

This Agenda is posted pursuant to Chapter 551, Texas Government Code

**Matters to Come Before a Meeting of the Board of Directors
of Tarrant Regional Water District**

To Be Held the 15th Day of August 2023 at 9:00 a.m.

**Front Doors to the Main Admin Building at 800 East Northside Drive Will Open to
the Public at 8:30am and Close Fifteen (15) Minutes After the Meeting Adjourns**

**TRWD Board Room
800 East Northside Drive
Fort Worth, Texas 76102**

**PLEASE BE ADVISED THAT A QUORUM OF THE BOARD OF DIRECTORS OF TRWD
WILL CONVENE ON THE ABOVE DATE AND TIME FOR THE PURPOSE OF
CONSIDERING AND ACTING UPON THE MATTERS SET FORTH IN THIS AGENDA.
THE LINK TO VIEW AND LISTEN TO THE MEETING VIA INTERNET IS
<HTTPS://WWW.TRWD.COM/BOARDVIDEOS>. A RECORDING OF THE MEETING
WILL ALSO BE AVAILABLE AT <HTTPS://WWW.TRWD.COM/BOARDVIDEOS>.**

- 1. Pledges of Allegiance**
- 2. Public Comment**

Citizens may present public comment at this time, limited to a total time of three (3) minutes per speaker, unless the speaker addresses the Board through a translator, in which case the limit is a total time of six (6) minutes. If citizens wish to address the Board in person, each proposed speaker must have completed and submitted a speaker card prior to the commencement of the meeting, identifying any agenda item number(s) and topic(s) the speaker wishes to address with the Board. If citizens wish to address the Board virtually, each proposed speaker must have contacted Mr. Chad Lorange of TRWD - by telephone at (817) 720-4367 or by email at chad.lorange@trwd.com - by no later than 3:00 p.m. on Monday, August 14, 2023, identifying any agenda item number(s) and topic(s) the speaker wishes to address with the Board. In such event, the speaker will be provided with a dial-in number to address the Board. By law, the Board may not deliberate, debate, or take action on public comment but may place the item on a future agenda.

- 3. Consider Approval of the Minutes from the Meetings Held on July 17, 2023, and July 18, 2023**
- 4. Consider Approval of Contract with Freese and Nichols, Inc. for Environmental and Permitting Services for the Cedar Creek Pipeline**

Replacement Project in the Mansfield to Waxahachie Area - Darrel Andrews, Environmental Director

- 5. Consider Approval of Contract with Archer Western Construction, LLC for Backup Sodium Hypochlorite Feed Facility and Hydraulic Actuators Installation at Richland-Chambers Lake Pump Station - Jason Gehrig, Infrastructure Engineering Director**
- 6. Consider Approval of Contract with Azcarate & Associates Consulting Engineers, LLC for Engineering Services for Electrical Room Cooling Improvements at Richland-Chambers High Capacity Booster Pump Station in Waxahachie - Jason Gehrig, Infrastructure Engineering Director**
- 7. Consider Approval of Change in Calculation of Retainage with BAR Constructors, Inc. for Kennedale Balancing Reservoir Yard Piping and Inlet and Outlet Modifications Project - Jason Gehrig, Infrastructure Engineering Director**
- 8. Consider Approval of Contract with Vann/Elli Inc. for Marine Creek Dam Barrier Fence Installation - Darrell Beason, Chief Operations Officer**
- 9. Consider Approval of Contract with Kimley-Horn & Associates, Inc. for Central City and Panther Island Engineering Support Services - Kate Beck, Program Director Central City Flood Control Project**
- 10. Consider Approval of Contract with The National Theatre for Children, Inc., for Elementary School Water Conservation Education Services - Linda Christie, Government Affairs Director**
- 11. Consider Approval of Contract with Tinker LLC for Elementary School Water Conservation Education Services - Linda Christie, Government Affairs Director**
- 12. Vote to Place a Proposal to Adopt a Tax Year 2023 Tax Rate of \$.0267/\$100 on the Agenda for the September 19, 2023 Board of Directors Meeting; and Establish a Date for a Public Hearing to be Held September 13, 2023 at 3:30 PM on the Proposed Tax Year 2023 Tax Rate of \$.0267/\$100 - Sandy Newby, Chief Financial Officer**
- 13. Staff Updates**
 - Water Resources Update - Zachary Huff, Water Resources Engineering Director**
 - Panther Island Vision 2.0 Update - Kate Beck, Program Director, Central City Flood Control Project**

- **Central City Flood Control Project Website Update - Matt Oliver, Outreach Coordinator, Central City Flood Control Project**
- **District Awards Update - Darrel Andrews, Environmental Director**

14. Executive Session under Texas Government Code:

Section 551.071 of the Texas Government Code, for Private Consultation with its Attorney about Pending or Contemplated Litigation or on a Matter in which the Duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly Conflicts with this Chapter; and

Section 551.072 of the Texas Government Code to Deliberate the Purchase, Exchange, Lease or Value of Real Property

15. Consider Approval of Authorization to Acquire Real Property Interests by Purchase for Cedar Creek Pipeline Rehab Project - Steve Christian, Real Property Director

- **Parcel 30
(Ash Grove Cement Company)**

A temporary easement interest across a 4.733-acre tract of land situated in the Allen Reeves Survey, Abstract No. 939, City of Midlothian, Ellis County, Texas

16. Future Agenda Items

17. Schedule Next Board Meeting

18. Adjourn

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 17th DAY OF JULY 2023 AT 3:00 P.M.

The call of the roll disclosed the presence of the Directors as follows:

Present

Leah King
James Hill
C.B. Team
Paxton Motheral

Absent

Mary Kelleher

Also present were Dan Buhman, Alan Thomas, Crystal Alba, Travis Bird, Linda Christie, Tyler DeMelo-Cevallos, Ellie Garcia, Jason Gehrig, Rachel Ickert, Laramie LaRue, Wendy Lockhart, Shelby Lyon, Jennifer Mitchell, Sandy Newby, and Stephen Tatum of the Tarrant Regional Water District (District or TRWD).

President King convened the meeting with assurance from management that all requirements of the Texas Open Meetings Act had been met.

1.

All present were given the opportunity to join in reciting the Pledges of Allegiance to the U.S. and Texas flags.

2.

Public comment was received from Doreen Geiger who indicated she would speak regarding public comment. Lon Burnam who indicated he would speak regarding public comment. One additional comment was received via the District website from Irene Kjornes.

3.

The Board of Directors discussed the proposed Fiscal Year 2024 Revenue Fund

Budget, the proposed Fiscal Year 2024 General Fund Budget and the proposed Fiscal Year 2024 Special Projects/Contingency Fund Budget.

4.

The Board of Directors did not have a need to hold an Executive Session.

5.

There were no future agenda items approved.

6.

The next board meeting was scheduled for July 18, 2023 at 9:00 a.m.

7.

There being no further business before the Board of Directors, the meeting was adjourned.

President

Secretary

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 18th DAY OF JUNE 2023 AT 9:00 A.M.

The call of the roll disclosed the presence of the Directors as follows:

Present
Leah King
James Hill
Mary Kelleher
C.B. Team
Paxton Motheral

Also present were Dan Buhman, Alan Thomas, Crystal Alba, Kate Beck, Linda Christie, Ellie Garcia, Zach Hatton, Zachary Huff, Rachel Ickert, Laramie LaRue, Sandy Newby, Stephen Tatum, and Ed Weaver of the Tarrant Regional Water District (District or TRWD).

1.

All present were given the opportunity to join in reciting the Pledges of Allegiance to the U.S. and Texas flags.

2.

Public comment was received from Lon Burnam, who spoke regarding a discussion with District staff about conservation issues, and to request that Board Committee meetings be open to members of the public.

3.

Director Hill moved to approve the minutes from the meeting held on June 20, 2023. Director Team seconded the motion, and the votes were 5 in favor, 0 against. It was accordingly ordered that these minutes be placed in the permanent files of the District.

4.

With the recommendation of management, Director Team moved to approve a contract in an amount not-to-exceed \$3,453,290 with Hydro Resources Mid-Continent, Inc. for drilling of the Aquifer Storage and Recovery (ASR) wells. This first phase of the project includes drilling one full-scale demonstration ASR well and one monitoring well at the Trinity River Authority water treatment plant. Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

5.

With the recommendation of management, Director Kelleher moved to approve a contract in the amount of \$53,826,721 with BAR Constructors, Inc. for construction of Phase 3 of the Integrated Pipeline Project - Lake Palestine Lake Pump Station and Intake - Package 1 - Wet Well and Intake Channel. In addition, authority is granted to the General Manager or his designee to execute all documents associated with the contract. Funding for this item is included in the Dallas Bond Fund. Director Hill seconded the motion, and the votes were 5 in favor, 0 against.

6.

With the recommendation of management, Director Team moved to approve a change in calculation of the retainage being held for Traylor-Sundt Joint Venture to 5% of the contract price of \$221,709,302.25 for Section 19 Long Tunnel of the Integrated Pipeline Project. All remaining contract payments are to be made in full, and any changes to the contract price by change order or alternate base bid work for the project will require adjustment to the retainage schedule. In addition, authority is granted to the General Manager or his designee to execute all documents associated with the contract. Funding

for this item is included in the Dallas Bond Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

7.

With the recommendation of management, Director Hill moved to approve a contract in an amount not-to-exceed \$246,137 with Veit National, Corporation for demolition and asbestos abatement of South Bypass Channel - Package 2 for the Central City Flood Control Project. In addition, the Board approved an additional 20% contingency to cover any additional unforeseen demolition or abatement costs necessary should they be required, for a total budget authorization of \$295,365. Funding for this item is included in the Fiscal Year 2023 Special Projects/Contingency Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

8.

With the recommendation of management, Director Hill moved to approve renewal of the service agreement with Republic Waste Services for waste disposal fees based on the volumes of demolition and environmental waste anticipated from the Central City Flood Control Project. This renewal is extended for an additional three years, effective through the end of 2026. Funding for this item is included in the Fiscal year 2023 Special Projects/Contingency Fund. Director Motheral seconded the motion, and the votes were 5 in favor, 0 against.

