

# METRO WASTEWATER RECLAMATION DISTRICT

## Minutes of the Regular Meeting of the Board of Directors

January 21, 2020

The Board of Directors of the Metro Wastewater Reclamation District, in the Counties of Adams, Arapahoe, Douglas, Jefferson, and Weld, and the City and County of Denver, State of Colorado, met in regular session in the Board Room, 6450 York Street, Denver, Colorado, Tuesday, January 21, 2020, at 5:30 p.m.

Chairman Baertlein called the meeting to order.

### 1. OATH OF OFFICE

The following Director has been appointed by his Member Municipality to complete a two-year term of office that expires June 30, 2020.

**Appointed Director**

Bob LeGare

**Member Municipality**

City of Aurora

### 2. ROLL CALL

Secretary Caldwell called the roll.

**Officers Present:**

Peter Baertlein, Denver  
Scott Twombly, Thornton  
Nadine Caldwell, Aurora  
Andrew Johnston, Denver

Chairman  
Chairman Pro Tem  
Secretary  
Treasurer

**Directors Present:**

Phil Burgi, Wheat Ridge  
Philip Cipri, Berkeley  
John Dingess, Aurora  
Robert Duncanson, Denver  
Stephen Gay, Westminster  
Jo Ann Giddings, City of Aurora  
Mark Hunter, Lakewood  
Joan Iler, Westridge  
Kathryn Jensen, North Table Mountain  
Janet Kieler, Denver  
Craig Kocian, Arvada  
Bob LeGare, Aurora  
Charles Long, Thornton  
Dan Mikesell, Aurora  
Sarah Niyork, South Adams

Christopher Pacheco, Denver  
Steve Pott, Applewood  
Barbara Puls, Denver  
Bill Ray, Arvada  
Ronald Sanchez, Crestview  
Michael Sapp, Denver  
Kim Schoen, Brighton  
Greg Sekera, Lakewood  
Del Smith, Bancroft-Clover  
Peter Spanberger, Denver  
Mary Beth Susman, Denver  
Amerigo Svaldi, North Washington Street  
Dennis Towndrow, North Pecos  
Ronald Younger, Denver

**Directors Absent:**

David Councilman, Pleasant View  
Martin Majors, Fruitdale

**Others Present:**

Mickey Conway  
Robert Thomas  
Emily Jackson  
Ruth Kedzior  
Yvonne Kohlmeier  
Lydia Nkem  
Barbara Wilson

District Manager  
Deputy Manager / Director of Environmental Services  
General Counsel  
Assistant to the District Manager  
Administrative Assistant  
Executive Assistant  
Information Technology Officer

**3. PUBLIC COMMENT**

There was none.

**4. APPROVAL OF MINUTES**

**4.a Minutes of the Board of Directors Meeting on December 17, 2019**

Chairman Baertlein asked if there were any corrections, deletions, or additions to the minutes of the Regular Meeting of the Board of Directors held December 17, 2019.

Director Kieler moved and Director Ray seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held December 17, 2019.

**5. PROGRESS AND PROJECTION REPORTS**

**5.a Report by District Manager**

District Manager Conway reviewed his written report, highlighting the upcoming New Director Orientation scheduled for Monday, February 10, 2020, 7 to 10 a.m. He explained the session was created for new Directors who joined the Board of Directors within the last year, but open to Directors who want a refresher. Mr. Conway stated moving forward a New Director Orientation will be held in September every year.

Mr. Conway announced he recently gave a presentation to the Wheat Ridge Sanitation District Board of Directors and staff and was pleased with the meeting outcome and participation. He thanked Director Burgi for his assistance in arranging for the presentation, reinforced why getting together with connectors is important, and encouraged other Directors to schedule presentations for their municipality.

**5.b Report by General Counsel**

Ms. Jackson provided an Optimal Corrosion Control Treatment (OCCT) litigation update, stating the public comment period associated with the variance was now closed, the feedback is good, and the next phase will be to dismiss the lawsuit.

Ms. Jackson explained the recent developments concerning the peracetic acid (PAA) full scale demonstration program and that at the request of the Colorado Department of Public Health and Environment (CDPHE), the Metro District has applied for a second full-scale pilot. Ms. Jackson explained this second pilot program is for one year with the option to extend for a second year.

