total payment in the amount of \$31,923.04 to S.J. Louis Construction of Texas, Ltd., for the additional project work associated with Change Order No. 13; authorizing the additional expenditure of funds in the amount of \$31,923.04 for Change Order No. 13 from the project construction contingency fund; authorizing the President/Chief Executive Officer to execute Change Order No. 13 and to pay S.J. Louis Construction of Texas, Ltd., the additional sum of \$31,923.04 from the project construction contingency fund for the additional project work associated with Change

Order No. 13. Total expenditures are: \$31,923.04 for a revised contract amount of \$12,812,752.14. (KELLEY NEUMANN – ASHOK KAJI)

Professional Services Contracts

- 17. A Resolution approving a Contract Amendment to the existing professional services contract with CH2M Hill, Inc., for additional funds in an amount not to exceed \$44,130.00 for additional engineering services in connection with the Medio Creek Water Recycling Center Recycled Water Pump Station and Line Project; amending Resolution No. 07-356, by approving additional expenditures in an amount not to exceed \$44,130.00 from the System’s Project Fund in connection with the project; authorizing the President/Chief Executive Officer to execute an amendment to the professional services contract with CH2M Hill, Inc., and to pay an additional amount not to exceed \$44,130.00 to CH2M Hill, Inc., for additional engineering services. Total expenditures are: \$44,130.00 for a revised contract amount of \$1,019,103.00. (KELLEY NEUMANN – ASHOK KAJI)**

REPLACEMENT AND ADJUSTMENT PROJECTS

Governmental Relocations and Replacements

- 18. A Resolution, concerning both the San Antonio Water System (System) and the District Special Project (DSP), accepting the bid of Pronto Sandblasting & Coating & Oilfield Services Co., Inc., in the amount of \$1,299,799.00 for the 2012 Water and Sewer Construction Contract, Package I; awarding a construction contract to Pronto Sandblasting & Coating & Oilfield Services Co., Inc., in the amount of \$1,299,799.00 for the project work; approving the expenditure of funds in an amount not to exceed \$1,299,799.00 from both the System and DSP Funds for the project work; approving construction contingency expenses in an amount not to exceed \$129,797.90 from both the System and DSP Funds in connection with the project work; approving a total amount not to exceed \$1,429,778.90 be made available and expended from both the System and DSP Funds for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Pronto Sandblasting & Coating & Oilfield Services Co., Inc., for both the System and the DSP and to pay Pronto Sandblasting & Coating & Oilfield Services Co., Inc., an amount not to exceed \$1,429,778.90 for the project work and related construction contingencies. Total expenditures are: \$1,429,778.90. (KELLEY NEUMANN – CINDY KOVACIC)**
- 19. A Resolution, concerning both the San Antonio Water System (System) and the District Special Project (DSP), accepting the bid of Ella S.A. Contracting, L.P., in the amount of \$1,305,598.00 for the 2012 Water and Sewer Construction Contract, Package II; awarding a construction contract to Ella S.A. Contracting, L.P., in the amount of \$1,305,598.00 for the project work; approving the expenditure of funds in an amount not to exceed \$1,305,598.00 from both the System and DSP Funds for the project work; approving construction contingency expenses in an amount not to exceed \$130,559.88 from both the System and DSP Funds in connection with the project work; approving a total amount not to exceed \$1,436,158.68 be made available and expended from both the System and DSP Funds for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Ella S.A. Contracting, L.P., for both the System and the DSP and to pay Ella S.A. Contracting, L.P., an amount not to exceed \$1,436,158.68 for the project work and related construction contingencies. Total expenditures are: \$1,436,158.68. (KELLEY NEUMANN – CINDY KOVACIC)**