9.

With the recommendation of management, Director Hill moved to approve a contract amendment in the amount of \$1,400,000 with Aptim to complete environmental engineering, procurement and remediation services required of the District by United States Army Corps of Engineers and Texas Commission on Environmental Quality on the

Central City Flood Control Project. In addition, authority is granted to the General Manager or his designee to execute all documents associated with the contract amendment. Funding for this item is included in the Fiscal Year 2023 Special Projects/Contingency Fund. Director Team seconded the motion, and the votes were 5 in favor, 0 against.

10.

With the recommendation of the District's financial advisors and Bond Counsel, Director Team moved to approve a resolution authorizing the issuance, sale, and delivery of the Tarrant Regional Water District, a Water Control and Improvement District, Water Revenue ECP Series A Refunding Bonds, pledging revenues for the payment of the bonds, approving an official statement, and authorizing other instruments and procedures relating thereto. Director Motheral seconded the motion, and the votes were 4 in favor, 0 against. President King was absent for the vote.

11.

Staff Updates

- General Manager Update presented by Dan Buhman, General Manager
- Water Resources Update presented by Rachel Ickert, Chief Water Resources Officer
- Regional Water Conservation Public Awareness Campaign Update presented by Dustan Compton, Conservation Manager
- Fort Worth Hispanic Chamber's "50 Emerging Latino Leaders" Update presented by Sandy Newby, Chief Financial Officer

The Board of Directors recessed for a break from 10:13 a.m. to 10:15 a.m.

12.

The Board next held an Executive Session commencing at 10:16 a.m. under Section 551.071 of the Texas Government Code to Consult with Legal Counsel on a Matter in Which the Duty of Counsel Under the Texas Disciplinary Rules of Professional Conduct Clearly Conflicts with Chapter 551, Texas Government Code.

Upon completion of the executive session at 10:29 a.m., the President reopened the meeting.

13.

There were no future agenda items approved.

14.

The next board meeting was scheduled for August 15, 2023, at 9:00 a.m.

15.

There being no further business before the Board of Directors, the meeting was adjourned.

President

Secretary

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 4

DATE: August 15, 2023

SUBJECT: Consider Approval of Contract with Freese and Nichols, Inc. for Environmental and Permitting Services for the Cedar Creek Pipeline Replacement Project in the Mansfield to Waxahachie Area

FUNDING: Bond Fund

RECOMMENDATION:

Management recommends approval of a contract **in the amount of \$250,280** with Freese and Nichols, Inc. for the environmental permitting of approximately 11 miles of the Cedar Creek Section 2 pipeline replacement project. These professional services include conceptual analysis and desktop evaluation, environmental and archaeological evaluation, permitting preparation and submittal to receive a US Army Corps of Engineers (USACE) permit.

DISCUSSION:

This environmental permitting contract is in direct correlation to the engineering design contract awarded previously. In October of 2019 the District awarded an engineering design services contract to Black and Veatch Corporation for the removal and replacement of approximately ten miles of Cedar Creek pipeline in the Mansfield to Waxahachie area where significant amounts of distressed 72-inch pipe exist. In February of 2023, Black and Veatch scope was amended to add another section of pipe to the project for a total of approximately 11 miles. This replacement will improve the District's reliability in delivering water to customer cities as well as reduce the risk to the surrounding rapidly urbanizing areas.

Design documents and other information from Black and Veatch will serve as the starting point for the environmental permitting process. After receipt of these documents, Freese and Nichols, Inc. (FNI) will evaluate the required construction activities with the permit requirements to confirm compliance. After field pedestrian surveys, FNI will prepare the permit application documents for submittal to the USACE.

The Request for Statement of Qualifications was advertised as per statute with qualifications received from five engineering consulting firms. All five submittals were reviewed and evaluated and FNI was determined to be the most qualified firm to perform these services.

These environmental permitting services will take place over the next eight months with close coordination with the engineering design project. Attached is the scope of services to be provided by FNI for this contract.

FNI has subcontracted a portion of the contract to diverse businesses, resulting in an overall diverse business participation commitment of 20%.

This item was reviewed by the Construction and Operations Committee on August 11, 2023.

Submitted By:

Darrel Andrews.
Environmental Director



List of Submitting Firms

RFSOQ No. 23-138

Cedar Creek Pipeline Replacement – Environmental and Permitting Services

Due Date and Time:	May 31, 2023, at 2:00 p.m. CST
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Name of Firm
Blanton & Associates, Inc.
Colliers Engineering & Design, Inc.
Freese and Nichols, Inc.
Modern Geosciences
Terracon Consultants, Inc.

ATTACHMENT 1
Scope of Services
Cedar Creek Pipeline Replacement – Environmental and Permitting Services
Freese and Nichols, Inc.
July 25, 2023

Basic Services:

Task 1: Project Management Services

All project deliverables will be stored and managed on the TRWD project portal site. A communication plan will be submitted at the project kickoff meeting to determine what correspondence may be emailed.

Project management tasks to be performed as part of this task are:

- a. Quality Assurance and Quality Control (QA/QC) Plan: FNI will develop and implement a QA/QC Plan to check, as a minimum, planning methods, design methods, calculations, cost estimates, field investigations, measurements, drawings, specifications, addenda, and other technical issues associated with the project planning and design.
- b. Project Schedule: FNI will submit a baseline project schedule at the onset of the project, and then update schedule at all phases of the project, including monthly progress meetings, milestone tasks and dates for TRWD internal review periods (typically 2 weeks).
- c. Monthly Status Report: FNI will send the TRWD project manager a monthly report regarding the status of the project progress to date and upcoming tasks to be accomplished in the coming month, including any tasks needed to be accomplished by TRWD staff to assist with project progress.
- d. Meeting Agendas and Summaries: FNI will prepare meeting agendas and send to meeting participants at least 48 hours in advance of the upcoming meeting. FNI will take meeting notes, review action items, and issue meeting minutes after each meeting.

Task 2: Conceptual Analysis and Desktop Evaluation

FNI will perform a desktop analysis of the pipeline ROW and other adjacent areas needed for the project.

Tasks to be performed as part of this task are:

- a. Obtain and review existing records related to the project.
- b. Evaluate environmental considerations.
- c. Incorporate all existing data into GIS for use during this project.

Task 3: Environmental and Archeological Evaluation

FNI will perform an environmental permitting evaluation, including a cultural resources evaluation, of the complete project footprint. Tasks to be performed as part of the desktop analysis include:

- a. Gather and Review Existing Information: Prior to conducting a pedestrian survey within proposed project area, Consultant will assemble and review data such as aerial photographs, USGS topographic maps, National Wetlands Inventory (NWI) maps, the USGS National Hydrography Dataset (NHD), and soils data within the proposed project area.
- b. Conduct Pedestrian Survey: Consultant will conduct a site visit/field review to make observations within the proposed project area to document existing environmental conditions and assess potential project impacts. The objective of this site visit is to identify permit issues and recommend adjustments to minimize or avoid impacts to waters of the U.S

- and other environmental conflicts and streamline the permitting effort. For Threatened and Endangered Species, Consultant will identify potential habitat and document any T&E species encountered. Emphasis will be on federally listed species for Federal permitting, but the Texas Parks and Wildlife Department T&E species database for the project site will be reviewed and documented. Right-of-entry will be provided by TRWD. The presence and locations of waters of the U.S., including wetlands, potential threatened/endangered species and critical habitat, and vegetation cover types will be identified within the proposed project area. In order to document an opinion on the jurisdictional status of waterbodies and wetlands, the Rapanos Guidance dated December 2, 2008 and the yet-to-be-released guidance document following the 2023 Sackett vs Environmental Protection Agency (EPA) case (guidance reportedly scheduled for issuance in Fall 2023) are anticipated to both be used during identification of potential waters of the U.S.
- c. Cultural Resources Desktop Evaluation and Archeological Survey: Consultant will render the following professional services with the development of the Project, as follows:
- i. Review desktop-level datasets to assess the project's potential for affecting significant archaeological resources. The results of the background review and interpretation will be summarized into a brief narrative letter report with supporting maps and other imagery for THC review. This letter report will inform the THC about the project and seek their comment about what further investigations (if any) would likely be required for future regulatory compliance.
 - ii. Assuming that an archeological survey is needed to assess project-related impacts to significant resources, a Texas Antiquities Permit and/or Archaeological Resources Protection Act (ARPA) permit will be acquired from the THC to conduct up to a 100 percent pedestrian survey of the project area per the published minimum survey standards for Texas. The specific locations requiring an intensive pedestrian survey will be defined following coordination with both the THC and USACE. Right-of-entry will be provided by TRWD.
 - iii. Prepare a professional report after field survey summarizing the results of the investigations and making management recommendations.
 - iv. Upon regulatory review and presumed concurrence, the final report will be printed, and administrative terms of the permit for project completion will be followed. The report and accompanying field documentation will be curated at a State-approved facility.

Task 4: Permitting Preparation and Submittal

FNI will prepare documents for completion of a Section 404 permit application (either a nationwide permit or regional general permit). FNI will deliver complete documents to TRWD for signature and submission.

- a. Preliminary Jurisdictional Determination (PJD) Evaluation Report: FNI will prepare a PJD Evaluation Report in accordance with USACE guidance to document potential waters of the US, including wetlands. The PJD will include the required data forms and maps for submission. The deliverable will include the report identifying jurisdictional waters within the proposed project limits and GIS mapping of jurisdictional waters and ordinary high water mark boundaries of non-wetland water bodies in the proper format, to be delivered and stored on TRWD GIS database.
- b. Environmental Information Document (EID): FNI will prepare an EID that is consistent with the USACE requirement for National Environmental Policy Act (NEPA) documentation and the Texas Water Development Board's rules for Water Infrastructure Funding. The EID will be submitted to the USACE as a supporting document to the PCN or other permitting application.

