

# NORTHWEST LAKEWOOD SANITATION DISTRICT

141 Union Boulevard, Suite 150  
Lakewood, Colorado 80228-1898  
Tel: 303-987-0835 • 800-741-3254  
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## NOTICE OF REGULAR MEETING AND AGENDA OF THE BOARD OF DIRECTORS OF THE DISTRICT AND OF THE WASTE WATER UTILITY ENTERPRISE

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Gregory A. “Greg” Fabisiak	President	2023/May 2023
Catherine “CiCi” Kesler	Vice President/Treasurer	2023/May 2023
James D. “Jim” Zimmerman	Secretary	2025/May 2025
Anthony M. Dursey	Assistant Secretary	2025/May 2025
George C. Davenport	Assistant Secretary	2025/May 2025

DATE: March 22, 2023

TIME: 4:00 P.M.

PLACE: **VIA Zoom**

*If you experience technical difficulties, email Steve Beck at [sbeck@sdmsi.com](mailto:sbeck@sdmsi.com).*

<https://us02web.zoom.us/j/81324290119?pwd=bUkzeTg3dlRSTWJFVUpLbTR5R0xWdz09>

Meeting ID: 813 2429 0119

Passcode: 700784

Dial In: 1-719-359-4580

### I. ADMINISTRATIVE MATTERS

- A. Review and approve Minutes of the February 22, 2023 regular meeting (enclosure).
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### II. PUBLIC COMMENT

- A. \_\_\_\_\_

### III. FINANCIAL MATTERS

- A. Review and ratify approval of the payment of claims through the period ending March 31, 2023 as follows (enclosure):

General Fund	\$	13,111.05
Enterprise Fund	\$	<u>72,795.87</u>
<b>Total:</b>	<b>\$</b>	<b><u><u>85,906.92</u></u></b>

and accept the schedule of cash position as of February 28, 2023 (to be distributed); and the unaudited preliminary final financial statements for the period ending February 28, 2023; and a report on collections for the facilities renovation fees, grease trap inspection fee collections, commercial billing and any other fees imposed and collected by the District (to be distributed).

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IV. LEGAL MATTERS

- A. Update on 11324 West 38<sup>th</sup> Avenue

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- B. Update on May 2, 2023 Election.

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- C. Update on 2100 Youngfield Street, Lakewood, Colorado.

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- D. Discuss Amendment to Service Agreement with Westridge (to be distributed).

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- E. Consider adoption of a Resolution to change the Tap Fees for 2023 and to approve the revised fee schedule (enclosure).

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V. OPERATIONS MATTERS

- A. Operations Monthly Report (enclosures).
  - 1. Discuss replacement software for locate ticket system.

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- B. Engineer's Report (enclosure).
  - 1. Status of 2023 Capital Improvements.

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  - 2. Discuss Flow Study.

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  - 3. Discuss the Flows and Loadings Report from Metro Water Recovery (enclosure).

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VI. OTHER BUSINESS

A. Metro Water Recovery Update (enclosures).

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B. Website update.

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VII. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR  
APRIL 26, 2023.**

**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
NORTHWEST LAKEWOOD SANITATION DISTRICT  
AND THE BOARD OF DIRECTORS OF THE  
WASTEWATER UTILITY ENTERPRISE  
HELD  
FEBRUARY 22, 2023**

The Regular Meeting of the Board of Directors of the Northwest Lakewood Sanitation District and the Board of Directors of its Wastewater Utility Enterprise (collectively referred to hereafter as “Board”) convened by Zoom video conference and teleconference call on Wednesday, February 22, 2023, at 4:00 PM. The Zoom Meeting and call-in information were listed in the meeting notice posted by the District, and the public was able to attend the meeting by telephone, if they so desired.

**ATTENDANCE**

**Directors In Attendance Were:**

Gregory A. “Greg” Fabisiak  
Catherine “CiCi” Kesler  
James D. “Jim” Zimmerman  
Anthony M. Dursey

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and upon vote, unanimously carried, the absence of Director George C. Davenport was excused.

**Also In Attendance Were:**

Steve Beck; Special District Management Services, Inc.

Tim Flynn, Esq.; Collins Cole Flynn Winn & Ulmer, PLLC

Bill Willis; Martin/Martin Consulting Engineers

Wayne Ramey; Ramey Environmental Compliance

**ADMINISTRATIVE  
MATTERS**

**Minutes:** The Board reviewed the minutes of the January 25, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and upon vote, unanimously carried, the minutes of the January 25, 2023 Regular Meeting were approved.

**PUBLIC  
COMMENTS**

None.

## RECORD OF PROCEEDINGS

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### FINANCIAL MATTERS

**Claims:** Mr. Beck reviewed the claims through the period ending February 28, 2023 as follows:

General Fund	\$ 315,126.29
Enterprise Fund	\$ 43,375.68
Total	<u>\$ 358,501.97</u>

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board ratified the approval of the payment of claims for the period ending February 28, 2023.

**Unaudited Financial Statement:** Mr. Beck discussed the status of the 2022-year end financials and noted that they will be completed by the March 2023 meeting.

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### LEGAL MATTERS

**11324 West 38<sup>th</sup> Avenue:** Attorney Flynn updated the Board that the project is moving forward and there will be an Amendment in March 2023 for the Westridge Agreement.

**May 2, 2023 Election:** Attorney Flynn discussed with the Board the upcoming May 2, 2023 Election and that the Election may be cancelled.

**2100 Youngfield Street, Lakewood, Colorado:** Attorney Flynn informed the Board that a partial release of the lien on Buildings 1 and 2 had been issued so that the units can be sold.

**Amendment to Service Agreement with Westridge:** Attorney Flynn discussed with the Board the Amendment to the Service Agreement with Westridge.

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### OPERATIONS MATTERS

**Operations Monthly Report:** Mr. Ramey discussed the monthly report with the Board. A copy of the report is attached hereto and incorporated herein by this reference.

**Engineer's Report:** Mr. Willis reviewed with the Board the engineering report dated February 22, 2023, and discussed the Flow Study and the status of the 2023 CIP.

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### OTHER BUSINESS

**Metro Water Recovery Update:** Director Fabisiak discussed with the Board the Metro Water Recovery Update. Mr. Beck noted that Mickey Conway, District Manager for Metro Water, is scheduled to attend the May 24, 2023 meeting and will be presenting a slide show for the Board. This meeting will be held at Martin/Martin at 4:00 PM and will be available by Teams,

**Website Update:** Mr. Beck discussed with the Board the transformation to the new website management company.

**RECORD OF PROCEEDINGS**

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**ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By \_\_\_\_\_  
Secretary for the Meeting

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
2692						
03/13/2023	Collins Cole Flynn Winn & Ulmer,	3172	Legal	1-675	3,407.00	3,407.00
Total 2692:						3,407.00
2693						
03/13/2023	Colorado Community Media	78978	Election and Publication	1-635	30.96	30.96
Total 2693:						30.96
2694						
03/13/2023	Martin/Martin	17.0638-00239	Sewer Lines/Eng./Observ.	4-810	47,031.25	47,031.25
03/13/2023	Martin/Martin	17.0638-00240	2022 CIP	4-884	10,618.75	10,618.75
03/13/2023	Martin/Martin	17.0638-00241	2023 CIP	4-885	2,430.00	2,430.00
Total 2694:						60,080.00
2695						
03/13/2023	Ramey Enviromental Compliance	25340	COS-Locates	4-742	4,039.47	4,039.47
03/13/2023	Ramey Enviromental Compliance	25340	COS-Collection System	4-746	7,918.39	7,918.39
03/13/2023	Ramey Enviromental Compliance	25340	COS-Emergency Service	4-748	383.55	383.55
Total 2695:						12,341.41
2696						
03/13/2023	Sam Bergman	03092023	Transfer Service Fee	4-570	150.00	150.00
Total 2696:						150.00
2697						
03/13/2023	Special Dist Management Serv	02/2023	Office Supplies	1-690	73.09	73.09
03/13/2023	Special Dist Management Serv	02/2023	Accounting	1-612	2,416.00	2,416.00
03/13/2023	Special Dist Management Serv	02/2023	Billing	1-616	2,128.00	2,128.00
03/13/2023	Special Dist Management Serv	02/2023	Election and Publication	1-635	400.00	400.00
03/13/2023	Special Dist Management Serv	02/2023	Administration	1-614	4,656.00	4,656.00
Total 2697:						9,673.09
2698						
03/13/2023	UNCC	223020909	Repairs & Maintenance-L	4-740	224.46	224.46
Total 2698:						224.46
Grand Totals:						85,906.92

Northwest Lakewood Sanitation District  
March-23

	General	Enterprise	Totals
Disbursements	\$ 13,111.05	\$ 72,795.87	\$ 85,906.92
Payroll			\$ -
			\$ -
Payroll Taxes (Quarterly)	\$ -		\$ -
Direct Pay -- Consolidated Mutual Water	\$ -		\$ -
<b>Total Disbursements from Checking Account</b>	<b>\$ 13,111.05</b>	<b>\$ 72,795.87</b>	<b>\$ 85,906.92</b>



**RESOLUTION NO. 2023-3-1**  
**NORTHWEST LAKEWOOD SANITATION DISTRICT**  
**JEFFERSON COUNTY, COLORADO**

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**A RESOLUTION RATIFYING, APPROVING, CONFIRMING AND IN SOME INSTANCES, INCREASING THE RATES, FEES AND CHARGES OF THE NORTHWEST LAKEWOOD SANITATION DISTRICT FOR CALENDAR YEAR 2023 OR A PORTION THEREOF**

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**WHEREAS**, pursuant to Section 32-1-1001(1)(j)(I), C.R.S., the Board of Directors (“Board”) of the Northwest Lakewood Sanitation District (“District”) has the authority to fix and from time to time increase or decrease rates, fees, tolls, penalties, or charges for services, programs, or facilities furnished by the District; and

**WHEREAS**, the District operates a sanitary sewer collection system (“System”) that was initially constructed in the 1950’s; and

**WHEREAS**, it is in the interest of the public health, welfare, and safety of the District and of the District’s inhabitants that the District collect adequate revenues to pay ongoing operation and maintenance costs and generate sufficient reserves to replace the System as and when needed; and

**WHEREAS**, in connection with the preparation and adoption of the District’s 2023 Budget, the Board reviewed the District’s rates, fees, tolls and charges and determined that it may be necessary to increase certain rates, fees, tolls and charges and leave others at their present levels: and

**WHEREAS**, at least thirty (30) days’ advance notice of the Board’s intention to consider an increase in the District’s wastewater service fee and other charges has been provided to the Districts’ customers in accordance with the provisions of Section 32-1-1001(2)(a), C.R.S. by utilizing the District’s transparency notice that is posted on the publicly accessible section of the Special District Association of Colorado website.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Northwest Lakewood Sanitation District, Jefferson County, Colorado that:

**Section 1. Increase in Connection/Tap Fee.** As of April 1, 2023, the District’s sanitary sewer connection fee shall increase from \$4,710 per single family residential equivalent tap to \$5,120, and the District’s sanitary sewer connection fee for a qualifying multiple dwelling unit shall also increase from \$4,710 per dwelling unit to \$5,120.