20. **A Resolution accepting the bid of Atlas Construction Corporation in the amount of \$952,921.00 for the 2012 Water and Sewer Construction Contract, Package III; awarding a construction contract to Atlas Construction Corporation in the amount of \$952,921.00 for the project work; approving the expenditure of funds in an amount not to exceed \$952,921.00 for the project work; approving construction contingency expenses in an amount not to exceed \$95,292.10 in connection with the project work; approving a total amount not to exceed \$1,048,213.10 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Atlas Construction Corporation and to pay Atlas Construction Corporation an amount not to exceed \$1,048,213.10 for the project work and related construction contingencies. Total expenditures are: \$1,048,213.10. (KELLEY NEUMANN – CINDY KOVACIC)**

21. **A Resolution accepting the bid of San Antonio Constructors, Ltd., in the amount of \$942,736.00 for the 2012 Water and Sewer Construction Contract, Package IV; awarding a construction contract to San Antonio Constructors, Ltd., in the amount of \$942,736.00 for the project work; approving the expenditure of funds in an amount not to exceed \$942,736.00 for the project work; approving construction contingency expenses in an amount not to exceed \$94,273.60 in connection with the project work; approving a total amount not to exceed \$1,037,009.60 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with San Antonio Constructors, Ltd., and to pay San Antonio Constructors, Ltd., an amount not to exceed \$1,037,009.60 for the project work and related construction contingencies. Total expenditures are: \$1,037,009.60. (KELLEY NEUMANN – CINDY KOVACIC)**

22. **A Resolution accepting the bid of Pronto Sandblasting & Coating & Oil Field Services Co., Inc., in the amount of \$956,374.00 for the 2012 Water and Sewer Alley Construction Contract, Package I; awarding a construction contract to Pronto Sandblasting & Coating & Oil Field Services Co., Inc., in the amount of \$956,374.00 for the project work; approving the expenditure of funds in an amount not to exceed \$956,374.00 for the project work; approving construction contingency expenses in an amount not to exceed \$95,637.40 in connection with the project work; approving a total amount not to exceed \$1,052,011.40 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Pronto Sandblasting & Coating & Oil Field Services Co., Inc., and to pay Pronto Sandblasting & Coating & Oil Field Services Co., Inc., an amount not to exceed \$1,052,011.40 for the project work and related construction contingencies. Total expenditures are: \$1,052,011.40. (KELLEY NEUMANN – CINDY KOVACIC)**

23. **A Resolution amending Resolution No. 11-042 by approving the expenditure of additional funds in an amount not to exceed \$20,000.00 payable to the City of San Antonio for additional construction contingency expenses in connection with the Callaghan Road: Culebra Road to Commerce Street Project; approving an additional amount not to exceed \$20,000.00 be made available and expended from the System's Project Fund for the additional construction contingency expenses; authorizing the President/Chief Executive Officer to pay the City of San Antonio an additional amount not to exceed \$20,000.00 for additional construction contingency expenses. Located in Council District 6 and 7. Total expenditures are: \$20,000.00. (KELLEY NEUMANN – CINDY KOVACIC)**

24. **A Resolution amending Resolution No. 10-249 by approving the expenditure of additional funds in an amount not to exceed \$26,000.00 payable to the City of San Antonio for additional construction contingency expenses in connection with Dezavala Road Phase I: Babcock to Cogburn Project; approving an additional amount not to exceed \$26,000.00 be made available and expended from the System's Project Fund for the additional construction contingency expenses; ratifying the actions of the Senior Vice President of Strategic Resources in approving additional reimbursement to the City of San Antonio in the of \$26,000.00 for additional construction contingency expenses; authorizing the President/Chief Executive Officer to pay the City of San Antonio an additional amount not to exceed \$26,000.00 for additional construction contingency expenses. Located in Council District 8. Total expenditures are: \$26,000.00. (KELLEY NEUMANN – CINDY KOVACIC)**
25. **A Resolution approving the expenditure of funds in the amount of \$510,333.73 for the replacement of water facilities by the City of San Antonio in connection with the Medical Center Intersection Improvements Phase VIII Project; approving an amount not to exceed \$51,033.37 for construction contingency expenses related to the project work; approving an amount not to exceed \$561,367.10 be made available and expended from the System's Project Fund for the project work and related construction contingency expenses; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$561,367.10 for the project work and related construction contingency expenses. Located in Council District 8. Total expenditures are: \$561,367.10. (KELLEY NEUMANN – CINDY KOVACIC)**