- c. Pre-Construction Notice (PCN): Consultant will prepare a Section 404 PCN in accordance with the requirements of the USACE. The PCN will include the USACE's application, PJD Evaluation Report, and required supporting documentation and engineering drawings depicting the proposed impacts to waters of the US.

Special Services, If Ordered:

Task 5: Evaluation of Surface Pathway at Joe Pool Lake Property

If the USACE requires an environmental or cultural resources evaluation of the surface pathway at Joe Pool Lake Property (as shown in the November 2022 Exhibit submitted to the USACE Lake Manager), the following services can be provided.

- a. Conduct Pedestrian Survey: FNI will delineate potential waters of the U.S. and document potential T&E species habitat encountered. The results of the survey will be documented in a technical memorandum with permitting recommendations.
- b. Conduct Tree Survey: FNI will identify trees greater than 3-inch diameter at breast height (dbh). The species name and dbh will be recorded. The tree will be tagged if the USACE requires tagging. The location of the trees will be recorded with a handheld GPS. The results of the tree survey will be documented in a technical memorandum.
- c. Conduct Archeological Survey: If an archeological survey is needed to assess project-related impacts to significant resources, a Texas Antiquities Permit and/or Archaeological Resources Protection Act (ARPA) permit will be acquired from the THC to conduct up to a 100 percent pedestrian survey of the surface pathway per the published minimum survey standards for Texas.

Additional Services:

The following services are not included, but can be provided as an additional service:

1. Presence/absence surveys for protected species.
2. Preparation of an aquatic resource relocation plan.
3. Coordination with the U.S. Fish and Wildlife Service, Texas Parks and Wildlife Department, or other resource agency not specified under Basic Services tasks.
4. Phase I/II Environmental Site Assessment.
5. Preparation of a Storm Water Pollution Prevention Plan (SWPPP).
6. Other environmental services not specifically defined in this scope of services.

Services to be Provided by the Client

1. Designate in writing a person to act as Client's representative with respect to the services to be rendered under this project. Such person shall have contract authority to transmit instructions, receive information, and define Client 's policies and decisions with respect to FNI's services for the Project.
2. Provide all criteria and full information as to Client 's requirements for the Project, including design objectives and constraints, performance requirements, flexibility, and budgetary limitations.
3. Assist FNI by placing at FNI's disposal all available information pertinent to the Project including previous reports and any other data relative to the Project.
4. Coordinate and arrange for access to and make all provisions for FNI to enter upon public and private property as required for FNI to perform services.
5. Perform review and provide comments on draft deliverables as needed.

Time of Completion

FNI is authorized to commence work on the Project upon execution of this Agreement and agrees to complete the services in accordance with the following Table 1 below.

Table 1: Project Schedule

Desktop Evaluation	2 weeks from NTP
Begin Environmental Fieldwork	4 weeks from NTP
Submit Draft Cultural Resources Report to TRWD	8 weeks following receipt of Antiquities Permit
Submit Draft PCN/JD/EID to TRWD	13 weeks from NTP

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in Client or regulatory reviews, delays on the flow of information to be provided to FNI (including project design plans needed for the PCN submittal), governmental approvals, etc. These delays may result in an adjustment to compensation as outlined on the face of this Agreement.

Basic Services Fee

FNI proposes to provide the basic services (Tasks 1 through 4) described above for a not-to-exceed fee of \$210,624.00. The estimated budgets for each Task may not reflect the actual effort needed to complete each task. FNI assumes budget may be re-allocated between Tasks 1 through 4 as needed to cover actual effort.

Special Services Fee, If Ordered

FNI proposes to provide the special services (Task 5) described above for a not-to-exceed fee of \$39,656.00, if ordered.

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 5

DATE: August 15, 2023

SUBJECT: Consider Approval of Contract with Archer Western Construction, LLC for Backup Sodium Hypochlorite Feed Facility and Hydraulic Actuators Installation at Richland-Chambers Lake Pump Station

FUNDING: Bond Fund

RECOMMENDATION:

Management recommends approval of a contract **in an amount not-to-exceed \$4,408,350**, which includes \$250,000 in owner-controlled contingency, with Archer Western Construction, LLC for installation of a backup sodium hypochlorite feed facility and the installation of six hydraulic actuators on the pump discharge control valves at the Richland-Chambers Lake Pump Station.

DISCUSSION:

Following the discovery of zebra mussels at various locations in the Richland-Chambers Reservoir in 2020, the District worked with Texas Parks and Wildlife (TPWD) and the US Army Corps of Engineers (USACE) to ensure water supply deliveries from Richland-Chambers were not disrupted. Permission to pump to Lake Benbrook, a USACE lake that does not yet have zebra mussels, was given with some conditions: the District needs to have the ability to dose chloramines in the Richland-Chambers pipeline 24 hours per day, 7 days per week during active zebra mussel spawning months (typically March through October of each year) to prevent the transportation of zebra mussels to currently uninfected reservoirs.

To ensure that the District can meet the goal of uninterrupted service to its customers, the District will be installing a secondary, redundant method for dosing chloramines at the Richland-Chambers lake pump station that will provide protection for the wet well, pumps, pump cans, pipeline, and appurtenances. The new method for dosing chemicals in the pipeline will operate as the backup to the current chloramine delivery system in place. Having two different methods for chloramine formation and dosing ensures that if one system fails, a second is on stand-by to continue protecting the District's pipeline as well as prevent the potential transportation of zebra mussels between reservoirs.

Construction of the backup sodium hypochlorite storage and feed facility includes installation of an owner-furnished fiberglass storage tank, concrete foundation, chemical metering pumps and appurtenances, and all associated electrical, instrumentation, controls, and piping.

Additionally, as part of the same backup sodium hypochlorite construction, the District will have the contractor install new, owner-furnished Trident manufactured electro-hydraulic actuators on its six pump discharge control valves with accompanying power, controls and communications connections. These will replace the existing centralized hydraulic oil accumulator system. This modification will further enhance the District's redundancy and resilience of the Richland-Chambers Lake Pump Station by removing potential single points of failure.

Competitive sealed proposals were solicited per statute and three proposals were received. The selection team evaluated the proposals and determined that Archer Western Construction, LLC submitted the proposal providing the best value to the District with a base bid of \$4,408,350, which includes \$250,000 in owner-controlled contingency. See attached evaluation score sheet.

The overall diverse business participation commitment for the Archer Western contract is 20.7%.

Management also requests that the General Manager or his designee be granted authority to execute all documents associated with the contract described herein.

This item was reviewed by the Construction and Operations Committee on August 11, 2023.

Submitted By:

Jason Gehrig, P.E.
Infrastructure Engineering Director



Consolidated Scoring Sheet

Date of Evaluation: July 19, 2023

23-145 RC1 Backup Sodium Hypochlorite Feed Facility and Hydraulic Actuator Installation

Technical Quality Criteria	Total Points Available	Archer Western	Felix Construction	ACP, Ltd.
Proposed Contract Price	40.00	40.0	39.0	26.9
	Price	\$4,408,350.00	\$4,515,500.00	\$5,850,000.00
Offeror's Approach to the Project and Contract Times	20.00	19.7	17.7	16.0
	Days	395	425	425
Experience / Past Performance of Offeror	20.00	19.3	16.3	15.7
Experience and Qualifications of Proposed Key Personnel	20.00	19.3	18.3	18.0
Total	100.00	98.3	91.3	76.6

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 6

DATE: August 15, 2023

SUBJECT: Consider Approval of Contract with Azcarate & Associates Consulting Engineers, LLC for Engineering Services for Electrical Room Cooling Improvements at Richland-Chambers High Capacity Booster Pump Station in Waxahachie

FUNDING: Bond Fund

RECOMMENDATION:

Management recommends approval of a contract **in an amount not-to-exceed \$929,489** with Azcarate & Associates Consulting Engineers, LLC for engineering services for the Electrical Room Cooling Improvements Project at Richland-Chambers High Capacity Booster Pump Station in Waxahachie (RC3H). These engineering services include design, bid and construction services.

DISCUSSION:

The District's Waxahachie RC3H Booster Pump station is critical to many of the water delivery strategies the District employs to deliver a continuous supply of water to its customers. Because of its central location on the RC and CC pipelines, the RC3H Booster Pump station provides operational flexibility that enables the District to vary water delivery in response to changing customer demands. This project will replace aging HVAC infrastructure that is vital to the operation of this facility. The project supports system resilience initiatives in the District's Strategic Plan to ensure the District will have reliable water supply in extreme and changing conditions.

The existing RC3H electrical room requires significant cooling due to heat loading from the five, 5000 hp variable frequency drives. Two-thirds of the existing cooling capability is provided by York split AC systems that were part of the original pump station installation in the early 2000s. The York systems have exceeded their expected service life and frequently have mechanical failures. Moreover, the existing system struggles to operate under the extreme ambient temperature fluctuations observed in our region over the last several years. The project will also improve operating efficiency and safety by moving the air handling equipment out of the electrical room where they are currently located above the variable frequency drives, and into a dedicated mechanical room with economizers, which will allow the use of outside air for cooling during the winter months. The project will replace the existing split AC systems with air cooled chillers, which operate more efficiently and can better accommodate the varying heat loads created by the variable frequency drives. A similar system has been employed by the District to cool the electrical room at the JB3 booster pump station and the pump motors at the JCC1

lake pump station. The project will also eliminate the high maintenance costs presently incurred by the frequent repairing of the existing system, and deliver a more reliable cooling solution, which is vital to the continued operation of the critical RC3H booster pump station.

Azcarate & Associates Consulting Engineers, LLC (AACE) is one of three firms to submit professional qualifications for the HVAC/Mechanical engineering services IDIQ contract. The Request for Qualifications was advertised as per statute, and AACE was determined to be the most qualified form to perform HVAC/Mechanical engineering services. The scope of work AACE will perform with this task order is attached.