**Section 2. Metro Water Recovery Fee.** In addition to the District’s \$5,120 connection fee per single family residential equivalent unit, the District also must collect the Metro Water Recovery Fee as adopted by Metro for calendar year 2023. The Metro Water Recovery wastewater connection tap fee for 2023 per single family residential equivalent tap is \$5,120 which effective January 1, 2023, the District collects at the same time it collects the Northwest Lakewood tap fee.

**Section 3. Facilities Renovation and Service Fee.** For calendar year 2023, the District’s Facilities Renovation and Service Fee shall remain at \$400 per single family residential equivalent tap payable quarterly in installments of \$100 per single family residential equivalent tap. The Facilities Renovation and Service Fee shall be collected and utilized as previously approved by the Board pursuant to Resolution 2008-12-1, Resolution 2009-12-1, Resolution 2021-7-1 and the late fee shall remain at \$15 and shall be imposed on the 35<sup>th</sup> day after any installment of the Facilities Renovation and Service Fee is considered due and payable.

**Section 4. Grease Trap Inspection Fee.** For calendar year 2023 the District’s Grease Trap Inspection Fee re-affirmed by Resolution 2015-12-1 at \$100 for each grease trap and grease interceptor (collectively “Grease Trap”) inspected or re-inspected by the District shall remain at \$100.00; provided, however, with respect to any re-inspection the District’s Manager may waive the re-inspection fee if the Grease Trap passes inspection and has corrected all previously noted deficiencies. The late fee for non-payment of the Grease Trap Inspection Fee shall remain at \$15, which fee shall become delinquent thirty-five (35) days after the date of the bill for the inspection for which the fee is imposed pursuant to Resolution 2008-8-1 and 2015-12-1.

**Section 5. Miscellaneous Charges.** The District’s miscellaneous charges for 2023 shall be as follows:

<u>Description</u>	<u>Amount</u>
Late Fee	\$15 per delinquent amount assessed only one time. Said late fee shall be imposed with regard to any fee that is not paid when due, i.e., 35 days after the billing date.
Return Check Fee	\$30 per occurrence
Transfer Fee	Customer Account Transfer Fee shall be \$50 per transfer.
Plumber, Drain Layer, Contractor License Fee	\$100 per year or part thereof. The renewal fee for any license shall be \$50 after the original issuance of the license.
Inspection Fee for Stub-Ins	\$150 per inspection
Inspection Fee for Disconnection	\$150 per disconnection
Inclusion Fee	\$2,500 per acre or part thereof

Service Charges for Tax Exempt Contributors and Excess Contributors	The service charge for tax exempt contributors and excess contributors shall continue to be calculated in accordance with the previously approved formula.
Sewer Tap Connection Inspection Fee	\$150
Public Records Research Fee Copying Charge	\$33.58 after the first hour of research \$0.25 per page/actual cost for other materials
Exclusion Fee	Prevailing rate for legal administration and publication costs.
Deposits by Contractor	In advance 110% of the agreed estimated cost of the improvements to be installed or the expenses to be incurred by the District.
Tap Reactivation Fee	\$130 per single family residential equivalent tap.

**Section 6. Equivalency for Non-Qualifying Residential Units.** For purposes of determining the equivalency of a non-qualifying residential unit sewer connection to the District’s wastewater collection system, the District shall continue to follow the methodology used by the Metro Water Recovery for determining the equivalency of a commercial tap, as the same now exists or may hereafter be amended from time to time.

**Section 7. Non-Qualifying Residential Tap Definition.** A non-qualifying residential tap connection is any connection that serves a structure which has multiple dwelling units such as an apartment, condominium, dormitories, retirement home, motel, hospital, etc. which has three or more dwelling units that are served through a common water service line and are classified by Metro as commercial for purposes of determining their equivalency.

**Section 8. Public Health and Safety.** The adoption of and/or re-affirmance rates as set forth above is necessary for and promotes the public health, welfare, and safety of the District’s inhabitants. It is hereby re-affirmed that all rates as set forth herein are effective as of April 1, 2023 and shall remain in effect until changed by the Board.

**Section 9. Section Amendment.** The aforementioned rates, fees and charges shall remain in effect until further action by the Board of Directors.

**Section 10. Rules and Regulations.** This Resolution shall supersede any contrary provision contained in the District’s Rules and Regulations, which shall be modified as soon as reasonably practical to conform to the provisions set forth in this Resolution.

**APPROVED AND ADOPTED** on the 22nd day of March 2023

**NORTHWEST LAKEWOOD  
SANITATION DISTRICT**

By: \_\_\_\_\_  
Gregory A. Fabisiak, Vice President

Attest:

\_\_\_\_\_  
James D. Zimmerman, Secretary

**NORTHWEST LAKEWOOD SANITATION DISTRICT**  
**FEE SCHEDULE**  
**EFFECTIVE DATE JANUARY 1, 2023**

<b>Northwest Lakewood Sanitary Fees*</b>
Application fee - \$25.00 - non-refundable
Tap Inspection Fee - \$150.00 for each independent connection or disconnection; \$50.00 for each additional unit over one. (weekend - add \$100.00 surcharge to fees)
Grease Trap Inspection Fee - \$100.00 per inspection or re-inspection.
Inclusion Fee - \$ 1,500.00 per acre or part thereof
Exclusion Fee - prevailing rate for legal administration and publication costs
Contractor Fee - \$100.00 licensing fee; \$50.00 renewal fee
Deposits by Contractor - In advance 110% of the agreed estimated cost of the improvements to be installed or expenses to be incurred by the District
Sewer Treatment Charges - As established by Metro Waste Recovery
Facilities Renovation and Services Fee (FRSF) - \$400/year or billed quarterly at \$100.00/quarter
Late Fees - \$15.00 charged thirty-five (35) days after the billing date
Delinquent Account Certification Fee - \$100.00
Reactivation Fee - \$130.00 per SFRE
Public Records Research Fee - \$33.58 after the first hour of research. \$ 0.25 per page/actual cost for other materials.
Service Charge for Tax Exempt Contributors and Excess Contributors - The service charge for tax exempt contributors and excess contributors shall continue to be calculated in accordance with the formula previously adopted by the Board.

TAP FEES		Equivalent SFRE	NWLSD Connection Fee	Metro Wastewater Connection Fee	Total Connection Fee
Single Family		1	\$ 5,120.00	\$ 5,120.00	\$ 10,240.00
<b>SFRE determination for normal use listed below</b>					

**Metro Waste Water Fee\***

	Size - Water Service	Equivalent SFRE	NWLSD Connection Fee	Metro Wastewater Connection Fee	Total Connection Fee
Single Family	3/4"	1	\$ 5,120.00	\$ 5,120.00	\$ 10,240.00
Commercial	3/4"	2	\$ 10,240.00	\$ 10,240.00	\$ 20,480.00
	1"	4.8	\$ 24,576.00	\$ 24,576.00	\$ 49,152.00
	1 1/2"	11	\$ 56,320.00	\$ 56,320.00	\$ 112,640.00
	2"	20	\$ 102,400.00	\$ 102,400.00	\$ 204,800.00
	3"	43	\$ 220,160.00	\$ 220,160.00	\$ 440,320.00
	4"	86	\$ 440,320.00	\$ 440,320.00	\$ 880,640.00

\* - Metro Wastewater Reclamation Fees change each January  
 \* - 6" or larger shall be determined by Metro Wastewater District formula  
 SFRE = Single Family Residential Equivalent

**Adhere to Metro Wastewater Reclamation District Fractions for calculations for Large Users**

<b>Investment Fractions for Large User Formula</b>
Flow = 0.5245
BOD = 0.2309
SS = 0.1684
TKN = 0.0762



## **Northwest Lakewood Sanitation District**

### **Monthly Report**

### **February 1-28, 2023**

Wed	2/1	Performed 2 locates.
Thurs	2/2	Responded on site, during normal business hours, to 1 emergency locate for a fiber repair at W. 32 <sup>nd</sup> Ave. & Xenon St. Performed 2 locates. Responded via phone, outside of normal business hours, to 1 emergency locate for an H2O main repair at 12560 W. 29 <sup>th</sup> Pl.
Mon	2/6	Performed 1 locate.
Tues	2/7	Performed 1 tap replacement inspection at 2080 Miller St. Performed 2 locates.
Thurs	2/9	Performed 3 bore meet locates.
Fri	2/10	Performed 1 locate. Performed 1 bore meet locate.
Tues	2/14	Performed 1 tap replacement inspection at 2570 Nelson St.
Wed	2/15	Performed 16 grease trap inspections.
Thurs	2/16	Performed 14 grease trap inspections. Performed 1 bore meet locate.
Fri	2/17	Responded on site, during normal business hours, to 1 emergency locate for a gas service repair at 3400 Pierson St. Performed 1 locate. Performed 1 tap replacement inspection at 2634 Taft Ct.
Sat	2/18	Responded via phone, outside of normal business hours, to 1 emergency locate for a sewer service repair at 2245 Lee St.
Mon	2/20	Performed 5 locates.
Tues	2/21	Performed 10 grease trap inspections.
Thurs	2/23	Responded on site, during normal business hours, to 1 emergency locate for a storm sewer repair at Youngfield St. & Myrtle wood Ln.
Fri	2/24	Performed 4 locates.
Mon	2/27	Performed 1 tap replacement inspection at 2090 Willow Ln. Performed 1 locate.