Ms. Jackson gave an update on a meeting on legislation related to per- and polyfluoroalkyl substances (PFAS), HB20-1119, held Friday, January 17, 2020, discussing liability concerns, sampling, and effluent standards.

## 6. REPORTS OF OFFICERS AND COMMITTEES

### 6.a Meeting Minutes

There were no additions to the following meeting minutes:

Operations Committee	January 7, 2020
Finance Committee	January 9, 2020
Executive Committee	January 14, 2020

## 7. NEW BUSINESS

### Consent Agenda

#### 7.a Consideration of Designating a Public Place for Posting Meeting Notices

Director Smith moved and Director Mikesell seconded the motion to adopt the following resolution:

WHEREAS, the Colorado Open Meetings Law, C.R.S. § 24-6-402(2)(c), requires the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," to designate the public place for posting meeting notices at its first regular meeting of each calendar year; and

WHEREAS, Metro District staff recommends the lighted, glass-enclosed bulletin board located at the turnaround outside of the security guard house at the main entrance to the District facility located at 6450 York Street, Denver, Colorado, be designated as the public place for posting meeting notices; and

WHEREAS, the Operations, Finance, and Executive committees, after having reviewed the matter, concur in the recommendation of staff;

NOW, THEREFORE, BE IT RESOLVED the lighted, glass-enclosed bulletin board located at the turnaround outside of the security guard house at the main entrance to the Metro District facility located at 6450 York Street, Denver, Colorado, be and hereby is designated as the public place for posting meeting notices.

The motion carried unanimously.

#### 7.b Consideration of a Chemical Contract for Peracetic Acid

Director Smith moved and Director Mikesell seconded the motion to adopt the following resolution:

WHEREAS, it is necessary that the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," purchase a supply of peracetic acid (PAA) for its disinfection system at the Robert W. Hite Treatment Facility (RWHTF); and

WHEREAS, in July 2017, the Metro District solicited proposals from four Environmental Protection Agency (EPA)-registered PAA wastewater disinfection suppliers to provide prefabricated PAA storage and dosing equipment as well as PAA chemical supply, and, alternatively, to provide backup PAA chemical supply; and

WHEREAS, in July 2017, the Metro District received responses from three of the EPA-registered suppliers, with Enviro Tech Chemical Services, Inc. (Enviro Tech) submitting the apparent low bid for PAA chemical supply at a price of \$0.50 per pound (\$4.74 per gallon) and PeroxyChem LLC (PeroxyChem) submitting the apparent second low bid for backup PAA chemical supply at \$0.695 per pound (\$6.72 per gallon); and

WHEREAS, on September 17, 2017, in Resolution 0917-7.g, the Board of Directors authorized the District Manager to enter into one-year contracts with Enviro Tech and PeroxyChem for the primary and secondary supply of PAA, respectively, and enter into one-year extensions of the same if deemed in the best interest of the Metro District; and

WHEREAS, in January 2017, the Metro District entered into one-year contracts with Enviro Tech and PeroxyChem for the primary and backup supply of PAA, respectively, and in January 2018 extended both contracts for an additional year; and

WHEREAS, pursuant to the Metro District's *Purchasing and Contracting Policies*, the contracts may be extended for an additional three years, and Enviro Tech and PeroxyChem would like to continue supplying PAA to the District, and staff believe the continued supply of PAA by these vendors would be in the best interest of the District; and

WHEREAS, in November 2019, renewal quotes for PAA were received with Enviro Tech remaining the lowest unit cost at a price of \$0.519 per pound and PeroxyChem the next lowest unit cost at a price of \$0.695; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend the Board of Directors authorize the District Manager to enter into a one-year contract with Enviro Tech for the supply of PAA chemical at a price of \$0.519 per pound and with PeroxyChem as a backup supplier of PAA chemical at a price of \$0.695 per pound and authorize the District Manager to enter into additional contract periods, not exceeding a total of three years, if he deems such extensions to be in the best interest of the Metro District; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other Committees;

NOW, THEREFORE, BE IT RESOLVED the District Manager be and hereby is authorized to enter into a one-year contract with Enviro Tech Chemical Services, Inc. for the supply of peracetic acid chemical at a price of \$0.519 per pound and enter into a one-year contract with PeroxyChem LLC as a backup supplier of peracetic acid chemical at a price of \$0.695 per pound; and

BE IT FURTHER RESOLVED the District Manager be and hereby is authorized to enter into additional contract periods for the aforementioned contract, not exceeding a

total of three years, if he deems such extensions to be in the best interest of the Metro District.