Basic services of \$929,489 are included to complete the design, bid and construction services. The Engineer will not conduct any Additional Services without written authorization from the District.

AACE is a prime, certified diverse business and has subcontracted portions of the contract to other certified diverse businesses, resulting in a diverse business participation commitment of 11%.

Management also requests that the General Manager or his designee be granted authority to execute all documents associated with the contract described herein.

This item was reviewed by the Construction and Operations Committee on August 11, 2023.

Submitted By:

Jason Gehrig, P.E.
Infrastructure Engineering Director

2023-August-02

Mr. Rick Zarate
Engineering Services/Project Manager
Tarrant Regional Water District
800 East Northside Drive
Fort Worth, Texas 76102

Dear Mr. Zarate:

AAACE, in partnership with CDM Smith, GSR Andrade, Jason Hart Engineering, and Wood Inspection Services, is pleased to submit its Scope and Cost Proposal for providing Professional Engineering Services for the **RC3H Electrical Room Cooling Improvements** project in Waxahachie, TX.

Our fee is summarized in the table below. Detailed fee worksheets for each consultant are included in our detailed proposal.

Fee Breakdown				
<i>Consultant</i>	<i>Detail Design</i>	<i>Bid</i>	<i>Construction:</i>	<i>TOTAL</i>
1. <i>AAACE (Prime/Mechanical):</i>	\$309,044	\$20,248	\$134,686	\$463,978
2. <i>CDM Smith (Sub/Electrical):</i>	\$192,278	\$11,280	\$58,405	\$261,963
3. <i>GSR Andrade (Sub/Architect):</i>	\$67,380	\$3,735	\$31,914	\$103,029
4. <i>Hart (Sub/Structural):</i>	\$51,000	\$2,000	\$15,000	\$68,000
5. <i>CDM Smith (Sub/Civil):</i>	\$21,976	\$2,152	\$6,016	\$30,144
6. <i>Wood Inspection (Sub/SUE):</i>	\$2,375	N/A	N/A	\$2,375
TOTAL	\$644,053	\$39,415	\$246,021	\$929,489

We appreciate the opportunity to support TRWD on this project and look forward to working together on this exciting project.

Regards,



Ricardo J. Azcarate, P.E.
President
AAACE, LLC

2023-August 2 - Revised

Mr. Rick Zarate
Engineering Services/Project Manager
Tarrant Regional Water District
800 East Northside Drive
Fort Worth, Texas 76102

RE: **AAACE Scope and Cost Proposal for Professional Mechanical/HVAC Engineering Services for the Mechanical IDIQ Task Order #6 – RC3H Electrical Room Cooling Improvements (PROJECT) In Waxahachie, TX for Tarrant Regional Water District (TRWD)**

Dear Mr. Zarate:

AAACE is pleased to submit its Scope and Cost Proposal for providing Professional Engineering Services for IDIQ Task Order #6 - RC3H Electrical Room Cooling Improvements (PROJECT) in Waxahachie, TX for the Tarrant Regional Water District (TRWD), the Owner. AAACE's role for the PROJECT shall be as the Prime Consultant to TRWD, The Owner. Attached please find our proposed Basic Services Scope, Additional Services, Compensation Fee and Schedule.

I. PROJECT Background Information

- A. TRWD selected AAACE in 2018 to provide Mechanical-HVAC services on an on-call, Indefinite Delivery Indefinite Quantity (IDIQ) contract basis. This proposal is for Task Order #6 of the Mechanical-HVAC IDIQ assignment. Task Orders #1 through #5 were completed under a previous assignment.
- B. AAACE developed and submitted Technical Memorandum #2 (TM#2), dated August 8, 2022, under Task Order #3 to investigate up to three alternatives to upgrade the existing cooling systems at the RC3H electrical room. TM#2 was followed up by TM#3 under Task Order #5 to investigate outdoor air-handling units as another alternative for implementation for the RC3H electrical room. TM#3 was completed and submitted to TRWD on May 17, 2023.
- C. This current scope includes implementing the recommendations from TM#2 and TM#3, which is the installation of outdoor air-cooled chillers with indoor air-handling units in a new mechanical building, to replace the existing split-system DX HVAC systems serving the RC3H electrical room.
- D. The Project procurement method shall be Competitive Sealed Proposals.

II. BASIC PROFESSIONAL ENGINEERING SERVICES SCOPE includes:

A. General

- 1) AACE's scope for this phase of the PROJECT includes **detailed design, bid and construction phase services** consisting of the required Mechanical, Plumbing, Electrical, Structural, Civil and Architectural services in order to implement the TM#2 recommendations for the RC3H site in Waxahachie, TX.
- 2) AACE will utilize CDM Smith (CDMS) as its Electrical Subconsultant. CDMS's key personnel shall be Indira Pjetrovic, P.E. CDM's project proposal is attached as Exhibit A.
- 3) AACE will utilize CDM Smith (CDMS) as its Civil Subconsultant. CDMS's key personnel shall be Mr. Mark Gorthey, P.E.. CDMS's civil proposal is attached as Exhibit A, combined with the electrical scope.
- 4) AACE will utilize GSR Andrade (GSRA) as its Architectural Subconsultant. GSRA's key personnel shall be Gary Staiger, AIA. GSRA's project proposal is attached as Exhibit B.
- 5) AACE will utilize Jason Hart Engineering, PLLC (JHE) as its Structural Subconsultant. JHE's key personnel shall be Mr. Jason Hart, P.E - Principal. JHE's project proposal is attached as Exhibit C.
- 6) AACE will utilize Wood Inspection Services, Inc. as its site utilities locator service company. Wood Inspection Services proposal is attached as Exhibit D.
- 7) The proposed key personnel for AACE shall include Ricardo J. Azcarate, who will serve as the AACE Client Manager and Mr. Tim Gallia, AACE Technical Project Manager. As AACE Client Manager, Mr. Azcarate will be the main point of contact for AACE, including matters related to AACE's overall services, contract signing and overall customer satisfaction. As AACE Technical Project Manager, Mr. Gallia will be the day-to-day point of contact for AACE's Project Team, including matters related to scheduling, technical issues, detail design, and deliverables, and lead the various technical disciplines and AACE support staff towards the execution and completion of the PROJECT.
- 8) AACE will notify TRWD in writing of any changes to key personnel assigned to this PROJECT by AACE or their subconsultants.
- 9) Coordinate work of all subconsultants' work in AACE's Project Team.
- 10) Monthly Progress Reports: Prepare and submit monthly progress reports to include summary of tasks completed, summary of planned activities for the next 60 days, budget status, earned value projections, and list of items requiring resolution or decisions by TRWD.

B. Technical Memorandum Phase:

- 1) Not in current scope. Completed in prior scope.

C. Preliminary Engineering Design:

- 1) Prepare and submit a brief Basis of Design Memorandum outlining major design parameters, assumptions and calculations that the AACE Project Team proposes to use in detail design for the PROJECT. The Basis of Design Memo shall include confirming building codes currently

adopted by City of Waxahachie, confirm if and when City will be adopting newer building codes, limits of work, Owner requirements, and temperature design conditions. The Basis of Design Memorandum will include information and applicable codes for mechanical, electrical, architectural, civil, and structural disciplines.

D. Detail Design Phase:

- 1) Start and complete the Engineering Drawings and Specifications (herein after referred to as Contract Documents) up to the 100% design level showing the necessary information for construction of a new building expansion housing new air handling units and new chillers, and the following technical basis of design:

Basis of Detail Design

1. *Complete a formal code review and coordination with the City Building Code and City Fire Department as part of the final project design*
 2. *Relocate underground utilities impacted by the addition of the new mechanical building. Known utilities are potable water, sanitary sewer, electrical, fiber, and communications lines.*
 3. *Relocate existing conduit and wire routed along the existing west wall to allow for cutting new openings for supply and return air and relocate existing roof drain piping around new expansion.*
 4. *Construct a new building expansion and install three new chilled water Air Handling Units with 100% economizers and associated ductwork, piping, pumps, buffer tank, glycol skid, expansion tanks, and controls.*
 5. *Phase construction for demolition of existing Condensing Units and installation of new Chillers, associated piping, electrical connections, and controls such that (2) units will remain operational during construction.*
 6. *Develop partial and full demolition options of the existing Air Handling Units and associated piping, electrical, controls, drip pans and mezzanine access platforms from over top of the VFD's.*
 7. *Floor drainage and roof drainage for new building expansion. Interior roof drains will be required. Pipe discharge will be to grade outside.*
 8. *HVAC Controls - shall be performance based Contract Documents with schematic airflow controls diagrams and control narratives. AACE shall coordinate HVAC Control, monitoring, and alarming with TRWD's protocol and interface with TRWD's SCADA programmers.*
 9. *Design a new PLC system to migrate the existing Alerton controls. This new PLC system will integrate with the HVAC Controls to include I/O. The new PLC system shall be installed inside the RC3H SCADA Control Room.*
- 2) Contract drawings shall be in AutoCAD format. Specifications shall be the latest TRWD Standard Specifications (50 Divisions), unless otherwise specified and agreed to by AACE and TRWD in writing prior to issuance of 90% drawings.
 - 3) Attend the Project Kickoff Meeting at PROJECT site.
 - 4) Finalize detailed calculations, equipment selections and code review.
 - 5) Produce work in accordance with the most current building codes adopted in the PROJECT area.
 - 6) Site visits to PROJECT site as required to collect the necessary information so AACE's Project Team can complete its design work scope.