Professional Services Contracts

26. **A Resolution accepting the proposal of Pape-Dawson Engineers, Inc., in an amount not to exceed \$77,991.00 for the design of water and sewer facility replacements and adjustments in connection with the Espada Road – IH 410 to Ashley Road Project; awarding a professional services contract to Pape-Dawson Engineers, Inc., in an amount not to exceed \$77,991.00 for engineering services in connection with the project; approving an amount not to exceed \$77,991.00 be made available and expended from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Pape-Dawson Engineers, Inc., and to pay Pape-Dawson Engineers, Inc., an amount not to exceed \$77,991.00 for the project engineering work. Located in Council District 3. Total expenditures are: \$77,991.00. (KELLEY NEUMANN – CINDY KOVACIC)**
 27. **A Resolution accepting the proposal of HDR Engineering, Inc., in an amount not to exceed \$169,475.00 for design of water, sewer, chilled water, and steam replacements and adjustments in connection with the Hemisfair Park Area Streets Project; awarding a professional services contract to HDR Engineering, Inc., in an amount not to exceed \$169,475.00 for engineering services in connection with the project; approving an amount not to exceed \$169,475.00 be made available and expended from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with HDR Engineering, Inc., and to pay HDR Engineering, Inc., an amount not to exceed \$169,475.00 for the project engineering work. Located in Council District 1. Total expenditures are: \$169,475.00. (KELLEY NEUMANN – CINDY KOVACIC)**
 28. **A Resolution, concerning the District Special Project (DSP), authorizing Contract Amendment No. 1 in the amount of \$26,300.00 in connection with the Creighton Street Improvements: Southcross to Quintana Project; approving an amount not to**
- (DSP)

exceed \$26,300.00 be made available and expended from the DSP Funds for the additional engineering design services; authorizing the President/Chief Executive Officer to execute Contract Amendment No. 1 and to pay Klotz Associates, Inc. an additional amount not to exceed \$26,300.00 for the additional engineering design services in connection with the project. Located in Council District 5. Total expenditures are: \$26,300.00. (KELLEY NEUMANN – CINDY KOVACIC)

WATER RESOURCES PROJECTS

Professional Services Contracts

29. A Resolution amending Resolution No. 04-346, as previously amended by Resolution Nos. 06-268, 07-011, 11-050, and 12-015, to provide for additional professional services to the existing professional services contract with CH2M Hill, Inc., in an amount not to exceed 25,400.00 in connection with the Regional Carrizo Program, Well Field Project located in Gonzales County; approving additional expenditures in an amount not to exceed \$25,400.00; approving the expenditure of funds in an amount not to exceed \$25,400.00 from the San Antonio Water System’s Project Fund for additional professional services; authorizing the President/Chief Executive Officer or his designee to finalize and execute Amendment No. 7 to the existing professional services agreement with CH2M Hill, Inc., and to pay CH2M Hill, Inc., an additional amount not to exceed \$25,400.00 for additional professional services. Total expenditures are: \$25,400.00 for a revised contract amount of \$3,949,135.44. (CHARLES AHRENS – GARY GUY)