### Task #3 - Maintenance Services

	Projected 2023 Footage	YTD Actual 2023 Footage	Current Monthly 2023 Footage	YTD Percentage 2023
	<b>Zone A</b>			
<b>Jetting</b>				
14" or Less				
15 or More"				
Easement				
<b>Total Jetting</b>	<b>98,602</b>			<b>0%</b>
<b>Televising</b>				
14" or Less				
15 or More"				
<b>Total Televising</b>	<b>98,602</b>	<b>0.0</b>	<b>0.0</b>	<b>0%</b>
<b>Accelerated Maintenance</b>				
Non-Routine Jetting				
Non-Routine Televising				
Hot Spot Jetting				<b>0%</b>
Hot Spot Televising				<b>0%</b>
Accelerated Jetting				<b>0%</b>
Annual Root Televising				<b>0%</b>
Annual Root Cut				<b>0%</b>
Annual Mineral Cleaning				<b>0%</b>
Annual Mineral Televising				<b>0%</b>
<b>Total Accelerated Maintenance</b>	<b>0.0</b>			<b>0%</b>
<b>Total Length of Cleaning</b>	<b>98,602</b>			<b>0%</b>
<b>Total Length of Televising</b>	<b>98,602</b>			<b>0%</b>
<b>Total Task #3</b>	<b>197,204</b>			<b>0%</b>

**Northwest Lakewood Sanitation District**  
**Summary for February 1-28, 2023**

**February 2, 2023**  
**12560 W. 29<sup>th</sup> Pl.**  
**Emergency Locate**

On Thursday, February 2, 2023, at 6:00am, Ismael Gomez of REC. Inc. was contacted by Colo811 regarding an emergency locate for an H2O main repair at 12560 W. 29<sup>th</sup> Pl. Ismael contacted Tom Frederickson (303-551-2946) of Consolidated Mutual Water to get more information on the work and work area and he informed Ismael they would be digging in the street in front of this address. Ismael informed Mr. Frederickson the District did not have a main in that location, but there were starter manholes on either side of this address. Mr. Frederickson indicated he understood this and would not be working in those areas. Ismael cleared Northwest Lakewood Sanitation District. No further action is needed at this time.

**Total time on this issue: Ismael Gomez – .50hrs.**

**February 18, 2023**  
**2245 Lee St.**  
**Emergency Locate**

On Saturday, February 18, 2023, at 8:15am, Jeff LeBeck of REC. Inc. was contacted by Colo811 regarding an emergency locate for a sewer service repair at 2245 Lee St. Jeff contacted Rachael Scott (720-737-6916) of Trench Right to get more information on the work and work area and was informed they were performing a repair in the yard only. Jeff cleared Northwest Lakewood Sanitation District. No further action is needed at this time.

**Total time on this issue: Jeff LeBeck -- .50hrs.**



**UNCC Locates**

**Month: February 2023**

**District: Northwest Lakewood**

Address	Locate Type	Date	Notes: What was located	Ticket Number
2979 Vivian St.	2	1/18/2023	Subsurface Utility Engineering	A301800120-00A
3320 Youngfield St.	2	1/18/2023	Subsurface Utility Engineering	A301800108-00A
3239 Robb St.	1	1/31/2023	Tree Planting	A303102536-00A
3002 Oak St.	1	1/31/2023	Comcast Drop Bury 12	A303101048-00A
Youngfield St. & W. 32nd Ave.	1	1/31/2023	Geotechnical Drill	A303102826-00A
W. 36th Ave. & Simms St.	1	2/1/2023	H20 Main Replace	A303201502-00A
W. 37th Ave. & Simms St.	1	2/1/2023	H20 Main Replace	A303201507-00A
3 Skyline Dr.	1	2/1/2023	Asphalt Patching	A303200681-00A
2519 Ward Dr.	1	2/1/2023	Fence New	A303202104-00A
Kipling St. & W. 38th Ave.	1	2/1/2023	Fiber Main New	A303203269-00A
3882 Lee Cir.	1	2/1/2023	Fence Replace	A303202837-00A
3892 Lee Cir.	1	2/1/2023	Fence Replace	A303202845-00A
3902 Lee Cir.	1	2/1/2023	Fence Replace	A303202849-00A
3906 Lee Cir.	1	2/1/2023	Fence Replace	A303202851-00A
3942 Lee Cir.	1	2/1/2023	Fence Replace	A303202852-00A
3948 Lee Cir.	1	2/1/2023	Fence Replace	A303202854-00A
Willow Ln. & Willow Ct.	2	2/1/2023	Fence New	A303202083-00A
3298 Quail St.	2	2/1/2023	Gas Main Repair	A303200996-00A
1805 Applewood Dr.	1	2/2/2023	Electric Conduit New	A303302392-00A
1805 Applewood Dr.	1	2/2/2023	Post Holes New	A303302544-00A
11630 W. 24th Pl. Cir.	1	2/2/2023	Foundation Repair	A303301211-00A
14175 W. Colfax Ave.	1	2/2/2023	Fiber Main New	A303301700-00A
14183 W. Colfax Ave.	1	2/2/2023	Fiber Main New	A303301693-00A
12560 W. 29th Pl.	1	2/2/2023	H20 Main Repair	A303302915-00A
W. 32nd Ave. & Xenon St.	2	2/2/2023	Fiber Repair	A303301056-00A
W. 20th Ave. & Nelson St.	2	2/2/2023	Test Holes	A303302402-00A
2675 Taft Ct.	1	2/3/2023	Sewer Service Repair	A303400401-00A
2570 Nelson St.	1	2/3/2023	Sewer Service Repair	A303401742-00A
13322 W. 10th Ave.	1	2/6/2023	Electric Service New	A303702222-00A
13332 W. 10th Ave.	1	2/6/2023	Electric Service New	A303702218-00A
3250 Hillside Dr.	1	2/6/2023	Piers Install	A303701651-00A
3210 Oak St.	1	2/6/2023	Comcast Drop Bury 12	A303700661-00A
2930 Simms Dr.	1	2/6/2023	Ground Rod Install	A303700171-00A
11560 W. 32nd Ave.	2	2/6/2023	Gas Service Replace	A303700821-00A
11560 W. 32nd Ave.	2	2/6/2023	Gas Service Replace	A303701762-00A
11560 W. 32nd Ave.	3	2/6/2023	Gas Service Replace	A303703153-00A
2080 Miller St.	1	2/7/2023	Sewer Service Replace	A303800133-00A
2624 Taft Ct.	1	2/7/2023	Sewer Service Repair	A303800860-00A
4042 Lee Cir.	1	2/7/2023	Fence Replace	A303802812-00A
4002 Lee Cir.	1	2/7/2023	Fence Replace	A303802891-00A
4046 Lee Cir.	1	2/7/2023	Fence Replace	A303802902-00A
4052 Lee Cir.	1	2/7/2023	Fence Replace	A303802903-00A
3992 Lee Cir.	1	2/7/2023	Fence Replace	A303802726-00A
W. 37th Pl. & Simms St.	1	2/7/2023	H20 Main Replace	A303800735-00A
1210 Youngfield St.	3	2/7/2023	Gas Service Replace	A303801858-00A
1921 Youngfield St.	1	2/8/2023	Fence New	A303900073-00A
12460 W. Colfax Ave.	1	2/8/2023	Poles Replace	A303901988-00A
3250 Hillside Dr.	1	2/8/2023	Piers Install	A303901875-00A