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- 7) Participate in weekly or bi-weekly internal coordination meetings via telephone conference calls as required.
 - 8) Participate in monthly project progress meetings with TRWD. Twelve (12) meetings maximum are anticipated including the project kickoff meeting. Three meetings in person and nine meetings virtual are anticipated.
 - 9) Issue the Contract Documents to TRWD for review and comment at the 60%, 90% and 100% Design Submittal Milestones. Electronic delivery to TRWD of the interim review sets of the Contract Documents shall be 11x17 size Drawings in Adobe Acrobat format and specifications (8-1/2 x 11) in Adobe Acrobat format.
 - 10) Internal QAQC by an experienced/senior Engineer of the Contract Documents at each Project milestone indicated above.
 - 11) AACE will review each subconsultant's Contract Documents prior to submittal to TRWD and confirm QAQC has been completed in accordance with each firm's quality management practices.
 - 12) Participate in Design Review Meetings with TRWD at PROJECT site, or virtually, to review and exchange comments for each of the Design Submittal Milestones indicated above. It is anticipated one review meeting will be in-person at the PROJECT site and two meetings will be virtual.
 - 13) Respond to and incorporate TRWD comments from each project review milestone Design Submittal Milestone listed above into the Contract Document set. Complete comment review spreadsheet, or similar, with AACE Project Team responses to TRWD's review comments at each Design Submittal Milestone listed above.
 - 14) Preparation of a Project Schedule for review and approval by TRWD to include each Design Submittal Milestone indicated above, submittal and review timelines, QAQC review time and key project meetings through Bid Phase and Project Award. The Project Schedule will include preliminary construction phase milestones which The Contractor will validate after Project Award. A draft schedule that shows anticipated durations for Design Submittals Milestones and key deliverables is attached.
 - 15) Provide one (1) Final 'Issued for Bid' set of Contract Documents. Issued for Bid submittal shall consist of one (1) set of electronic, signed and sealed, full-size Drawings and (1) set of Specifications, both in Adobe Acrobat format.
 - 16) The 'Issued for Bid' set of Contract Documents shall be issued as one contract, and not split into separate 'Issued for Bid' packages.
 - 17) Prepare, and submit to TRWD, AACE's Opinion of Probable Construction Cost for the PROJECT scope at each project milestone listed above.

Detail Design Phase Deliverables

1. *Meeting Minutes for each monthly progress meeting*
2. *Action Item Log updated at each monthly progress meeting*
3. *Project Schedule.*
4. *Comment Review Spreadsheet, or similar, for each design milestone*
5. *Contract Documents (Drawings and Specifications)*
6. *Opinion of Probable Construction Cost (OPCC)*

Anticipated Detail Design Phase Schedule

- *September 2023 – September 2024 (12 months)*

Preliminary AACE Drawing List

1. *Symbols, Legends & Abbreviations*
2. *Enlarged Overall Site Plan*
3. *Utilities Relocation Plan*
4. *HVAC Demolition I*
5. *HVAC Demolition II*
6. *HVAC Enlarged Plan – New Building Expansion*
7. *HVAC Enlarged Plan – Existing Electrical Room*
8. *HVAC Enlarged Plan – Existing Pump Room*
9. *HVAC Enlarged Plan – New Chiller Area*
10. *HVAC Sections I*
11. *HVAC Sections II*
12. *HVAC Sections III*
13. *HVAC Sections IV*
14. *HVAC and PLC Schematics*
15. *HVAC Construction Phasing Plan I*
16. *HVAC Construction Phasing Plan II*
17. *HVAC and PLC Sequences of Operation and Points Lists*
18. *HVAC Schedules I*
19. *HVAC Schedules II*
20. *HVAC and PLBG Details I*
21. *HVAC and PLBG Details II*
22. *Plumbing Enlarged Plan – Underfloor Building Expansion*
23. *Plumbing Enlarged Plan – Building Expansion*

- *Refer to each subconsultant's proposals (attached) for each subconsultant's respective sheet lists*

E. Bid Phase:

- 1) Attend Pre-Bid Meeting at PROJECT site. One Pre-Bid meetings is anticipated.
- 2) Issue Addenda information, including drawings, drawing exhibits and specifications, as necessary.
- 3) Issue necessary interpretations and clarifications of the Contract Documents related to AACE's work.
- 4) Assist TRWD with review of HVAC bids, as needed. It is assumed that TRWD will utilize the Competitive Sealed Proposal project delivery method for this PROJECT.
- 5) Provide recommendation letter of apparent most qualified contractor that provides the best value for TRWD.
- 6) Provide TRWD one electronic set of signed and sealed 'Conformed' Issued for Construction Contract Documents at the conclusion of the bid phase, incorporating all Clarifications and Addendums issued during the Bidding period. AACE shall provide one (1) set of electronic, signed and sealed, full-size Drawings and (1) set of Specifications, both in Adobe Acrobat format of the 'Conformed' Contract Documents to TRWD..

Bid Phase Deliverables

1. *Addenda information*
2. *Conformed Drawings*
3. *Conformed Specifications*
4. *Recommendation Letter*

Anticipated Bid Phase Schedule

- *October 2024 – December 2024 (3 months)*

F. Construction Phase:

- 1) Participate in (1) Preconstruction Conference Meeting at PROJECT site.
- 2) Provide general assistance and technical review construction support services to TRWD.
- 3) AACE shall issue interpretations and clarifications, as necessary, of AACE's Contract Documents.
- 4) Review and answer Contractor and TRWD questions, issue clarifications and respond to Requests For Information (RFI) related to AACE's Contract Documents through TRWD's Project Management Information System selected for the PROJECT.
- 5) Review and approve (or take other appropriate action in respect of) Shop Drawings, samples and other data which Contractor is required to submit, but only for general conformance with the design concept of the Project and compliance with the information given in the Contract Documents. Review comments by AACE shall be electronically submitted to TRWD. Review of shop drawings shall be limited to a maximum of (2) reviews per Submittal. Reviews in excess of this limit shall be considered an Additional Service.
- 6) Assist TRWD with review of construction schedule and schedule of values.
- 7) Review the Contractor's Cost Proposals and Change Orders, if any.
- 8) Attend Monthly Construction Meetings up to a maximum of 12 meetings at the Project Site.
- 9) Concurrent with attending the monthly construction meetings, AACE shall conduct progress construction site visits during the course of the construction phase to confirm the progress and quality of the various aspects of Contractor's work related to AACE's Contract Documents.
- 10) Conduct site visits to the HVAC equipment manufacturer's facility to witness test or observe quality control processes conducted by the equipment manufacturer prior to equipment shipment to, and acceptance by, TRWD. This is anticipated to include one site visit to the chiller manufacturing facility and a separate site visit to the air-handling unit (AHU) manufacturing facility. The manufacturer inspection site visits will be specified as a requirement in the HVAC equipment specifications which the HVAC manufacturer will include in their equipment bid prices.
- 11) Conduct up to six (6) site visits (based on 2-day trips per each of three AHU/chiller sets) to witness the startup and testing of the major HVAC equipment. AACE shall submit a written report to TRWD to document its observations.

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- AACE shall review Contractor prepared start-up forms and perform pre-functional inspections to verify readiness for functional testing.
- 12) Functional inspection shall be limited to one (1) site visit, estimated at 8-hours per site visit to ensure all completed work including integrated systems and controls, function satisfactorily as designed.
 - a) AACE shall prepare Functional Test Scripts for Contractor to follow to demonstrate satisfactory functionality of major HVAC equipment and integrated HVAC systems.
 - b) AACE shall perform sample point to point verification of monitoring and control system with verification of proper control sequence.
 - c) AACE shall witness functional performance testing of equipment.
 - d) AACE shall witness Integrated Systems tests requiring sequence.
 - 13) Conduct one (1) substantial completion site visit to confirm that the Contractor's substantially completed work is in general accordance with the Contract Documents. AACE shall submit a written punchlist to TRWD that will incorporate punchlist items from AACE and all subconsultants.
 - 14) Conduct one (1) final construction field observation site visit to confirm that the Contractor's completed work is in general accordance with the Contract Documents and that all previously issued site observations and punchlist items have been addressed by the contractor to the satisfaction of the Engineer and TRWD.

Construction Phase Deliverables

1. *Monthly Construction Progress Meeting Minutes and Action Items Log.*
2. *12 Construction Site Visits + issue Site Observation Notes.*
3. *Shop Drawing + RFI comments/responses.*
4. *Attend (1) Factory Inspection of Chillers*
5. *Attend (1) Factory Inspection of Air-handling units*
6. *Attend (6) Startup/Testing + Punchlist of major HVAC equipment*
7. *Attend (1) Full Functional Testing of integrated HVAC systems*
8. *Attend (1) Substantial Completion Site Visit + Punchlist.*
9. *Attend (1) Final Punchlist Site Visit + Punchlist.*

Anticipated Construction Phase Schedule

- *December 2024 – June 2026 (18 months)*

G. Post-Construction Phase:

- 1) Prepare Record Drawing Set showing the changes made during the construction process based on the marked-up prints, drawings, and other data furnished only by Contractor to TRWD and AACE. AACE shall provide to TRWD an electronic copy (.dwg and .pdf format) of the 'Record' Contract Documents.
- 2) Review Operations and Maintenance (O&M) Manuals with warranties, certificates of inspection, tests and approvals based on information provided by the Contractor for TRWD Review.
- 3) Incorporate TRWD review comments and submit final Operations and Maintenance (O&M) review comments to Contractor. Three hard copies and electronic O&Ms in .pdf format shall be provided to TRWD by the Contractor.

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- 4) Review TRWD Facilities O&M manual and update HVAC section as necessary to include information on system components, operation, start up, shut down, and operational instructions needed for daily operations by TRWD Staff.

Anticipated Post-Construction Phase Schedule

- July 2026 – December 2026 (6 months)

H. Exclusions:

- 1) Additional detailed studies or analyses. This Scope will start with a Basis of Design Memorandum to clarify design criteria as further outlined above in Section C, Preliminary Engineering Design.
- 2) Leadership in Energy and Environmental Design (LEED) services.
- 3) Generation of three-dimensional (3-D) drawings.
- 4) Mass reproduction of Contract Documents for bidding or other purposes.
- 5) Preparation of construction permit applications and processing of permits for obtaining approvals. This includes construction permitting through local City and/or County agencies, State agencies (TCEQ), and federal agencies
- 6) Training of TRWD plant personnel with the operation, maintenance and testing of HVAC, plumbing and fire protection systems.
- 7) Preparation of Operations & Maintenance (O&M) Manuals. AACE shall only review the O&Ms prepared by the Contractor.
- 8) Multiple re-tests of failed systems or equipment.
- 9) Configuration and programming of all Programmable Logic Controller (PLC) and Human Machine Interface (HMI) software. This work will be done by TRWD.