EASEMENTS AND REAL PROPERTY

30. A Resolution approving the acquisition of a permanent water line easement affecting 2.645 acre (115,238 square feet) and a temporary construction easement affecting 1.587 acre (69,126 square feet), located on the southeast side of Lookout Road, between Loop 1604 and Toepperwein Road in Live Oak, Bexar County, being out of the Jose Maria Ocon Survey No. 279, Abstract No. 864, County Block 5042, Bexar County, Texas, (the “Easements”), in connection with the Regional Carrizo Program, Water Delivery Pipeline Project; authorizing the expenditure of funds from the System’s Project Fund in a total amount not to exceed \$202,100.00 for the acquisition of the Easements and related closing and title insurance costs; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to effectuate the acquisition of the Easements and to pay the amount not to exceed \$199,100.00 to Lookout Road Joint Venture and up to \$3,000.00 to Mission Title Company for related closing and title insurance costs. Total expenditures are: \$202,100.00. (MIKE BRINKMANN – BRUCE HABY)
31. A Resolution approving the acquisition of a permanent water line easement affecting 0.485 of an acre (21,144 square feet) and a temporary construction easement affecting 0.290 of an acre (12,654 square feet), located on the west corner of Alamo Parkway and Interstate Highway 35 in Selma, Guadalupe County, Texas, being out of the T. Herrera Survey No. 68, Abstract No. 153 in Guadalupe County, Texas, (the “Easements”), in connection with the Regional Carrizo Program, Water Delivery Pipeline Project; authorizing the expenditure of funds from the System’s Project Fund in a total amount not to exceed \$85,500.00 for the acquisition of the Easements and related closing and title insurance costs; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to effectuate the acquisition of the Easements and to pay the amount not to exceed \$82,500.00 to Vermeer Equipment of Texas, Inc., and up to \$3,000.00 to Mission Title

Company for related closing and title insurance costs. Total expenditures are: \$85,500.00. (MIKE BRINKMANN – BRUCE HABY)

32. A Resolution approving the acquisition of a permanent water line easement affecting 3.094 acres (134,782 square feet), and 0.473 acres (20,605 square foot), located along Cagnon Road, between Rustic Cedar soon to be platted Bisley Pass in Bexar County, being out of the William T. Neil Survey No. 62, Abstract No. 544, Bexar County, Texas, (the “Easements”), in connection with the Water Resources Integration Program, Segment III; authorizing the expenditure of funds from the System’s Project Fund in a total amount not to exceed \$133,000.00 for the acquisition of the Easements and related closing and title insurance costs; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to effectuate the acquisition of the Easements and to pay the amount not to exceed \$130,000.00 to Pulte Homes of Texas and up to \$3,000.00 to Ameripoint Title Company for related closing and title insurance costs. Total expenditures are: \$133,000.00. (MIKE BRINKMANN – BRUCE HABY)

FINANCIAL SERVICES ITEMS

33. A Resolution recommending and requesting that the San Antonio City Council establish the City’s intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various capital infrastructure improvements to the portion of the City’s Water Utility System designated as the District Special Project from the proceeds of one or more series of tax-exempt obligations to be issued by the City in an aggregate amount not to exceed \$20,000,000.00 for authorized purposes; and authorizing other matters incident and related thereto. (DOUG EVANSON)
- (DSP)

MISCELLANEOUS ITEMS

34. A Resolution approving the Audit Committee Charter with the proposed changes based on the required annual review as required by the Charter. (ROBERTO ANGUIANO)
35. A Resolution approving the Internal Audit Charter with proposed changes based on the required annual review; further directing that the Internal Audit Department implement the Internal Audit Charter. (DORA ANN VERDE)

ITEMS FOR INDIVIDUAL CONSIDERATION

CAPITAL IMPROVEMENT CONTRACTS

PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

Developer Customer Contracts

36. A Resolution accepting the bid of Atlas Construction, Corp., in the amount of \$1,877,186.50 for the construction of the sanitary sewer main and lift station in connection with The Verano Phase 2 Sanitary Sewer Lines “A1” & “B” and Verano Phase 2 Lift Station # 1 & 10-Inch Force Main Project; awarding a construction contract to Atlas Construction, Corp. in the amount of \$1,877,186.50 for the project work; authorizing the expenditure of System Funds in the amount of \$1,877,186.50 for the System's proportionate share of the project work; authorizing the expenditure of System Funds in the amount of \$187,718.65 for the System's proportionate share of the