**0.5 Contractor no show for scheduled meet.**

**0.5**

3400 Pierson St.	2	2/8/2023	Gas Service Cut Off	A303900499-00A
1210 Youngfield St.	3	2/8/2023	Gas Service Replace	A303900684-00A
1210 Youngfield St.	3	2/8/2023	Gas Service Replace	A303901838-00A
11600 Carmel Dr.	1	2/9/2023	Electric Poles Replace	A304001073-00A
3250 Hillside Dr.	1	2/9/2023	Piers Install	A304002446-00A
14183 W. Colfax Ave.	1	2/9/2023	Fiber Main New	A304002522-00A
14175 W. Colfax Ave.	1	2/9/2023	Fiber Main New	A304002518-00A
3601 Parfet St.	1	2/9/2023	Irrigation New	A304003033-00A
3605 Parfet St.	1	2/9/2023	Irrigation New	A304003034-00A
3611 Parfet St.	1	2/9/2023	Irrigation New	A304003036-00A
3621 Parfet St.	1	2/9/2023	Irrigation New	A304003037-00A
3631 Parfet St.	1	2/9/2023	Irrigation New	A304003038-00A
3641 Parfet St.	1	2/9/2023	Irrigation New	A304003039-00A
3651 Parfet St.	1	2/9/2023	Irrigation New	A304003040-00A
3661 Parfet St.	1	2/9/2023	Irrigation New	A304003041-00A
3671 Parfet St.	1	2/9/2023	Irrigation New	A304003042-00A
3681 Parfet St.	1	2/9/2023	Irrigation New	A304003043-00A
3691 Parfet St.	1	2/9/2023	Irrigation New	A304003044-00A
3711 Parfet St.	1	2/9/2023	Irrigation New	A304003045-00A
3721 Parfet St.	1	2/9/2023	Irrigation New	A304003046-00A
3731 Parfet St.	1	2/9/2023	Irrigation New	A304003048-00A
3741 Parfet St.	1	2/9/2023	Irrigation New	A304003049-00A
3751 Parfet St.	1	2/9/2023	Irrigation New	A304003050-00A
10895 W. 39th Ave.	1	2/10/2023	Sewer Service Repair	A304100237-00A
W. Colfax Ave. & Urban St.	1	2/10/2023	Fiber Conduit New	A304101904-00A
View Point Rd. & W. Colfax Ave.	1	2/10/2023	Fiber Conduit New	A304101873-00A
W. Colfax Ave. & View Point Rd.	1	2/10/2023	Fiber Conduit New	A304101914-00A
9357 W. 26th Ave.	1	2/11/2023	Caissons Install	A304200021-00A
Kipling St. & W. 38th Ave.	1	2/13/2023	Concrete Work	A304400902-00A
1921 Youngfield St.	1	2/13/2023	Fence New	A304400374-00A
2020 Willow Ln.	1	2/13/2023	Stump Grinding	A304401976-00A
11733 W. 33rd Ave.	1	2/13/2023	Foundation Addition	A304401049-00A
14183 W. Colfax Ave.	1	2/14/2023	Fiber Main New	A304502376-00A
14175 W. Colfax Ave.	1	2/14/2023	Fiber Main New	A304502374-00A
3243 Simms St.	1	2/14/2023	Anchors Install	A304501172-00A
W. 37th Pl. & Simms St.	1	2/15/2023	H2O Main Replace	A304600676-00A
W. Colfax Ave. & Robb St.	1	2/15/2023	Engineering	A304603365-00A
14183 W. Colfax Ave.	1	2/15/2023	Fiber Main New	A304601648-00A
14175 W. Colfax Ave.	1	2/15/2023	Fiber Main New	A304601650-00A
14175 W. Colfax Ave.	1	2/15/2023	Fiber Main New	A304601675-00A
3370 Ward Rd.	1	2/15/2023	Comcast Drop Bury 12	A304600522-00A
2303 Beech Ct.	1	2/15/2023	Ground Rod Install	A304600581-00A
12700 W. 27th Ave.	2	2/15/2023	Backfill	A304602504-00A
1164 Zang St.	3	2/15/2023	Gas Service Replace	A304600028-00A
12601 W. 32nd Ave.	1	2/16/2023	Grading Rough	A304702495-00A
14183 W. Colfax Ave.	1	2/16/2023	Fiber Main New	A304702538-00A
14175 W. Colfax Ave.	1	2/16/2023	Fiber Main New	A304702539-00A
14175 W. Colfax Ave.	1	2/16/2023	Fiber Main New	A304702542-00A
12 Hillside Dr.	2	2/16/2023	Electric Pole Replace	A304701330-00A
14 Hillside Dr.	2	2/16/2023	Electric Pole Replace	A304701333-00A
W. 29th Ave. & Alkire St.	1	2/17/2023	Sewer Service Repair	A304800112-00A
2624 Taft Ct.	1	2/17/2023	Sewer Service Repair	A304800620-00A
2560 Eldridge St.	1	2/17/2023	Landscaping	A304801944-00A
4091 Miller Way	1	2/17/2023	Fence Removal/Fence Replace	A304802150-00A
4056 Lee Cir.	1	2/17/2023	Fence Removal/Fence Replace	A304802162-00A
4090 Miller Way	1	2/17/2023	Fence Removal/Fence Replace	A304802156-00A

0.5 Contractor no show for scheduled meet.  
0.5 Contractor no show for scheduled meet.

0.5

4096 Lee Cir.	1	2/17/2023	Fence Removal/Fence Replace	A304802145-00A
4082 Lee Cir.	1	2/17/2023	Fence Removal/Fence Replace	A304802144-00A
4076 Lee Cir.	1	2/17/2023	Fence Removal/Fence Replace	A304802115-00A
4066 Lee Cir.	1	2/17/2023	Fence Removal/Fence Replace	A304802106-00A
4062 Lee Cir.	1	2/17/2023	Fence Removal/Fence Replace	A304802098-00A
3400 Pierson St.	2	2/17/2023	Gas Service Repair	A304800226-00A
1164 Zang St.	2	2/17/2023	Gas Service Replace	A304802704-00A
1775 Union St.	2	2/17/2023	Gas Service Replace	A304801997-00A
11175 W. 40th Ave.	1	2/18/2023	Catv Main New	A304900011-00A
995 Zinnia St.	1	2/18/2023	Fence New	A304900142-00A
2245 Lee St.	1	2/18/2023	Sewer Service Repair	A304900040-00A
3928 Simms St.	1	2/20/2023	Comcast Drop Bury 12	A305100760-00A
W. Colfax Ave. & View Point Rd.	1	2/20/2023	Fiber Conduit New	A304101914-01A
View Point Rd. & W. Colfax Ave.	1	2/20/2023	Fiber Conduit New	A304101873-01A
Colorado Mills Pkwy. & W. Colfax Dr.	1	2/20/2023	Fiber Main New	A305101858-00A
Colorado Mills Pkwy. & W. Colfax Dr.	1	2/20/2023	Fiber Main New	A305101852-00A
9 Skyline Dr.	1	2/20/2023	Electric Pole New	A305101138-00A
Quail St. & W. 32nd Ave.	1	2/20/2023	Asphalt Patching	A305102671-00A
1164 Zang St.	2	2/20/2023	Gas Service Replace	A305100364-00A
14183 W. Colfax Ave.	1	2/21/2023	Fiber Main New	A305202305-00A
14175 W. Colfax Ave.	1	2/21/2023	Fiber Main New	A305202309-00A
14175 W. Colfax Ave.	1	2/21/2023	Fiber Main New	A305202307-00A
32 Hillside Dr.	1	2/21/2023	Soil Testing	A305202340-00A
13588 W. 25th Pl.	1	2/21/2023	Landscaping	A305201714-00A
2992 Oak St.	1	2/21/2023	Foundation/H20/Sewer/Gas/Electric Service New	A305200727-00A
3268 Zinnia Ct.	1	2/21/2023	Sewer Service Repair	A305200684-00A
2090 Willow Ln.	1	2/21/2023	Sewer Service Repair	A305200131-00A
11025 W. 32nd Ave.	1	2/21/2023	Sewer Service Repair	A305200105-00A
10785 W. Colfax Ave.	1	2/22/2023	H20 Main Repair	A305301244-00A
9357 W. 26th Ave.	1	2/22/2023	Caissons Install	A305302205-00A
14183 W. Colfax Ave.	1	2/22/2023	Fiber Main New	A305301733-00A
W. 26th Ave. & Kipling St.	1	2/22/2023	Concrete Work	A305301794-00A
14175 W. Colfax Ave.	1	2/22/2023	Fiber Main New	A305301731-00A
14175 W. Colfax Ave.	1	2/22/2023	Fiber Main New	A305301729-00A
2253 Braun Ct.	1	2/22/2023	Helical Piers Install	A305300936-00A
1164 Zang St.	2	2/22/2023	Gas Service Replace	A305300110-00A
1164 Zang St.	2	2/22/2023	Gas Service Replace	A305301738-00A
W. 20th Ave. & Nelson St.	2	2/22/2023	Test Holes	A305300336-00A
Youngfield St. & Myrtle Wood Ln.	1	2/23/2023	Storm Sewer Repair	A305403219-01A
Youngfield St. & Myrtle Wood Ln.	1	2/23/2023	Storm Sewer Repair	A305403219-01A
W. Colfax Ave. & View Point Rd.	1	2/23/2023	Fiber Conduit New	A305400324-00A
View Point Rd. & W. Colfax Ave.	1	2/23/2023	Fiber Conduit New	A305400310-00A
2132 Applewood Dr.	1	2/23/2023	Earthwork	A305402187-00A
2130 Youngfield St.	1	2/23/2023	Demolition	A305402167-00A
2174 Applewood Dr.	1	2/23/2023	Demolition	A305402160-00A
2154 Applewood Dr.	1	2/23/2023	Demolition	A305402152-00A
Youngfield St. & Myrtle Wood Ln.	2	2/23/2023	Storm Sewer Repair	A305403219-00A
1775 Union St.	2	2/23/2023	Gas Service Replace	A304801997-01A
2174 Applewood Dr.	2	2/23/2023	Utility	A305403094-00A
3400 Pierson St.	1	2/24/2023	Grading Overlot/New H20/Sanitary/Storm Pipe	A305500046-00A
11175 W. 40th Ave.	1	2/24/2023	Catv Main Bury	A305501532-00A
W. 40th Ave. & Clear Creek Dr.	1	2/24/2023	Grading Overlot 10+ft. Deep	A305500516-00A
W. 40th Ave. & Clear Creek Dr.	1	2/24/2023	Grading Overlot 10+ft. Deep	A305500519-00A
14183 W. Colfax Ave.	1	2/24/2023	Fiber Main New	A305503130-00A
W. Colfax Ave. & Urban St.	1	2/24/2023	Fiber Conduit New	A305502603-00A
13200 W. 32nd Ave.	1	2/24/2023	Electric Service/Street Light Poles Replace	A305501462-00A





















































**Northwest Lakewood Sanitation District  
Engineering Report  
March 22, 2023**

**2022 - Approximate Linear Footage**

- 112,097 LF Total in Zone A Jetting Only
  - 37,265 LF Hot Spots which include Accelerated Maintenance, Mineral Cleaning, and Root Cut in all zones.
- M/M sent the requested photos, map, graph and Long-Range Plan to Roger Sherman along with a list of 2022 projects. 10/24/2022 – M/M requested CCTV files from REC in the PACP compatible format.

**UPDATE: 03/22/2023 -None.**

**2023 Capital Improvements Design**

Survey of system manholes along major trunklines for the Flow Study is underway. 11/23/2022 – MH survey is anticipated to be completed in late November. Input of data into the sanitary program will take place in December / Early January with anticipated report writing in February/March. 12/28/2022 – Flatirons completed initial review of the first round of field work, and sent a draft to M/M. 01/25/2023 – M/M was notified that the final file from Survey regarding the search for manholes will be complete in Early January. M/M received an updated proposal from SAM and Lamb-Star to include pipes QL-B and QL-A (10 test holes) with two separate areas of investigation within this scope/fee. Design continues. 02/22/2023 - M/M sent pdfs from our topo survey of the two areas to SAM for getting SUE locates.