I. Clarifications:

- 1) TRWD shall make available to AACE all drawings, specifications, schedules, submittals, O&M manuals, and other information, interpretations and data prepared by TRWD or by others which TRWD and AACE consider pertinent to AACE's responsibilities hereunder.
- 2) TRWD shall provide its standard front-end (Division 00 and 01) specifications for inclusion in the PROJECT Contract Documents.
- 3) TRWD will make available plant personnel to assist the AACE Project Team during its site assessment and data collection efforts
- 4) AACE's site visits, if any, are not intended to be an exhaustive check or a detailed inspection but rather are for observation only and to allow AACE to become familiar with the work in progress and to determine, in general, if the work is proceeding in accordance with AACE's design contract documents. Based on this general observation, AACE shall keep the Client informed about the progress of the Work and shall advise the Client about observed deficiencies in the Work. AACE shall not be responsible for any acts or omissions of other contractors, their subcontractors, any entity performing any portions of the Work or any agents or employees of any of them. AACE does not guarantee the performance of the building contractor and shall not be responsible for the building contractor's failure to

perform its Work in accordance with its contract or any applicable laws, codes, rules or regulations.

- 5) AACE's OPCC estimates are engineering estimates and are not warranted.
- 6) Functional testing scope shall be limited to testing of new HVAC equipment and existing HVAC equipment modified under the design portion of this PROJECT.
- 7) Start-up and Pre-Functional tasks will be completed by the installing contractors and/or equipment vendors.
- 8) Mechanical HVAC system testing and balancing and component calibration will be provided by others. We will spot check these as warranted.
- 9) Testing work will be performed during normal business hours.

III. COMPENSATION FOR BASIC SERVICES

- A. Compensation for BASIC SERVICES shall be paid on a Time and Materials (T&M) basis per the billing rates listed below and shall not exceed **\$929,489** (Max Not To Exceed) without TRWD's prior written approval. AACE fee includes overhead, communication charges (i.e. fax, telephone, email, and cell phone), travel to the project site for the number of site visits indicated herein, expedited shipping and courier services.

Fees for AACE's Project Team, by consultant and project phase, is broken out in the following table. Refer to each subconsultant's proposal for additional fee detail information.

Fee Breakdown				
<i>Consultant</i>	<i>Detail Design</i>	<i>Bid</i>	<i>Construction:</i>	<i>TOTAL</i>
1. AACE (Prime/Mechanical):	\$309,044	\$20,248	\$134,686	\$463,978
2. CDM Smith (Sub/Electrical):	\$192,278	\$11,280	\$58,405	\$261,963
3. GSR Andrade (Sub/Architect):	\$67,380	\$3,735	\$31,914	\$103,029
4. Hart (Sub/Structural):	\$51,000	\$2,000	\$15,000	\$68,000
5. CDM Smith (Sub/Civil):	\$21,976	\$2,152	\$6,016	\$30,144
6. Wood Inspection (Sub/SUE):	\$2,375	N/A	N/A	\$2,375
TOTAL	\$644,053	\$39,415	\$246,021	\$929,489

IV. COMPENSATION FOR ADDITIONAL SERVICES

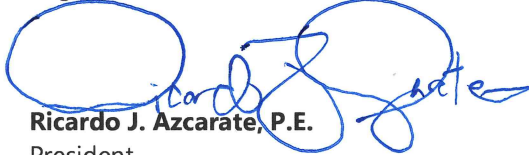
- A. TRWD shall provide AACE with a written request for Additional Services, if such services become necessary, and at that time a specific scope and budget will be determined, unless specifically listed below. Written authorization must be obtained from TRWD prior to proceeding with Additional Services required to support the activities in Basic Services.

V. TIME SCHEDULE

The time periods and rates for the performance of this work shall be valid from August 2023 to December 2026.

We appreciate you considering AACE for the opportunity to support you and the rest of the TRWD Team on this project. If you have any questions or comments, feel free to contact me.

Regards,



Ricardo J. Azcarate, P.E.

President
AACE, LLC

Project Schedule (Preliminary)

Revised: 8/4/2023

Project: TRWD RC3H VFD Room Cooling Improvements

Phase	Milestone	Major Tasks	Start Date (SOD)	Week Day	Duration Weeks	End Date (EOD)	Week Day	Total Workdays
Overall			9/11/2023	Mon	145	6/19/2026	Fri	725
		Kickoff Meeting	9/11/2023	Mon	0	9/11/2023	Mon	1
	Preliminary Design Phase		9/12/2023	Tue	9.2	11/15/2023	Wed	47
		Prepare Project Documents - QAQC Plan, CAD Standards	9/12/2023	Tue	0.9	9/15/2023	Fri	4
		SUE Work	9/18/2023	Mon	3.0	10/6/2023	Fri	15
		BODR Development	9/18/2023	Mon	3.0	10/6/2023	Fri	15
		Building Architectural Presentation	10/9/2023	Mon	1.0	10/13/2023	Fri	5
		Submit Draft BODR	10/16/2023	Mon	0.0	10/16/2023	Mon	1
		Review by TRWD	10/17/2023	Tue	3.0	11/6/2023	Mon	15
		BODR Workshop	11/7/2023	Tue	0.0	11/7/2023	Tue	1
		Incorporate Comments into Final BODR	11/8/2023	Wed	1.0	11/14/2023	Tue	5
		Submit Final BODR	11/15/2023	Wed	0.2	11/15/2023	Wed	1
	60% Design		11/16/2023	Thu	22.1	4/19/2024	Fri	112
		Create backgrounds for subconsultant use	11/16/2023	Thu	1.0	11/22/2023	Wed	5
		Drawings	11/23/2023	Thu	11.0	2/7/2024	Wed	55
		Specifications	2/8/2024	Thu	2.0	2/21/2024	Wed	10
		Internal QAQC	2/22/2024	Thu	1.0	2/28/2024	Wed	5
		Submittal to TRWD	2/29/2024	Thu	0.0	2/29/2024	Thu	1
		Review by TRWD	3/1/2024	Fri	3.0	3/21/2024	Thu	15
		Review Workshop	3/22/2024	Fri	0.0	3/22/2024	Fri	1
		Update Drawings & Specifications	3/25/2024	Mon	1.0	3/29/2024	Fri	5
		Presubmittal Review by City	4/1/2024	Mon	3.0	4/19/2024	Fri	15
	90% Design		4/22/2024	Mon	14.1	7/30/2024	Tue	72
		Drawings	4/22/2024	Mon	9.0	6/21/2024	Fri	45
		Specifications	6/24/2024	Mon	1.0	6/28/2024	Fri	5
		Internal QAQC	7/1/2024	Mon	1.0	7/5/2024	Fri	5
		Submittal to TRWD	7/8/2024	Mon	0.0	7/8/2024	Mon	1
		Review by TRWD	7/9/2024	Tue	2.0	7/22/2024	Mon	10
		Review Workshop	7/23/2024	Tue	0.0	7/23/2024	Tue	1
		Update Drawings & Specifications	7/24/2024	Wed	1.0	7/30/2024	Tue	5
	100% Design		7/31/2024	Wed	6.1	9/12/2024	Thu	32
		Drawings	7/31/2024	Wed	2.0	8/13/2024	Tue	10
		Specifications	8/14/2024	Wed	0.5	8/16/2024	Fri	3
		Internal QAQC	8/14/2024	Wed	1.0	8/20/2024	Tue	5
		Submittal to TRWD	8/21/2024	Wed	0.0	8/21/2024	Wed	1
		Review by TRWD	8/22/2024	Thu	2.0	9/4/2024	Wed	10
		Review Workshop	9/5/2024	Thu	0.0	9/5/2024	Thu	1
		Issued for Bid Set	9/6/2024	Fri	1.0	9/12/2024	Thu	5
	Bid Phase		9/13/2024	Fri	5.4	10/21/2024	Mon	27
		Document Preparation	9/13/2024	Fri	1.0	9/19/2024	Thu	5
		Advertise for Bids	9/23/2024	Mon	0.0	9/23/2024	Mon	1
		Contractor Bid Period	9/13/2024	Fri	3.5	10/4/2024	Fri	16
		Pre-Bid Walk-Through	10/7/2024	Mon	0.0	10/7/2024	Mon	1
		Open Bids	10/8/2024	Tue	0.0	10/8/2024	Tue	1
		TRWD & AACE Review	10/9/2024	Wed	1.0	10/15/2024	Tue	5
		Recommendation Letter	10/16/2024	Wed	0.0	10/16/2024	Wed	1
		Prepare Board Items	10/17/2024	Thu	0.0	10/17/2024	Thu	1
		TRWD Board Meeting	10/18/2024	Fri	0.0	10/18/2024	Fri	1
		Hold	10/21/2024	Mon	0.0	10/21/2024	Mon	1
	Construction	*** Tentative ***	10/22/2024	Tue	86.4	6/19/2026	Fri	434
		Notice to Proceed to Contractor	10/22/2024	Tue	0.0	10/22/2024	Tue	1
		Chiller Submittals	1/20/2025	Mon	4.3	2/18/2025	Tue	22
		Pre-Cast Concrete Wall Submittals	2/20/2025	Thu	4.3	3/21/2025	Fri	22
		Chiller Fabrication	2/20/2025	Thu	34.0	10/15/2025	Wed	170
		Pre-Cast Concrete Wall Fabrication	3/24/2025	Mon	43.0	1/16/2026	Fri	215
		Site Utilities Relocation, Foundation, Steel Superstructure, Misc	1/20/2025	Mon	52.0	1/16/2026	Fri	260
		Balance of Construction - AHU install, phase chiller install	1/19/2026	Mon	22.0	6/19/2026	Fri	110
	Post Construction	*** Tentative ***	6/22/2026	Mon	25.6	12/18/2026	Fri	130
		Record Drawings, Close-Out Docs, O&M	6/19/2026	Fri	26.3	12/18/2026	Fri	131

Notes:

- The Construction and Post-Construction schedule is a preliminary estimate only based on past project experience and best information available to AACE specific to this project at this time. The construction schedule will be updated as more information becomes available in detail design to the AACE Project Team, including changes in market conditions. The Construction schedule will be further detailed and validated by the Contractor after Project Award.
- Current lead time for indoor air-handling units (AHUs) is 12-14 weeks (3+ months) based on Trane AHUs as of 8/2/2023 market conditions.
- Current lead time for chiller without pump package is 34 weeks (7.8 months) or 45 weeks (10 months +) for chiller with integral pump package, based on Trane chillers as of 8/2/2023 market conditions. AACE going with standard chillers without pump package and locating pumps in mechanical room for shorter 34 week chiller lead time.
- Reported lead time for concrete pre-cast panels is 43 weeks (10 months) based on a current project outside Texas.