engineering design fees; authorizing the System's proportionate share of the construction contingency expenses in an amount not to exceed \$50,000.00 in connection with the project work; authorizing a total amount not to exceed \$2,114,905.15 from System's 2012 Capital Improvements Plan Verano Sewer Mains and Lift Stations Project Fund for the System's proportionate share of the project work, engineering fees, and construction contingency expenses related to the project work; authorizing the President/Chief Executive Officer to execute a contract with Verano Land Group, L.P., and Atlas Construction, Corp., and provide payment in an amount not to exceed \$1,927,186.50 to Atlas Construction, Corp., for the construction of the proposed sewer mains and reimbursements in an amount not to exceed \$187,718.65 to Verano Land Group, L.P., for design fees. Total expenditures are: \$2,114,905.15.
(KELLEY NEUMANN – SAM MILLS)

Production, Transmission and Treatment Improvements

37. A Resolution accepting the bid of Wauters Engineering, LLC, in the amount of \$1,387,884.06 for the Forest Crest Water Local Benefit Main Project; awarding a contract to Wauters Engineering, LLC, in the amount of \$1,387,884.06 for the project work; approving the expenditure of funds in the amount of \$1,387,884.06 for the project work; approving construction contingency expenses in an amount not to exceed \$75,000.00 in connection with the project work; approving total expenditures in an amount not to exceed \$1,462,884.06 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Wauters Engineering, LLC, and to pay Wauters Engineering, LLC, an amount not to exceed \$1,462,884.06 for the project work and related construction contingencies. Total expenditures are: \$1,462,884.06. (KELLEY NEUMANN – FRANCES PLOCEK)
38. A Resolution accepting the bid of PM Construction & Rehab, LLC, in the amount of \$11,670,050.00 for the 2012 Rehabilitation Work Order Construction Contract; awarding a construction contract to PM Construction & Rehab, LLC, in the amount of \$11,670,050.00 for the project work; approving the expenditure of funds in an amount not to exceed \$11,670,050.00 for the project work; approving construction contingency expenses in an amount not to exceed \$329,950.00; approving total expenditures to be made available in an amount not to exceed \$12,000,000.00 from the System's Project Fund for the sewer project work and for the construction contingency expenses; authorizing the President/Chief Executive Officer to execute a construction contract with PM Construction & Rehab, LLC, and to pay PM Construction & Rehab, LLC, an amount not to exceed \$12,000,000.00 for the project work and related construction contingencies. Total expenditures are: \$12,000,000.00.
(KELLEY NEUMANN – FRANCES PLOCEK)
39. A Resolution accepting the bid of S.J. Louis Construction of Texas, Ltd., in the amount of \$9,578,874.44 for the Olmos Basin Central Watershed Sewer Relief Line (C-3) Project; awarding a contract to S.J. Louis Construction of Texas, Ltd., in the amount of \$9,578,874.44 for the project work; approving the expenditure of funds in the amount of \$9,578,874.44 for the project work; approving construction contingency expenses in an amount not to exceed \$450,000.00 in connection with the project work; approving total expenditures in an amount not to exceed \$10,028,874.44 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with S.J. Louise Construction of Texas, Ltd., and to pay S.J. Louis Construction of Texas, Ltd., an amount not to exceed \$10,028,874.44 for the project

work and related construction contingencies. Total expenditures are: \$10,028,874.44. (KELLEY NEUMANN – FRANCES PLOCEK)

REPLACEMENT AND ADJUSTMENT PROJECTS

Governmental Relocations and Replacements

40. A Resolution accepting the bid of Pronto Sandblasting & Coating & Oil Field Services Co., Inc., in the amount of \$1,152,884.00 for the 2012 Water and Sewer Alley Construction Contract, Package II; awarding a construction contract to Pronto Sandblasting & Coating & Oil Field Services Co., Inc., in the amount of \$1,152,884.00 for the project work; approving the expenditure of funds in an amount not to exceed \$1,152,884.00 for the project work; approving construction contingency expenses in an amount not to exceed \$115,288.40 in connection with the project work; approving a total amount not to exceed \$1,268,172.40 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Pronto Sandblasting & Coating & Oil Field Services Co., Inc., and to pay Pronto Sandblasting & Coating & Oil Field Services Co., Inc., an amount not to exceed \$1,268,172.40 for the project work and related construction contingencies. Total expenditures are: \$1,268,172.40. (KELLEY NEUMANN – CINDY KOVACIC)