**UPDATE: 03/22/2023 – Work progresses on the design with integration of the SUE locates and survey. Issues discovered with the MH cover at Orchard St. and W 15th Drive will be incorporated into the improvements package. REC has been assisting in uncovering MH's B-36 to B-37 as well as discovering the sanitary alignment around BF-17 and BF-16A. It was found that B-17 is buried along the eastside on the brick wall with 3 -4 ft of dirt, west of Clear Creek Drive. MM is coordinating to get this MH raised. Survey will take place to get coordinates and inverts of the MH's.**

**3234 Taft Court – Ann Berlin -ADU Living Area in Basement (03/07/2023)**

**UPDATE: 03/22/2023 – M/M was informed that Ann Berlin is updating her basement to an ADU, there is already a bathroom, but she is adding a laundry, kitchen and a new exterior entrance. A connection fee is needed, as well as the double FRSF. Tim Flynn is going to work on a common sewer service agreement. M/M requested Site plan, Architectural drawings, and Plumbing drawings for review.**

**10925 W 32<sup>nd</sup> Avenue – Dan Kraus -Sanitary Sewer Survey (03/02/2023)**

**UPDATE: 03/22/2023 – Dan Kraus reached out to M/M regarding the Survey done at his property, he attached the Survey with the Parcel highlighted. A Project kickoff meeting was held to discuss the two existing residences and improvements that would add an ADU to each, A third lot is also planned for another residence with an ADU. Connection Fees were discussed.**

**2100 Youngfield – Land Use**

The District's Attorney has created the lien document to phase connection fees. This has been reviewed by M/M and the Manager. 08/25/2022 – M/M received the Notice of Lien and coordinated the correct amount needed to cover tap and connection costs. As of 08/01/2022 Randy Craven will be the new GC. 12/27/2022 – Tap fees are increasing, Steve notified Guy that if he waits to pay until 2023 the price increases by about \$10,000. Guy made payment for Buildings 1 and 2, Steve will authorize time to have liens released on these two buildings. They are being marketed so the payment and release will allow them to be sold. Guy noted that they will complete the



other three buildings in the July/August timeframe, and will pay for taps at that time. 01/25/2023 – Initial two building connection fees were paid and lien released for just the buildings paid for. 02/22/2023 – M/M sent sanitary drawings to Tim Flynn. A partial release of lien for lots 1-5 Block 1, and Lots 1-7 Block 2, was sent by Tim. Randal Craven sent the requested as-builts to M/M. The as-builts are acceptable with exception that one MH needs to be lined with epoxy due to less drop through the MH.

**UPDATE: 03/22/2023 – Completion of MH corrections, as-builts and plugging of the old line at Myrtlewood St. has been completed and conditional acceptance can take place when a warranty Bond is submitted. As the Warranty Bond is needed, a temporary certificate of occupancy was suggested until requirements were met.**

**3123 and 3143 O’Hayre Court, Lakewood CO – Combined Lot Project Garage/Barn/Loft ADU - Tim and Donna O’Hayre (05/25/2022)**

06/22/2022 – Combing 2 Lots into one. Requested a Will Serve Letter. M/M sent out referral letter. A Submittal of the residence fixtures and Barn/Loft details were requested. 08/28/2022 – M/M received notice that Formal Development Application and related docs were submitted to City of Lakewood. M/M sent a referral letter. 10/24/2022 – M/M received a response to submitted comments from RevolveDesign-Build. M/M requested plans submitted directly to us when available to expedite the process and proof letter. 01/25/2023 – Gary updated M/M of the progress of their construction documents being submitted, and noted that they are working with Consolidated mutual to get the water and sewer availability form. Plans still need to be submitted.

**UPDATE: 02/22/2023 – M/M received the sewer service availability form, the schematic design for the home/site, service availability, as well as a copy of the replat. M/M sent the completed sewer service availability form.**

**3190 Youngfield St. (FirstBank Conversion) Logan Raukar (6/23/2022)**

07/27/2022 - Logan Raukar inquired on connection fees for the conversion of the FirstBank to a Fast-Food Restaurant. M/M gave information on the estimated fees, and requested a concept plan, PE stamped calculation for the grease interceptor, contact info for the property owner, developer, and engineers. M/M also stated a flow study might be required. 08/25/2022 – M/M received the requested Concept Site Plan. We are verifying if other tenants will have need for grease interceptor but this appears to be a simple project with no effect on sanitary. 01/25/2023 – We have now been informed that the renovation of the building will be a restaurant. Concept plans are needed for review and an estimate of fee deposit was noted for Grease Interceptor review.

**UPDATE: 03/22/2023 -M/M sent a referral letter for this Project. M/M was informed of a request for approval of a Specific Development Plan (SDP) amendment and Special Use Permit for a drive-thru restaurant (Wendy’s).**

**3400 Pierson St. – Prospect Valley Elementary**

12/28/2022 – M/M confirmed that wire continuity testing was successfully completed on 11/07, M/M issued conditional acceptance of the sanitary relocation on 11/21, and noted that we are still waiting on the warranty bond.

**UPDATE: 03/22/2023 – None**

**11324 West 38th Ave – Osborne (Westridge) Connection to NWLSD**

11324 W. 38<sup>th</sup> will need to work with Westridge to obtain service instead of Northwest Lakewood. 05/25/2022 - A deposit and tap fee has been made to the District office. 06/22/2022 – Waiting on documentation, and information from the original surveyor in 2018. Additionally, the design for connection is still needed.

**UPDATE: 03/22/2023 -Tim Flynn sent proposed form of First Amendment to the existing Sewer Service Agreement between the Northwest Lakewood Sanitation District and the Westridge Sanitation District. Plans were sent for review of the MH connection. Review is on-going.**



**CMWC Fence Relocation and Ditch Stabilization – Consolidated Mutual Water Company Office Parcel (12/22/2022)**

1/25/2023 – M/M received prelim plans from Andy Rogers, noting that COL has provided some prelim comments, but COL doesn't intend to send the plans for referral. M/M responded with initial comments on the layout plan for the fencing and wall. M/M noted that our main goal is to maintain quick access to MH's along the Ditch.

**UPDATE: 03/22/2023 -None.**

**2300 Urban St – Stober Elementary – Joseph C. Prinster - Topographic (9/8/2022)**

02/22/2023 - M/M received plans for the new addition at Stober Elementary from Joseph Prinster. They are not increasing water meter size, adding a meter, modifying the sanitary sewer service, or changing the Kitchen to an extent the grease interceptor needs to be evaluated, so no inspection is required unless any work will be within 10' of the mainline.

**UPDATE: 03/22/2023 – None.**

**3325 Robb Street - Administrative Subdivision (1/11/2023) – Replat two lots for Two Single Family homes**

1/25/2023 – M/M sent a referral letter for this work. A resubmittal with plans for the single family homes will be required.

**UPDATE: 03/22/2023 -None.**

**1991 Youngfield St. (Applewood Beer Garden) Juan Sanchez 4-14-22**

Proposed bar and restaurant. MM in review for initial referral and plans. 06/22/2022 – Sent referral along with a signed 1001 Form. Sent location of manholes for easier locating. They will need to open manholes to get the elevation and inverts of the manholes. 08/25/2022 – Juan Sanchez requested Construction Details for the District, M/M sent him the information he was looking for. Juan is wanting an update on the sanitary proposal, M/M responded with a letter, and feedback, along with proof of submission. Juan asked for specific details for tracer wires and associated test stations and the Sampling Manhole, M/M responded with the information Juan was looking for. 11/23/2022 – M/M sent out a referral letter.

**UPDATE: 03/22/2023 -None.**

**10490 W. 23rd Ave**

07/27/2022 - M/M sent out referral letter for ADU for second kitchen in the basement of the residence. A connection fee would be required. M/M received updated plans and sent an edited referral letter. M/M sent out fees for the connection of the additional ADU.

**UPDATE: 03/22/2023 -None.**

**2070 Willow Lane (Residential Accessory Dwelling Unit (Kiplund Kolkmeier) 7/18/2022**

07/27/2022 - Kiplund asked what is needed to get approval from NWLWSD to add an accessory dwelling unit to his residence. Information required includes full set of plans with plumbing. The ADU wishes to connect through the current home sewer line. A connection fee and unification agreement would be required if allowed to connect to the existing service line.

**UPDATE: 03/22/2023 -None.**

**9755 W. 25th Ave**

07/27/2022 - Received signed forms for the sewer availability at 9755 W. 25<sup>th</sup> Ave. The owner stated Lakewood changed the address, and the plans have not changed since October. A proof of submission was provided.

**UPDATE: 03/22/2023 -None.**

**1325 Normandy – Jim Skeen (303-809-0027) ADU addition to Single Family**

Coordination took place as to needed plan review and ADU requiring an additional tap connection fee. The proof of submission was received on October 22 and returned to the Owner with an availability letter on October 25<sup>th</sup>.



**UPDATE: 03/22/2023 -None.**

**Miscellaneous**

- **John Sponseller reached out regarding a fire that damaged the stand-alone bathroom outside of the Good Time at 32nd and Youngfield. Wheatridge building is requiring a proof that John reached out to M/M and M/M determined that the Project did not need to be reviewed by sanitation and a letter was sent that no further review is necessary.**
- **M/M is working on updating mapping northwest of the Quail St cul-de-sac Site visits by MM and REC and CCTV of the line was not feasible to identify sanitary alignments in the area. We are now suggesting REC perform a dye test to verify certain sanitary connections and flow alignment.**

MAR 20 2023



March 16, 2023

Mr. Steve Beck, District Manager  
Northwest Lakewood Sanitation District  
141 Union Blvd., #150  
Lakewood, CO 80228

Dear Mr. Beck:

Enclosed is the 2022 annual summary of the Flows and Loadings Reports for your municipality. The total flow, BOD, suspended solids (SS), and total Kjeldahl nitrogen (TKN) contributed by and chargeable to your municipality are summarized below. Also shown are the customer equivalent connection unit (CECU) values for each connection to the Metro system. The CECU values represent the operations and maintenance costs required to conduct metering, sampling, analytical, and estimating activities necessary for the determination of annual charges.

In accordance with Section 405 of the Service Agreement and Special Connectors Agreement, these determinations shall be deemed correct unless an objection is filed with the Metro District within sixty (60) days after the determinations have been mailed.

<u>Connection</u>	<u>Flow, MG</u>	<u>BOD, Tons</u>	<u>SS, Tons</u>	<u>TKN, Tons</u>	<u>CECU</u>
Miller	561.86	339.22	473.72	82.06	0.77

Sincerely,

A handwritten signature in blue ink that reads "Molly Kostecky".