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 7

DATE: August 15, 2023

SUBJECT: Consider Approval of Change in Calculation of Retainage with BAR Constructors, Inc. for Kennedale Balancing Reservoir Yard Piping and Inlet and Outlet Modifications Project

FUNDING: Bond Fund

RECOMMENDATION:

Management recommends a change in the calculation of the retainage being held for BAR Constructors, Inc. **to 5% of the contract price** for the Kennedale Balancing Reservoir Yard Piping and Inlet and Outlet Modifications Project. All remaining contract payments are to be made in full. However, any changes to the contract price by change order or alternate base bid work for the project will require adjustment to the retainage schedule.

DISCUSSION:

The District is required to hold 10% retainage on contract progress payments. If at any time however, after 50% of the work has been completed, the Board, finding that satisfactory progress is being made, may authorize that the remaining payments be made in full.

BAR Constructors, Inc. (BAR) has reached the 50% complete stage of the contract in July. The total current contract price is \$40,428,213.09 with retainage to be held at 5% of the contract price in the amount of \$2,021,410.65.

BAR's performance has been satisfactory to date and has provided written Consent of Surety to the reduction in retainage. The District is requesting permission to cease retainage on future payments and hold retainage equal to 5% of the contract price.

Recommendation by Staff to change the calculation of the retainage held and Consent of Surety to Reduction in Retainage are attached.

Management also requests that the General Manager or his designee be granted authority to execute all documents associated with the contract described herein.

This item was reviewed by the Construction and Operations Committee on August 11, 2023.

Submitted By:

Jason Gehrig P.E.
Infrastructure Engineering Director



Memo

TO: Donna Stephens

FROM: Mark Lyon

COPY: Robert Allen

DATE: August 4, 2023

SUBJECT: Consider Approval of a Change in Calculation of Retainage to BAR Constructors, Inc. for the Kennedale Balancing Reservoir Yard Piping, Inlet and Outlet Modifications Project.

BAR Constructors, Inc. reached the 50% Completion milestone for the reference project as of July 31st 2023. BAR Constructors, Inc.'s work on the project is acceptable and there are no outstanding issues that would indicate that a higher amount of retainage should be held. In accordance with the terms of the Agreement, the District can, under these circumstances, change the calculation of the retainage being held hold retainage to the amount representing 5% of the total Contract Price if they determine that the amount retained is adequate for the protection of the District.

BAR Constructors, Inc.'s performance has been satisfactory to date and BAR Constructors has provided written consent of its Surety to the reduction in retainage.

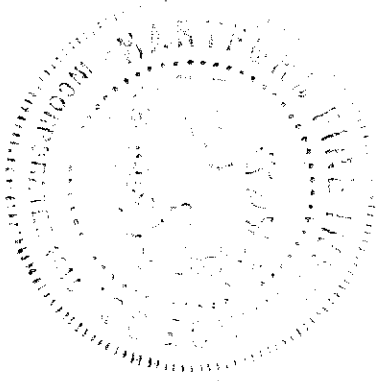
The current Contract Price and amount subject to retainage is \$40,428,213.09. It is recommended that District hold retainage in the amount of \$2,021,410.65 until the Project is complete and make adjustments to this amount if any changes are made to the Contract Price by Change Order or alternate base bid work for the Project.

The Consent of Surety to Reduction in Retainage is attached.

Project:	KBR Yard Piping and Inlet and Outlet Modifications (KBR3E)	Project Number:	
Owner:	Tarrant Regional Water District		21-147
Contractor:	BAR Constructors, Inc.		289
Engineer:	Freese and Nichols, Inc.		TCW22114

The Surety Company, on bond of the Contractor listed above for the referenced Project, in accordance with the Contract Documents, hereby approves a reduction of or partial release of retainage to the Contractor in the amount shown below and agrees that payment of this amount to the Contractor shall not relieve the Surety Company of any of its obligations to the Owner under the terms of the Contract, and as set forth in said Surety Company's bond.

Surety Company agrees to the reduction in retainage to \$ 2,021,410.65



Date: August 3, 2023

Name of Surety Company: Hartford Fire Insurance Company

Signature: *Dawn Davis*
Authorized Representative

Title: Dawn Davis, Attorney-in-Fact

Address: 3000 Internet Drive, #600
Frisco, TX 75034

Email: dawn.davis@marshmma.com
(Attach Power of Attorney and place surety seal below)

POWER OF ATTORNEY

Direct Inquiries/Claims to:
THE HARTFORD
BOND, T-11
One Hartford Plaza
Hartford, Connecticut 06155
Bond.Claims@thehartford.com
call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MARSH & MCLENNAN AGENCY LLC
Agency Code: 46-461496

- Hartford Fire Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company**, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois**, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest**, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast**, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, **up to the amount of Unlimited** :
Edward R. Bowles, Dawn Davis, Walter J. DeLaRosa, DONNIE DOAN, Kristi Meek, Kae Perdue, Christen Tyner of DALLAS, Texas

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Shelby Wiggins

Shelby Wiggins, Assistant Secretary

Joelle L. LaPierre

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA }
COUNTY OF SEMINOLE } ss. Lake Mary

On this 20th day of May, 2021, before me personally came Joelle LaPierre, to me known, who being by me duly sworn, did depose and say: that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that (s)he signed his/her name thereto by like authority.



Jessica Ciccone

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of August 3, 2023.

Signed and sealed in Lake Mary, Florida.



Keith D. Dozois

Keith D. Dozois, Assistant Vice President

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 8

DATE: August 15, 2023

SUBJECT: Consider Approval of Contract with Vann/Elli Inc. for Marine Creek Dam Barrier Fence Installation

FUNDING: Fiscal Year 2023 General Fund - \$150,000
Fiscal Year 2024 General Fund - \$150,000

RECOMMENDATION:

Management recommends approval of a contract **in the amount of \$224,912** with Vann/Elli Inc. to provide and install approximately 3,700 linear feet of steel cable barrier fence and mow strip adjacent to the Marine Creek Dam.

DISCUSSION:

The proposed cable barrier will prevent vehicular damage to turf armoring the dam, protect the trail users, and prevent erosion from vehicles parking on the shoulder of the service road. Marine Creek Dam was completed in 1958 creating Marine Creek Lake. As part of the Fort Worth Floodway, it provides flood protection and recreational opportunities for the Northside of Fort Worth. The Dam is adjacent to what is now NW Loop 820. The proximity of the roadway facilitates unwanted vehicle access to the Dam. The installation of the barrier fence will secure the Dam and alleviate safety concerns.

Bids were advertised as per statute, and bid packets were distributed to various vendors. A mandatory pre bid meeting was held and attended by five separate vendors.

Vann/Elli Inc. is not a certified diverse business vendor, however approximately 26% of the overall project cost will be in the form of materials provided by a certified diverse business.

This item was reviewed by the Construction and Operations Committee on August 11, 2023.

Submitted By:

Darrell Beason
Chief Operations Officer



Bid Tabulation

ITB No.

23-157

Description

Marine Creek Dam Cable Barrier Fencing

Due Date and Time

August 2, 2023 at 2:00 PM CT

Company Name	Bid Amount
Vann/Elli Inc.	\$224,912.00

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 9

DATE: August 15, 2023

SUBJECT: Consider Approval of Contract with Kimley-Horn & Associates, Inc. for Central City and Panther Island Engineering Support Services

FUNDING: Fiscal Year 2023 Special Projects/Contingency Fund - \$450,000

RECOMMENDATION:

Management recommends approval of a contract **in an amount not to exceed \$234,100** with Kimley-Horn & Associates, Inc. for Central City and Panther Island Engineering Support Services.

DISCUSSION:

The District is working with the City of Fort Worth and the US Army Corps of Engineers (USACE) on the Modified Central City Flood Control Project. The City of Fort Worth and the District are working with others on the revisioning of Panther Island and future development within the Panther Island area. The majority of the subject contract is in support of the Central City Flood Control project, including: preparation of right-of-way documents necessitated by roadway impacts from the flood control project; completion of a boundary survey required for the University Drive project design to commence; and integration of final design and construction details from the flood control project into the Panther Island base maps. Related to future development, the subject contract also includes engineering support for development projects on Panther Island, as may be needed, including reviewing developers' plans to ensure compliance with the USACE requirements.

Kimley-Horn & Associates, Inc. is not a diverse business but has subcontracted portions of the contract to three subcontractors resulting in an overall Diverse Business participation commitment of 17%.

This item was reviewed by the Construction and Operations Committee on August 11, 2023.

Submitted By:

Kate Beck
Program Director, Central City Flood Control Project

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 10

DATE: August 15, 2023

SUBJECT: Consider Approval of Contract with The National Theatre for Children, Inc., for Elementary School Water Conservation Education Services

FUNDING: Fiscal Years 2023 and 2024 Revenue Fund Budget - \$154,200

RECOMMENDATION:

Management recommends approval of a contract **in an amount not-to-exceed \$154,200** with The National Theatre for Children, Inc., for elementary school water conservation education services.