FINANCIAL SERVICES ITEMS

41. A Resolution recommending and requesting that the San Antonio City Council take certain actions with respect to the Amendment of City Ordinances affecting certain series of System bonds and the issuance and sale of obligations designated as "City of San Antonio, Texas Water System Junior Lien Revenue Refunding Bonds, Series 2012 (No Reserve Fund)." (DOUG EVANSON)
42. A Resolution recommending and requesting that the San Antonio City Council take certain actions with respect to the Bexar Metropolitan Development Corporation, and authorizing designated SAWS Officers to take certain actions with respect to the purchase of Bexar Metropolitan Development Corporation facility and redemption of Bexar Metropolitan Development Corporation bonds. (NANCY BELINSKY)
- (SAWS-DSP)

MISCELLANEOUS ITEMS

43. A Resolution accepting the proposal of and awarding a water meter installation services contract to Grid One Solutions, Inc., in an amount not to exceed \$3,373,278.00 for water meter installation services regarding the 2012 Meter Replacement Program; authorizing expenditures in the amount of \$3,373,278.00 for the project work; authorizing contingency expenses in an amount not to exceed \$67,465.56 for the project work; authorizing the total amount not to exceed \$3,440,743.56 be made available and expended from the System's Project Fund for the project work and related contingencies; authorizing the System's President/Chief Executive Officer to execute a water meter installation services contract with Grid One Solutions, Inc., and to pay Grid One Solutions, Inc., an amount not to exceed \$3,440,743.56 for the 2012 Meter Replacement Program. Total Expenditures are: \$3,440,743.56. (STACEY ISENBERG – ALAN WILLIAMS)
44. A Resolution, concerning both the San Antonio Water System (System) and the District Special Project (DSP), accepting the bid of H. L. Zumwalt Construction, Inc. in the amount of \$4,569,640.50 for the Annual 2012 Asphalt Overlay Work Order Construction Contract; awarding a construction contract with an option for two
- (SAWS-DSP)

additional one year renewals to H. L. Zumwalt Construction, Inc. in the amount of \$4,569,640.50 for the project work; approving the expenditure of funds and the make available the amount of \$4,569,640.50 from both the System and DSP Funds for the project work and expenditures for subsequent years be pursuant and contingent upon board approval of subsequent year's budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative, to execute a contract with an option for two additional one year renewals with H. L. Zumwalt Construction, Inc. and to pay H. L. Zumwalt Construction, Inc. the amount of \$4,569,640.50 for both the System's and DSP's obligations under the terms of the contact for the project work. Total expenditures are: \$4,569,640.50.

(VAL RUIZ – JEFF BROWN)

45. A Resolution, concerning both the San Antonio Water System (System) and the District Special Project (DSP), accepting the bid of and awarding an annual service contract to Peerless Equipment, Ltd., in a base amount not to exceed \$2,738,270.00 to execute and complete well maintenance services, submersible pump and submersible motor repair and purchase, and other well-related services, with four (4) one-year options; authorizing the expenditure of funds in an amount not to exceed \$2,738,270.00 from both the System and DSP Funds and expenditures for subsequent years pursuant to and contingent upon board approval of subsequent years budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative to execute an annual service contract with Peerless Equipment, Ltd., for both the System and DSP and to pay Peerless Equipment, Ltd., an amount not to exceed \$2,738,270.00 to execute and complete well maintenance services, submersible pump and submersible motor repair and purchase, and other well-related services. Total Expenditures are: \$2,738,270.00. (STEVE CLOUSE – JEFF HABY)

(SAWS-DSP)