Molly Kostecky  
Chief Financial Officer

MK:PD\blo  
M:\GOV05.05 Annual Charges\2022\Annual Summaries.doc

Enclosures

cc: Wayne Ramey  
Bill Willis

## METRO WATER RECOVERY

### ANNUAL SUMMARY OF FLOWS AND LOADINGS

**CONNECTOR:** NW Lakewood - Miller

**YEAR:** 2022

REPRESENTATIVE PERIOD	# DAYS	FLOW MGD	FLOW MG	BOD MG/L	BOD LBS/DAY	BOD TONS	SS MG/L	SS LBS/DAY	SS TONS	TKN MG/L	TKN LBS/DAY	TKN TONS
01/01 - 03/10	69	1.24	85.81	155	1601	55.23	176	1821	62.82	40.4	418	14.42
03/11 - 04/25	46	1.31	60.04	161	1762	40.53	230	2509	57.71	39.9	436	10.03
04/26 - 06/17	53	1.73	91.82	122	1755	46.51	196	2826	74.89	29.4	425	11.26
06/18 - 08/04	48	1.85	88.74	127	1960	47.04	226	3483	83.59	32.1	495	11.88
08/05 - 09/26	53	1.71	90.44	160	2285	60.55	221	3148	83.42	33.5	478	12.67
09/27 - 12/02	67	1.54	103.23	148	1898	63.58	186	2389	80.03	34.5	443	14.84
12/03 - 12/31	29	1.44	41.78	148	1778	25.78	180	2156	31.26	40.0	480	6.96
<b>AVERAGE</b>		1.54		145	1859		202	2596		35.0	450	
<b>TOTAL METERED</b>	365		561.86			339.22			473.72			82.06

#### TOTAL ANNUAL CONTRIBUTIONS

FLOW:	561.86	MG
BOD:	339.22	TONS
SS:	473.72	TONS
TKN:	82.06	TONS



# METRO WATER RECOVERY

## Board of Directors Meeting

Tuesday, February 21, 2023

The regular monthly meeting of the Board of Directors of Metro Water Recovery will be held Tuesday, February 21, 2023 at 5:30 p.m. in the Administration Building Boardroom.

The **Agenda** will be as follows:

**1. ROLL CALL**

**2. PUBLIC COMMENT**

**3. APPROVAL OF MINUTES**

Minutes of the Board of Directors Meeting on January 17, 2023 (*Tab No. 1*)

**4. PROGRESS AND PROJECTION REPORTS**

4.a Report by Chief Executive Officer (*Tab No. 2*)

4.b Report by General Counsel (*Tab No. 3*)

**5. REPORTS OF OFFICERS AND COMMITTEES**

5.a Report by Strategic Planning Committee

**6. NEW BUSINESS**

6.a **Hearing for the Metro Water Recovery's Second Amended 2022 Annual Budget**

**Consent Agenda**

6.b **Consideration of Replacement of Metro Water Recovery's Industrial Pretreatment Program Database, Pretreatment Information Management System with the iPACS System** [Recommended O/F/E] (*Tab No. 4*)

6.c **Consideration of Property Acquisition** [Recommended O/F/E] (*Tab No. 5*)

**Roll Call Agenda**

6.d **Consideration of Revisions to Metro Water Recovery's Purchasing and Contracts Policy** [Recommended O/F/E] (*Tab No. 6*)

**7. INDIVIDUAL DIRECTOR COMMENTS**

**8. OTHER INFORMATION**

**9. ADJOURNMENT**

Andrew Johnston  
Chair

Committee Meeting Minutes in Chronological Order (*Tab No. 7*).

# METRO WATER RECOVERY

## Board of Directors Meeting

February 21, 2023

### Action Items—Committee Recommendations

**1. Hearing for Metro Water Recovery's Second Amended 2022 Annual Budget**

**Executive** : Unanimously recommended approval.

**2. Consideration of Replacement of Metro Water Recovery's Industrial Pretreatment Program Database, Pretreatment Information Management System with the iPACS system**

**Operations** : Unanimously recommended approval.

**Finance** : Unanimously recommended approval.

**Executive** : Unanimously recommended approval.

**3. Consideration of Property Acquisition**

**Operations** : Unanimously recommended approval.

**Finance** : Unanimously recommended approval.

**Executive** : Unanimously recommended approval.

**4. Consideration of Revisions to Metro Water Recovery's Purchasing and Contracts Policy**

**Operations** : Unanimously recommended approval.

**Finance** : Unanimously recommended approval.

**Executive** : Unanimously recommended approval.

# METRO WATER RECOVERY

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

January 17, 2023

The Board of Directors of Metro Water Recovery, in the Counties of Adams, Arapahoe, Douglas, Jefferson, and Weld, and the City and County of Denver, State of Colorado, met in regular session at 6450 York Street, Denver, Colorado, Tuesday, January 17, 2023 at 5:30 p.m. in the Boardroom.

Chair Johnston called the meeting to order.

### 1. ROLL CALL

Secretary Giddings called the roll.

#### Officers Present:

Andrew Johnston, Denver  
Sarah Niyork, South Adams  
Jo Ann Giddings, Aurora  
Del Smith, Bancroft-Clover\*

Chair  
Chair Pro Tem  
Secretary  
Treasurer

#### Directors Present:

Curt Aldstadt, Westminster  
Peter Baertlein, Denver\*  
Greg Baker, Aurora\*  
Phil Burgi, Wheat Ridge  
Nadine Caldwell, Aurora  
John Chavez, Berkeley  
David Councilman, Pleasant View  
Deborah Crisp, East Lakewood  
Clark Davenport, Northwest Lakewood  
James DeHerrera, Aurora  
Robert Duncanson, Denver\*  
Mary Gearhart, Denver\*  
Joan Iler, Westridge  
Janet Kieler, Denver\*  
Laura Kroeger, Lakewood  
Kathy Laurienti, Crestview\*

Doug Lazure, Denver\*  
Bob LeGare, Aurora  
Martin Majors, Fruitdale\*  
Charlie Miller, Fort Lupton\*  
Jamie Miller, North Table Mountain\*  
Steve Pott, Applewood\*  
Bill Ray, Arvada  
Bob Roth, Aurora\*  
Kim Schoen, Brighton\*  
Greg Sekera, Lakewood\*  
Peter Spanberger, Denver\*  
Mary Beth Susman, Denver  
Dennis Towndrow, North Pecos  
Scott Twombly, Thornton  
Jennifer Williams, Denver\*

#### Directors Absent:

Craig Kocian, Arvada  
Charles Long, Thornton  
\*Attended virtually

Amerigo Svaldi, North Washington Street  
Ronald Younger, Denver

#### Others Present:

Mickey Conway  
Emily Jackson  
Liam Cavanaugh  
Ruth Kedzior  
Yvonne Kohlmeier  
Lydia Nkem

Chief Executive Officer (CEO)  
General Counsel  
Deputy CEO/Chief Operating Officer (COO)  
Assistant to the CEO  
Senior Administrative Assistant  
Executive Assistant

## **2. PUBLIC COMMENT**

There was no comment.

## **3. APPROVAL OF MINUTES**

### **3.a Minutes of the Board of Directors Meeting on December 20, 2022**

Chair Johnston asked if there were any corrections, deletions, or additions to the minutes of the Regular Meeting of the Board of Directors held December 20, 2022.

Director Councilman moved and Director Davenport seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held December 20, 2022.

The motion carried unanimously.

## **4. PROGRESS AND PROJECTION REPORTS**

### **4.a Report by CEO**

CEO Conway reviewed his written report, highlighting the interim 2023 Strategic Plan goals, the upcoming Annual Charge presentations available to Connectors, and his participation in Metro Talks with employees, and he appreciated the employees who worked during the polar vortex event in December.

Director Kroeger expressed appreciation on behalf of the entire Board of Directors for the effort made by the polar vortex crews, and Mr. Cavanaugh stated he would pass the message along.

### **4.b Report by General Counsel**

General Counsel Jackson provided an update on the recent litigation developments and the requirement for Metro Water Recovery to monitor for per- and polyfluoroalkyl substances (PFAS) in biosolids.

Ms. Jackson and CEO Conway responded to a question regarding how much PFAS testing will cost.

## **5. REPORTS OF OFFICERS AND COMMITTEES**

### **5.a Strategic Planning Committee**

Director Kroeger gave an update on the schedule for completing the updated Strategic Plan.

### **5.b Meeting Minutes**

There were no additions to the following meeting minutes:

Operations Committee	January 3, 2023
Finance Committee	January 5, 2023
Executive Committee	January 10, 2023

## 6. NEW BUSINESS

### Consent Agenda

#### 6.a Consideration of Designation of Place for Posting Meeting Notices

Director Aldstadt moved and Director Twombly seconded the motion to adopt the following resolution:

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

WHEREAS, Metro staff recommends the lighted, glass-enclosed bulletin board located at the turnaround outside of the security guard house at the main entrance to the Metro 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 Water Recovery 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.

#### 6.b Consideration of North Secondary Upgrades and Intensification Project (PAR 1411) Preconstruction Services Agreement and Appropriation

Director Aldstadt moved and Director Twombly seconded the motion to adopt the following resolution:

WHEREAS, it is necessary Metro Water Recovery, hereinafter referred to as “Metro,” enter into an Agreement for preconstruction phase services for the North Secondary Upgrades and Intensification Project (PAR 1411) (Project); and

WHEREAS, the North Secondary Complex (NSEC) was part of the original “Central Treatment Plant” construction in the mid-1960s and is approaching its process capacity; and

WHEREAS, to address the capacity issue in the NSEC, it is necessary to replace aging fixed assets in the NSEC and implement the densified activated sludge (DAS) process, also referred to as “densification”, to increase the NSEC treatment capacity without constructing additional aeration basins and clarifiers; and

WHEREAS, on September 26, 2022, Metro posted a Request for Proposals on the Rocky Mountain E-Purchasing site (*BidNet*) for the preconstruction phase services for the Project, and received four proposals on November 4, 2022; and

WHEREAS, through a standard Construction Manager-At-Risk selection process, the proposals were reviewed by Metro staff, and two firms were invited to participate

in interviews on December 7, 2022, with a Selection Committee of Metro staff and Board Directors; and

WHEREAS, the Selection Committee recommended selecting PCL Construction, Inc. (PCL) to provide preconstruction phase services for the Project and, on behalf of the Board of Directors, Directors on the Selection Committee instructed staff to negotiate an agreement; and

WHEREAS, Metro staff has negotiated an agreement with PCL in the amount of \$1,459,000 to provide preconstruction phase services for the Project; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into an Agreement with PCL in the amount of \$1,459,000 to provide preconstruction phase services for the Project; and

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

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to enter into an Agreement with PCL Construction, Inc. in the amount of \$1,459,000 to provide preconstruction phase services for the North Secondary Upgrades and Intensification Project (PAR 1411); and

BE IT FURTHER RESOLVED the sum of \$1,615,000 be and hereby is appropriated for this Project, 90 percent from the Fixed Asset Replacement Fund Capital Project Account and ten percent from the General Fund Capital Project Account.