DISCUSSION:

Management began working with The National Theatre for Children (NTC) in 2020 to expand knowledge of the importance of water services and water conservation through youth education programs. Throughout the 2022-2023 school year, the program served 79 elementary schools in 10 school districts with in-person performances and on-demand recordings. A total of 16,867 students and 738 teachers participated in *The Tarrant County Wild Water Showdown* program with custom lessons on “The Amazing Ways We Use Water,” “Water’s Incredible Journey,” “How We Move Water Where We Need It,” and “How We Can Save and Protect Water”. Teachers rated the program 6.74 on a 7-point scale for overall educational value and all teachers indicated they would participate in the program again. Management recognizes the positive response, broad reach and overall teacher-student engagement of the program and requests to move forward with another year of programming.

The proposed fiscal year 2023-2024 contract with NTC will provide education program services for approximately 60 schools and 15,000 students. The program includes live performances, e-learning resources, bilingual content and unique shows for grades K-2 and 3-5.

A portion of the work will use fiscal year 2023 funds for services in August and September. The agreement proposes to also use funds currently planned in the fiscal year 2024 budget and it will reflect services are subject to fiscal year 2024 budget appropriations.

NTC is a certified prime vendor. There are no other subcontracting opportunities for this contract.

This item was reviewed by the Construction and Operations Committee on August 11, 2023.

Submitted By:

Linda Christie
Government Affairs Director

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 11

DATE: August 15, 2023

SUBJECT: Consider Approval of Contract with Tinker LLC for Elementary School Water Conservation Education Services

FUNDING: Fiscal Year 2023 and 2024 Revenue Fund Budget - \$80,000

RECOMMENDATION:

Management recommends approval of a contract **in an amount not-to-exceed \$80,000** with Tinker LLC for elementary school water conservation education services.

DISCUSSION:

Management recently partnered with Tinker LLC (Tinker) in spring 2022 to develop the *Conservation Captains Water Conservation Program* for 5th graders. Throughout the 2022-2023 school year, the program served 3,786 fifth-grade students and 66 teachers in 48 elementary schools in 6 school districts with teacher-led lessons, homework exercises, and take-home water conservation kits. The program offers teachers four customized lessons, with content specific to the District and its customer cities, focused on “Creating Water Sources,” “Our Water Supply System,” “Water, Weather & Climate,” and “Conserving Water for Today & Tomorrow.” Each student receives a take-home kit with a shower timer, a bucket to reuse shower water on plants outdoors, a pan scraper, toilet leak tabs, and water flow meter bag. Students also have access to digital learning resources, optional outdoor or indoor advanced saver kits, student challenges, and a video contest. Additionally, teachers can earn mini-grants for classroom supplies based on participation levels.

The proposed contract with Tinker is anticipated to provide education program services for approximately 4,500 students in the 2023-2024 school year. Services include recruitment, materials assembly and shipment, participant support, data collection, teacher evaluation, and reporting. The program includes matching funds from customer cities in the amount of \$50,715 and \$29,285 is for additional school participation.

A portion of the work will use fiscal year 2023 funds for services in August and September. The agreement proposes to also use funds currently planned in the fiscal year 2024 budget and it will reflect services are subject to fiscal year 2024 budget appropriations.

Tinker is not a certified prime vendor. There are no other subcontracting opportunities for this contract.

This item was reviewed by the Construction and Operations Committee on August 11, 2023.

Submitted By:

Linda Christie
Government Affairs Director

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 12

DATE: August 15, 2023

SUBJECT: **Vote to Place a Proposal to Adopt a Tax Year 2023 Tax Rate of \$.0267/\$100 on the Agenda for the September 19, 2023 Board of Directors Meeting; and**

Establish a Date for a Public Hearing to be Held September 13, 2023 at 3:30 PM on the Proposed Tax Year 2023 Tax Rate of \$.0267/\$100

FUNDING: N/A

RECOMMENDATION:

Management recommends the Board vote to place a proposal to adopt a tax year 2023 tax rate of \$.0267/\$100 on the agenda of the September 19, 2023 Board of Directors Meeting.

The staff also recommends establishing the date for a public hearing to be held September 13, 2023 at 3:30 PM on the proposed tax year 2023 tax rate of \$.0267/\$100.

DISCUSSION:

In accordance with both the Texas Water Code and the Texas Tax Code, the Board must vote to place a proposal to adopt the tax year 2023 tax rate on the agenda of the September 19, 2023 Board Meeting.

Prior to the adoption of the tax rate, the District is required to establish a public hearing date, publish a notice titled "Water District Notice of Public Hearing on Tax Rate" and conduct a public hearing.

The District's proposed timeline and sample hearing notice are attached for your review.

This item was reviewed by the Finance and Audit Committee on August 3, 2023.

Submitted By:

Sandy Newby
Chief Financial Officer

TARRANT REGIONAL WATER DISTRICT

2023 Timeline for Setting Budgets and Tax Rate

August 15, 2023 (Regularly Scheduled Board Meeting)

1. Vote to propose a \$.0267/\$100 tax rate at the September 19, 2023 Board Meeting
2. Vote to set the date for a Public Hearing on the Tax Rate on September 13, 2023 at 3:30 PM
3. Schedule the vote to adopt the tax rate for the Board Meeting on September 19, 2023

September 5, 2023

Publish "Water District Notice of Public Hearing on Tax Rate"
Must be published at least seven days before the hearing

September 13, 2023

Public Hearing

Record intention to adopt a tax rate at the September 19, 2023 Board Meeting

September 19, 2023

1. Vote to adopt the General Fund Annual Budget
2. Vote to adopt a tax rate of \$.0267/\$100
3. Vote to adopt the Revenue Fund Annual Budget
4. Provide Tarrant County with the written order of adoption

Water District

Notice of Public Hearing on Tax Rate

Please be advised that a quorum of the Board of Directors of Tarrant Regional Water District (TRWD) will convene on the below date and time for the purpose of conducting a Public Hearing on the TRWD tax rate. Please be further advised that some members of the Board of TRWD may participate remotely by videoconference.

The link to view and listen to the meeting via internet is

<https://www.trwd.com/boardvideos/>

Citizens may present public comment at this time, limited to three (3) minutes per speaker, unless the speaker addresses the Board through a translator, in which case the limit is six (6) minutes. If citizens wish to address the Board in person, each proposed speaker must have completed and submitted a speaker card prior to the commencement of the meeting. If citizens wish to address the Board virtually, each proposed speaker must have contacted Mr. Chad Lorange of TRWD, by telephone at (817) 720-4367 or by email at chad.lorange@trwd.com, by no later than 3:00 p.m. on Friday, September 8, 2023. In such event, each such member of the public will be provided a dial-in number to address the Board. By law, the Board may not deliberate, debate or take any action on public comment but may place the item on a future agenda.

The Tarrant Regional Water District will hold a public hearing on a proposed tax rate for the tax year 2023 on September 13, 2023 3:30 p.m. at 800 East Northside Drive Fort Worth, Texas 76102. Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the tax rate that is adopted and on the change in the taxable value of your property in relation to the change in taxable value of all other property. The change in the taxable value of your property in relation to the change in the taxable value of all other property determines the distribution of the tax burden among all property owners.

Visit Texas.gov/PropertyTaxes to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

FOR the proposal: _____

AGAINST the proposal: _____

PRESENT and not voting: _____

ABSENT: _____

The following table compares taxes on an average residence homestead in this taxing unit last year to taxes proposed on the average residence homestead this year.

	Last Year	This Year
Total tax rate (per \$100 of value)	<u>0.0269</u> /\$100 Adopted	<u>0.0267</u> /\$100 Proposed
Difference in rates per \$100 of value	<u>\$ -0.0002</u> /\$100	
Percentage increase/decrease in rates(+/-)	<u>-0.74</u> %	
Average appraised residence homestead value	\$ <u>238,564</u>	\$ <u>275,012</u>
General homestead exemptions available (excluding 65 years of age or older or disabled person's exemptions)	\$ <u>0</u>	\$ <u>0</u>
Average residence homestead taxable value	\$ <u>238,564</u>	\$ <u>275,012</u>
Tax on average residence homestead	\$ <u>64.17</u>	\$ <u>73.43</u>
Annual increase/decrease in taxes if proposed tax rate is adopted (+/-) and percentage of increase (+/-)	\$ <u>9.26</u> <u>14.43</u> %	

NOTICE OF TAXPAYERS' RIGHT TO ELECTION TO REDUCE TAX RATE

If the district adopts a combined debt service, operation and maintenance, and contract tax rate that would result in the taxes on the average residence homestead increasing by more than eight percent, the qualified voters of the district by petition may require that an election be held to determine whether to reduce the operation and maintenance tax rate to the voter-approval tax rate under Section 49.23603, Water Code.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 14

DATE: August 15, 2023

SUBJECT: Executive Session

FUNDING: N/A

RECOMMENDATION:

Section 551.071 of the Texas Government Code, for Private Consultation with its Attorney about Pending or Contemplated Litigation or on a Matter in which the Duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly Conflicts with this Chapter; and

Section 551.072 of the Texas Government Code to Deliberate the Purchase, Exchange, Lease or Value of Real Property

DISCUSSION:

- Pending litigation
- Real property issues

Submitted By:

Alan Thomas
Deputy General Manager

TARRANT REGIONAL WATER DISTRICT

AGENDA ITEM 15

DATE: August 15, 2023

SUBJECT: Consider Approval of Authorization to Acquire Real Property Interests by Purchase for Cedar Creek Pipeline Rehab Project

DISCUSSION:

This agenda item is pending negotiations and is subject to review and approval by the TRWD Board of Directors.

Next Scheduled Board Meetings

Special Called Meetings:

August 31, 2023 at 9:00 AM

September 13, 2023 at 3:30 PM

Monthly Meeting:

September 19, 2023 at 9:00 AM