46. BRIEFING SESSION.

- A. Briefing and deliberation regarding the Texas Public Information Act and the Texas Open Meetings Act. (NANCY BELINSKY)

47. President/Chief Executive Officer's Report. Presentation of and deliberation on the following Items:

- A. Confluence Water Summit
B. Hemisfair Park Redevelopment
(DSP) C. District Special Project and SAWS Integration Progress

48. Inquiries.

49. The Regular Session of the March 5, 2012, Regular Board Meeting is hereby recessed to hold an Executive Session and discuss the matters listed below pursuant to Sections 551.071, 551.072, 551.073, and 551.074 of the Texas Open Meetings Act.

50. EXECUTIVE SESSION.

- A. Consultation with attorneys and deliberation regarding the appointment, employment, reassignment, duties, discipline, or dismissal of a public officer or employee. (NANCY BELINSKY - BILL CROW)
- B. Consultation with attorneys and deliberation regarding potential litigation relating to matters in connection with wastewater permit compliance issues. (NANCY BELINSKY – JOHN REYNOLDS)

- C. Consultation with attorneys and deliberation regarding legal issues related to the SAWS, Information System Agreement, software applications. (NANCY BELINSKY – SCOTT OLIVER)
 - D. Consultation with attorneys and deliberation regarding Cause No. 2010-CI-06762, *Elizabeth Weiss v. San Antonio Water System*, in the 45th Judicial District Court, Bexar County, Texas. (NANCY BELINSKY - BILL CROW)
 - E. Consultation with attorneys and deliberation regarding Cause No. 2010-CI-07444; *Debra Nicholas vs. San Antonio Water System*, in the 57th Judicial District Court, Bexar County, Texas. (NANCY BELINSKY – BILL CROW)
 - (DSP) F. Consultation with attorneys and deliberation regarding Second Amended and Restated Water Supply Agreement (Stein Tract) between Bexar Metropolitan Water District and Water Exploration Co., LTD. dated April 11, 2011, and Amended and Restated Water Supply Contract (Dym Tract) between Bexar Metropolitan Water District and Water Exploration Co., LTD. dated May 19, 2011. (NANCY BELINSKY – STEVE KOSUB)
 - (DSP) G. Deliberation with attorneys for the benefit of the District Special Project regarding waiver of the attorney client privilege that would otherwise protect from disclosure Bexar Metropolitan Water District’s confidential communications relating to Water Exploration Co., Ltd. (NANCY BELINSKY – STEVE KOSUB)
 - H. Deliberation regarding the annual evaluation, performance objectives and duties of the Chief of Internal Audit; and consultation with attorneys concerning legal issues regarding the annual evaluation, performance objectives and duties of the Chief of Internal Audit. (NANCY BELINSKY)
 - I. Consultation with attorneys and deliberation for the San Antonio Water System and its Board of Trustees, and consideration of matters in which the duty of the attorney to the San Antonio Water System and its Board of Trustees under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act. (NANCY BELINSKY)
51. The Regular Session of the Regular Board Meeting of March 5, 2012, is hereby reconvened.
 52. A resolution approving settlement of a lawsuit of Elizabeth Weiss against the San Antonio Water System; approving the System's financial obligation under the settlement; authorizing expenditures in the total amount of \$13,750.00 from the System Fund for purposes of the settlement; authorizing the President/Chief Executive Officer and the System's Legal Counsel to execute the Settlement Agreement and to pay \$13,750.00 to Elizabeth Weiss and her attorney for the System's obligation under the terms of the Settlement Agreement. Total expenditures are: \$13,750.00. (NANCY BELINSKY - BILL CROW)
 53. A Resolution for the benefit of the District Special Project, waiving the attorney client privilege that would otherwise protect from disclosure Bexar Metropolitan Water District’s confidential communications relating to Water Exploration Co., Ltd. (NANCY BELINSKY – STEVE KOSUB)
 54. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF MARCH 5, 2012, IS HEREBY ADJOURNED.