The motion carried unanimously.

#### **6.c Consideration of Rules and Regulations Significant Industrial User Definition Update**

Director Aldstadt moved and Director Twombly seconded the motion to adopt the following resolution:

WHEREAS, it is necessary Metro Water Recovery, hereinafter referred to as "Metro," update the Significant Industrial User (SIU) definition in *Metro Water Recovery's Rules and Regulations Governing the Operation, Use, and Services of the System (Rules and Regulations)*; and

WHEREAS, through implementation of the Pretreatment Program, Metro staff discovered its definition of SIU in its *Rules and Regulations* does not match the federal definition, and to remain consistent with federal program, the *Rules and Regulations* must be updated; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to update the definition of SIU in the *Rules and Regulations* to match the federal definition; and

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

NOW, THEREFORE, BE IT RESOLVED amendments to Section 2 of *Metro Water Recovery's Rules and Regulations Governing the Operation, Use, and Services of the System (Rules and Regulations)* attached hereto be and hereby are adopted and incorporated into the *Rules and Regulations* of Metro; and

BE IT FURTHER RESOLVED the amendments for Section 2 of Metro's *Rules and Regulations* be and hereby shall be effective upon U.S. Environmental Protection Agency approval.

The motion carried unanimously.

### **Roll Call Agenda**

#### **6.d Consideration of Sludge Holding Tank Cleaning Services Contract**

Director Susman moved and Director Ray seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest for Metro Water Recovery, hereinafter referred to as "Metro," to amend the Agreement with P&H Senesac, Inc. (Senesac), which provides contract cleaning of Sludge Holding Tank #3 (SHT-3); and

WHEREAS, due to delays in the contractor completing the Solids Processing Building Improvements Project (PAR 1244), SHT-3 needed to be cleaned in the fall of 2022 to meet wintertime biosolids dewatering needs, including contract dewatering; and

WHEREAS, Metro does not have the in-house capabilities to clean SHT-3 due to the several-year accumulation of solids in the tank, and

WHEREAS, three firms were contacted having previous experience with Metro and capability of cold weather biosolids tank cleaning; and

WHEREAS, on October 19 and 20, 2022, Metro hosted each of the three firms separately on site to discuss the cleaning needs and timing, walk the area where their equipment would be located, discuss logistics, and field any questions; and

WHEREAS, proposals were subsequently received from the three companies and evaluated on both projected cost and ability to meet the cleaning schedule, with Senesac selected as the lowest cost, most responsive proposer; and

WHEREAS, based on past experience Metro estimated 50 dry tons of solids would be present in SHT-3 and executed a contract within the Chief Executive Officer's authority based on the estimate; and

WHEREAS, Senesac began cleaning SHT-3 on December 13, 2022 and throughout cleaning, the solids content of the biosolids contained far greater amounts of grit, sand, and phosphorus-rich material than originally estimated, pushing the contract value beyond \$250,000; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to amend the Short Form Agreement with Senesac to provide contract cleaning of SHT-3 as follows:

1. Modify the rate of \$1,855 per dry ton of sludge removed to apply to only the first 100 dry tons and add a rate of \$1,575 per dry ton of sludge removed to apply after the first 100 tons;
2. Increase the not-to-exceed amount of the agreement to \$450,000; and

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

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to amend the Short Form Agreement with P&H Senesac, Inc. to provide contract cleaning of Sludge Holding Tank #3 (SHT-3) as follows:

1. Modify the rate of \$1,855 per dry ton of sludge removed to apply to only the first 100 dry tons and add a rate of \$1,575 per dry ton of sludge removed to apply after the first 100 tons;
2. Increase the not-to-exceed amount of the agreement to \$450,000.

Chair Johnston called for a roll call vote which carried with 35 Directors voting Yes:

Curt Aldstadt	Jo Ann Giddings	Steve Pott
Peter Baertlein	Joan Iler	Bill Ray
Greg Baker	Andrew Johnston	Bob Roth
Phil Burgi	Janet Kieler	Kim Schoen
Nadine Caldwell	Laura Kroeger	Greg Sekera
John Chavez	Kathy Laurienti	Del Smith
David Councilman	Doug Lazure	Peter Spanberger
Deborah Crisp	Bob LeGare	Mary Beth Susman
Clark Davenport	Martin Majors	Dennis Towndrow
James DeHerrera	Charlie Miller	Scott Twombly
Robert Duncanson	Jamie Miller	Jennifer Williams
Mary Gearhart	Sarah Niyork	

## 7. INDIVIDUAL DIRECTOR COMMENTS

There was none.

## 8. OTHER INFORMATION

Chair Johnston remarked on the National Western Stock Show in town and the time approaching to take down holiday lights.

## 9. ADJOURNMENT

Chair Johnston adjourned the meeting at 5:51 p.m.

MC\rak\lmm



# METRO WATER RECOVERY

## MEMORANDUM

**TO:** Board of Directors

**DATE:** February 16, 2023

**FROM:** Mickey Conway, Chief Executive Officer

**RE:** Chief Executive Officer's Report

### 1. Meetings with Metro Water Recovery Staff

As many of you may remember, last Spring I held feedback sessions for employees as part of my 2022 CEO Listening Tour. Through this effort, I heard about the experiences of the many team members who contribute to our mission. The feedback shared was organized into five organizational-wide themes: 1) Communication 2) Competitiveness 3) Talent 4) Continuous Improvement and 5) Capital Projects.

A breakdown of each theme and their 15 corresponding action items can be viewed [here](#). The Senior Management Team and I have committed to prioritizing these items and providing regular updates on their status. **Here are a few highlights I would like to share as part of my first quarter update:**

1. **Feedback:** Employees requested regular updates from the Technology and Innovation Department on what initiatives/pilots are under way or under consideration, as well as what we are investigating.
  - **Action Taken:** Strategy and Communication unveiled a 'Metro at Work' video series which highlights exciting projects led by Metro Water Recovery employees and prioritized starting with Technology & Innovation. See the first of the series [here](#). A second video is already in the works.
2. **Feedback:** Employees shared concerns with turnover, remote work, and a desire to expedite hiring.
  - **Action Taken:** Management has updated the Remote Work Policy; increased new employee vacation accrual; the Board approved giving all employees paid short-term disability; Human Resources just hired a second Talent Acquisition Specialist to increase recruiting capacity; and Metro eliminated pre-employment drug testing and has launched an extensive certification bonus program.
3. **Feedback Shared:** Employees shared concerns about potholes at the Robert W. Hite Treatment Facility.
  - **Action Taken:** Majority of this work is under the Fixed Asset Replacements (FARS) Project and is complete.
4. **Feedback Shared:** Employees expressed a desire for ongoing communication on the status of onsite facility planning and where they can access the information.
  - **Action Taken:** Comprehensive Planning is in the process of developing an updated Wastewater Utility Plan for the Northern Treatment Plant (NTP). When this plan starts implementation, Comprehensive Planning will develop a Biosolids Master Plan. Once

these two plans are complete, or nearing completion, then an update to the Facility Plan will begin.

As a reminder, these items do not reflect a comprehensive list but rather a representative sample and are being prioritized based on timing.

The Listening Tour is held every other year and is a precursor to the biennial Employee Survey which runs in alternate years. I will also engage with employees at two all-employee Town Hall Meetings this year.

## **2. Metro Talks – Metro: Who We Are And How We Got Here**

This month, as part of the internal Metro Talks platform to engage employees, I will lead a discussion with employees on fascinating existential questions such as: How and when was Metro created? What type of organization is Metro? Who “owns” Metro? Who are Metro’s “customers”? What does our Board of Directors do? Who gets to make the big decisions about what we do and how we allocate resources?

Metro Board Chair Andrew Johnston will join me to talk about the role of our Board members and answer questions.

## **3. Gold Awards**

Since 1992, Metro Water Recovery has formally recognized Industrial Users who have met all their pretreatment requirements and demonstrated a commitment to environmental excellence. Gold and Platinum Awards are the means by which Metro acknowledges the performance of Industrial Users and their contributions to the success of the Pretreatment Program. Gold Award certificates are given to Industrial Users who were in compliance with 100 percent of pretreatment program requirements during a calendar year. Platinum Award engraved plaques are given to Industrial Users with five years of continuous, perfect compliance.

In 2023, the Metro Water Recovery Industrial Pretreatment Program will again recognize Industrial Users for exemplary compliance efforts. An in-person Gold Certificates and Platinum Awards recognition event will be held Wednesday, May 10, 2023 at 8:30 a.m. in the Boardroom. Facilities qualifying for the 2022 awards will be identified by the end of February.

## **4. Metro Water Recovery Featured for South Platte River Health**

Metro Water Recovery is receiving a National Environmental Achievement Award from the National Association of Clean Water Agencies (NACWA) for the South Platte River Aquatic Life/Habitat Improvements Project. Honorees will be recognized this month at NACWA’s winter conference in Sonoma, CA.