The motion carried unanimously.

**7.c Consideration of the Equipment Purchase for the District Data Storage Infrastructure Project (PAR 1371)**

Director Smith moved and Director Mikesell seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest of the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," to purchase information technology (IT) storage equipment, installation services, and support to maintain the Metro District's daily operations; and

WHEREAS, the Metro District operates a variety of networks, equipment, software, and information systems (collectively referred to as systems) that store electronic data; and

WHEREAS, the Metro District's current storage capacity for electronic data must be enhanced to accommodate the increasing demand for data storage by purchasing network components, disc trays, and controllers (Equipment) as well as installation services, support, and training (Services) through State of Colorado corporate purchasing agreements in accordance with the District's *Purchasing and Contracting Policies*; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend the Board of Directors authorize the District Manager to purchase Equipment and Services through State of Colorado corporate purchasing agreements for a not-to-exceed amount of \$850,000; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other Committees;

NOW, THEREFORE, BE IT RESOLVED the District Manager be and hereby is authorized to purchase network components, disc trays, and controllers as well as installation services, support, and training through State of Colorado corporate purchasing agreements for a not-to-exceed amount of \$850,000; and

BE IT FURTHER RESOLVED the sum of \$850,000 (100 percent) be and hereby is appropriated from the General Fund for these purposes.

The motion carried unanimously.

**7.d Consideration of Water Treatment Chemicals and Services Contract**

Director Smith moved and Director Mikesell seconded the motion to adopt the following resolution:

WHEREAS, it is necessary that the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," enter into a contract for water treatment

services and chemicals for the Robert W. Hite Treatment Facility (RWHTF) and the Northern Treatment Plant (NTP); and

WHEREAS, the Metro District uses water treatment services and chemicals to control corrosion and scale build-up in various water systems through both plants such as the Digester heating loops and the Cooling Towers; and

WHEREAS, a Request for Proposal (RFP) was posted on the Rocky Mountain E-Purchasing site (*BidNet*) for the supply of water treatment services and chemicals for both the RWHTF and NTP, and four companies attended the pre-proposal conference and site walk; and

WHEREAS, one bid was received from Summit Laboratories Inc., submitting a bid to provide water treatment services and chemicals for five years for a not-to-exceed amount of \$499,213; and

WHEREAS, Metro District staff believe that it is in the best interest of the District to increase the upper limit of the contract by \$17,500 to provide additional contracting authority which will be used if there is the need to replace equipment unexpectedly, for a total not-to-exceed contract amount of \$516,173; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend the Board of Directors authorize the District Manager to enter into a one-year contract with Summit Laboratories, Inc. for water treatment services and chemicals for the RWHTF and the NTP and authorize the District Manager to enter into additional contract periods, not exceeding a total of five years, if he deems such extensions to be in the best interest of the Metro District, for a total not-to-exceed amount of \$516,173; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other Committees;

NOW, THEREFORE, BE IT RESOLVED the District Manager be and hereby is authorized to enter into a one-year contract with Summit Laboratories, Inc. for water treatment services and chemicals for the Robert W. Hite Treatment Facility and the Northern Treatment Plant; and

BE IT FURTHER RESOLVED the District Manager be and hereby is authorized to enter into additional contract periods for the aforementioned contract, not exceeding a total of five years and for a not-to-exceed amount of \$516,173, if he deems such extensions to be in the best interest of the Metro District.

The motion carried unanimously.

## **Roll Call Agenda**

### **7.e Consideration of the Purchase of Two Road Trucks, One Vacall Truck, One TV Equipment Van with TV/Computer Equipment, One Farm Tractor, and Four Live Bottom Trailers**

Director Younger moved and Director Iler seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest of the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," to purchase vehicles with appurtenances for the Metro District's rolling fleet to be used in the operations of the District; and

WHEREAS, several vehicles in the Metro District's rolling fleet have reached the end of their service lives and require replacement or the manufacturer has gone out of business and parts are no longer available; and

WHEREAS, adhering to the Metro District's *Purchasing and Contracting Policies*, specifications for the purchase of the following items were submitted to the following vendors:

- two 2020 Peterbilt Model 389 road trucks, one 2020 Peterbilt Model 367 Vacall truck, and one 2020 Peterbilt Model 337 TV equipment van to Rush Truck Centers; and
- TV/Computer equipment (to be installed in the 2020 Peterbilt Model 337 TV equipment van) to CUES West; and
- one 2020 John Deere Model 8370R farm tractor to 4Rivers Equipment; and
- four 2020 Trail King live bottom trailers Model OLB36-102NG-HSW "Advantage Series" were submitted to Transwest; and

WHEREAS, the Metro District obtained pricing from Rush Truck Center pursuant to the Texas Buy Board cooperative governmental price agreement for two 2020 Peterbilt Model 389 road trucks, one 2020 Peterbilt Model 367 Vacall truck, and one 2020 Peterbilt Model 337 TV equipment that all conformed the District's specifications, for a total purchase price of \$755,102, including transport and delivery; and

WHEREAS, the Metro District obtained pricing from CUES West for TV/Computer equipment that conformed to the District's specifications to be installed in the 2020 Peterbilt Model 337 TV van, for a total purchase price of \$231,471, including installation; and

WHEREAS, the Metro District obtained pricing from 4Rivers Equipment pursuant to the Sourcewell AG cooperative governmental price agreement for one 2020 John Deere Model 8370R farm tractor that conformed to the District's specifications, for a total purchase price of \$270,312, including transport and delivery; and

WHEREAS, the Metro District obtained pricing from Transwest Trailers pursuant to the Sourcewell AG cooperative governmental price agreement for four 2020 Trail King live bottom trailers Model OLB36-102NG-HSW "Advantage Series" that

conformed to the District's specifications, for a total purchase price of \$367,690, including transport and delivery; and

WHEREAS, the Operations and Finance committees of the Metro District, after having reviewed the matter, recommend the Board of Directors authorize the District Manager to enter into a contract with Rush Truck Centers for the purchase of two 2020 Peterbilt Model 389 road trucks, one 2020 Peterbilt Model 367 Vacall truck, and one 2020 Peterbilt Model 337 TV equipment van, enter into a contract with CUES West for the purchase of TV/Computer equipment, enter into a contract with 4Rivers Equipment for the purchase of one 2020 John Deere Model 8370R farm tractor, and enter into a contract with Transwest Trailers for the purchase of four 2020 Trail King live bottom trailers Model OLB36-102NG-HSW "Advantage Series," for a total purchase price of \$1,624,575; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other Committees;

NOW, THEREFORE, BE IT RESOLVED the District Manager be and hereby is authorized to purchase two 2020 Peterbilt Model 389 road trucks, one 2020 Peterbilt Model 367 Vacall truck, and one 2020 Peterbilt Model 337 TV equipment van, TV/Computer equipment, one 2020 John Deere Model 8370R farm tractor, and four 2020 Trail King live bottom trailers Model OLB36-102NG-HSW "Advantage Series," for a total purchase price of \$1,624,575; and

BE IT FURTHER RESOLVED the sum of \$995,355 be and hereby is appropriated from the Fixed Asset Replacement Fund for these purposes.

Chairman Baertlein noted the appropriation amount change, and District Manager Conway explained some of the purchases were already included in the approved budget.

Chairman Baertlein called for a roll call vote which carried with 33 Directors voting Yes:

Peter Baertlein	Andrew Johnston	Ronald Sanchez
Phil Burgi	Janet Kieler	Michael Sapp
Nadine Caldwell	Craig Kocian	Kim Schoen
Phil Cipri	Bob LeGare	Greg Sekera
John Dingess	Charles Long	Del Smith
Robert Duncanson	Dan Mikesell	Peter Spanberger
Stephen Gay	Sarah Niyork	Mary Beth Susman
Jo Ann Giddings	Christopher Pacheco	Amerigo Svaldi
Mark Hunter	Steve Pott	Dennis Towndrow
Joan Iler	Barbara Puls	Scott Twombly
Kathryn Jensen	Bill Ray	Ronald Younger



**8. INDIVIDUAL DIRECTOR COMMENTS**

There was none.

**9. OTHER INFORMATION**

There was none.

**10. ADJOURNMENT**

Chairman Baertlein adjourned the meeting at 5:52 p.m.

MC:rak/yjk

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