The main goal of the project is to increase dissolved oxygen levels and improve aquatic life habitat for native fish communities. Examples of completed work are visible from some of the bike/walking paths along the South Platte River (River):

- Riffles which create foraging and spawning habitat for native fish
- Boulder clusters which provide protective cover and create micro-pools and eddies
- Trees and shrubs which provide aquatic shade and riparian vegetation

The six-phase project is an example of a long-term collaborative effort with cost-saving regional benefits. Metro Water Recovery wrapped up Phase IV of the 20-year project in 2018. Phase V launched late last year.

To learn more about the project and Metro Water Recovery's role as a steward of the environment, reporters from Channel 9, FOX31, and the Fort Lupton Press joined the water quality team at a river sampling location near 88th Avenue to view regularly scheduled work – which includes river monitoring from Metro's outfalls all the way to the Nebraska border.

9NEWS featured Metro Water Recovery staff Senior Water Quality Scientist Jordan Parman and Senior Water Quality Manager Jim Dorsch on February 7, 2023 to promote how Metro is benefiting the health of the River. [Watch the video here.](#)

FOX31 also featured Mr. Parman and the impact Metro Water Recovery is having on the River. [Watch the video here.](#)

#### **5. State Engineer's Office Request**

Metro Water Recovery received a data request from the Department of Natural Resources (DNR) to provide the NTP influent flow data from certain Connectors along the South Platte River. DNR and the Colorado Water Conservation Board would like to review the data to better understand South Platte flows for the purpose of evaluating whether users are drawing water in accordance with allocations under Colorado's priority system. As Metro does not hold any water rights Metro does not interact regularly with DNR. The information DNR requested is public data under the Colorado Open Records Act and will be provided.

#### **6. Connector Annual Charge Presentation**

Staff will offer a second webinar covering the Annual Charge calculation process for Connectors on the following date:

- Wednesday, March 8, 2023 at 9 a.m.

Connector members interested in attending the presentations should contact Dawn Ambrosio at [dambrosio@metrowaterrecovery.com](mailto:dambrosio@metrowaterrecovery.com).

#### **7. Denver Post Highlights Inflation Impacts on Municipalities**

The *Denver Post* ran an article describing the impacts of inflation on public entities. The article is attached to this report.

#### **8. Metro Water Recovery Project Follow-Up**

The attached report includes information regarding the Annual Fixed Asset Replacement Priorities Project (PAR 1379) - 2022 Scope (Year 3) – Job Order Contracting Services Agreement Amendment and Funding Appropriation approved by the Board of Directors in August 2022.

#### **9. Upcoming Events**

Directors are asked to add applicable meeting dates to their calendars.

<u>Date</u>	<u>Event/Location</u>
Thursday, February 23, 2023 7:30 a.m. (breakfast served at 7 a.m.)	Defined Benefit Plan Retirement Board Boardroom
Thursday, February 23, 2023 12:30 p.m. (lunch served at noon)	Defined Contribution Plan Retirement Board Boardroom
Thursday, March 9, 2023 Immediately following Finance Committee	Finance Committee Budget Workshop Boardroom
Thursday, April 6, 2023 9 a.m. or directly following Finance	Audit Committee Boardroom
Thursday, April 13, 2023 8 a.m. (breakfast served at 7 a.m.)	Spring Board Workshop Northern Treatment Plant Visitor Center Presentation Room
Wednesday, April 19, 2023 TBD	Wastewater Worker Recognition TBD
<b>Wednesday, May 10, 2023</b> <b>8:30 a.m.</b>	<b>Gold Awards</b> <b>Robert W. Hite Treatment Facility</b>
Thursday, May 18, 2023 7:30 a.m. (breakfast served at 7 a.m.)	Defined Benefit Plan Retirement Board Boardroom
Thursday, May 18, 2023 12:30 p.m. (lunch served at noon)	Defined Contribution Plan Retirement Board Boardroom
Friday, May 19, 2023 TBD	Bike to Work Day TBD
Wednesday, June 14, 2023 TBD	Spring Metro 6.0 Town Hall/Field Day TBD
Thursday, July 20, 2023 7 a.m. depart from Administration Building	METROGRO Farm Tour 1 p.m. depart Farm
Thursday, July 6, 2023 7:30 a.m. (breakfast served at 7 a.m.)	Joint Operations / Finance Committee Boardroom
Monday, August 21, 2023 TBD	New Director Orientation Boardroom
Thursday, August 24, 2023 7:30 a.m. (breakfast served at 7 a.m.)	Defined Benefit Plan Retirement Board Boardroom
Thursday, August 24, 2023 12:30 p.m. (lunch served at noon)	Defined Contribution Plan Retirement Board Boardroom

<b><u>Date</u></b>	<b><u>Event/Location</u></b>
Thursday, October 26, 2023 8 a.m. (breakfast served at 7 a.m.)	Fall Board Workshop TBD
Thursday, November 9, 2023 9 a.m. or directly following Finance	Audit Committee Boardroom
Wednesday, November 15, 2023 TBD	Fall Metro 6.0 Town Hall TBD
Thursday, November 30, 2023 7:30 a.m. (breakfast served at 7 a.m.)	Defined Benefit Plan Retirement Board Boardroom
Thursday, November 30, 2023 12:30 p.m. (lunch served at noon)	Defined Contribution Plan Retirement Board Boardroom
Tuesday, December 19, 2023 4:45 p.m.	Annual Employee Recognition Reception Prior to Board of Directors Meeting

Attachments

MC:rk/lmn

## **2022 Annual Fixed Asset Replacement Priorities Project (PAR 1379)**

**Prepared by Michael Grengs, Senior Engineer**

### **Background**

Metro Water Recovery owns, operates, and maintains over 11,000 fixed assets throughout the Robert W. Hite Treatment Facility (RWHTF), Northern Treatment Plant, Transmission System, and METROGRO Farm. Fixed assets are defined by Metro as tangible, non-mobile assets having a service life greater than one year and a value equal to or greater than \$10,000.

Fixed-asset prioritization efforts completed by Metro Water Recovery's Comprehensive Planning Department and the Asset Management Program focused on in-kind fixed-asset replacements with an emphasis on the highest-priority replacements. The intent is to complete fixed-asset replacement based on prioritizing the most critical needs annually for replacement rather than relying on timing of capital projects focused on specific process areas or buildings. Consolidating, grouping, and executing fixed asset replacement work through an annual, recurring project addresses the highest priority needs at the right time. A list of assets requiring replacement is generated and prioritized annually and is estimated at approximately \$5 million per year over the [Ten-Year Capital Expenditure Schedule](#).

The Board of Directors authorized execution of the initial [Job Order Contracting](#) (JOC) Services Agreements with both civil/mechanical (Moltz Construction, Inc. or Moltz) and electrical (Sturgeon Electric Company or Sturgeon) JOC contractors during the May 2020 Board meeting as well as the first year's scope of work and upper limit amount for each contractor. As each year's scope has been defined, the Board has approved one-year extensions to the contract terms and the associated increase to the upper limit amount of each contract to complete the identified work. These JOC Services Agreements have a maximum five-year term.

A project manager from the Engineering Department is managing the execution and delivery of this Project for multiple fixed-asset replacement needs to ensure efficient use of staff resources. Work is being done through JOC contracts using both civil/mechanical and electrical contractors, as well as through the Engineering Department's existing On-Call Consulting Services Agreements when outside engineering support is needed. This delivery approach helps to level cash flows associated with fixed-asset-replacement work and decreases the Maintenance Department's efforts in managing various specialty contractors.

### **Contract Status and Scope of Work**

The Asset Management Program identified and prioritized numerous fixed assets as needing repair and/or replacement under each of the three years (2020, 2021, and 2022) of the Annual Fixed Asset Replacement (FAR) Priorities Project (PAR 1379). A total of \$11,728,000 was appropriated for the 2020 and 2021 work and a detailed breakdown of work items and progress for the Year 1 and 2 work can be found [here](#). In [August 2022](#), the Board authorized the Chief Executive Officer to amend the JOC agreements with Moltz and Sturgeon to provide civil/mechanical and electrical construction work, respectively, for the 2022 scope (Year 3) of the Project such that the combined upper limit of both contracts would not increase by more than \$1.2 million. At this meeting, the Board also appropriated \$1.2 million from the FAR Fund for this Project.

The following major tasks comprise the 2022 scope (Year 3) for the Project. As noted below, additional fixed assets have since been identified and determined to be a high priority and were subsequently added to the Project utilizing unused funds from previous years' appropriations. Below is an update on the progress of the Year 3 scope of work since Board approval on August 16, 2022:

- Digester Complex at the RWHTF
  - Investigated and designed improvements to the roof drainage. The design documents are currently with Moltz to provide a cost proposal to construct the work (construction efforts scheduled for Spring 2023).
  - Evaluating improvements for the ineffective floor drains in the Gas Rooms with support from one of the On-Call Consultants. Construction of the improvements will be covered under a future year's appropriation.
  - Designing replacement and upgrade of the foam separator valves in the Digester Gas Rooms. Design expected to be completed by March 2023 and construction efforts will be scheduled to immediately follow.
- Replaced all of the [dissolved oxygen](#) (DO) probes and transmitters in the [South Secondary Complex](#) (SSEC) at the RWHTF. Staff is currently working to commission the new probes and transmitters.
- Constructed two new polymer dosing systems in the SSEC, one in the West [Return Activated Sludge](#) (RAS) Pump Station and the other in the East RAS Pump Station.
  - This item was not originally included in Year 3 scope but was prioritized to accommodate operational needs associated with diverting half of the flow from the North Secondary Complex from October 1, 2022 to March 1, 2023.
- Replaced the [Total Solids](#) (TS) meter and constructed a new bypass pipe in the North Primary Sludge Pumping Station No. 1 at the RWHTF. Also replaced the TS meter in the South Primary Sludge Pump Station at the RWHTF.
  - This item was not originally included in Year 3 scope but was prioritized to accommodate operational needs.
- Investigated and designed replacement floor grating at the South Primary Clarifiers at the RWHTF to ensure safe access of personnel. The design documents are currently with Moltz to provide a cost proposal to construct the work (construction efforts scheduled for Spring 2023).
- Designing new lighting at various Metering Stations throughout the Transmission System to improve safe access. Design expected to be completed by April 2023 and construction efforts will be scheduled to immediately follow.

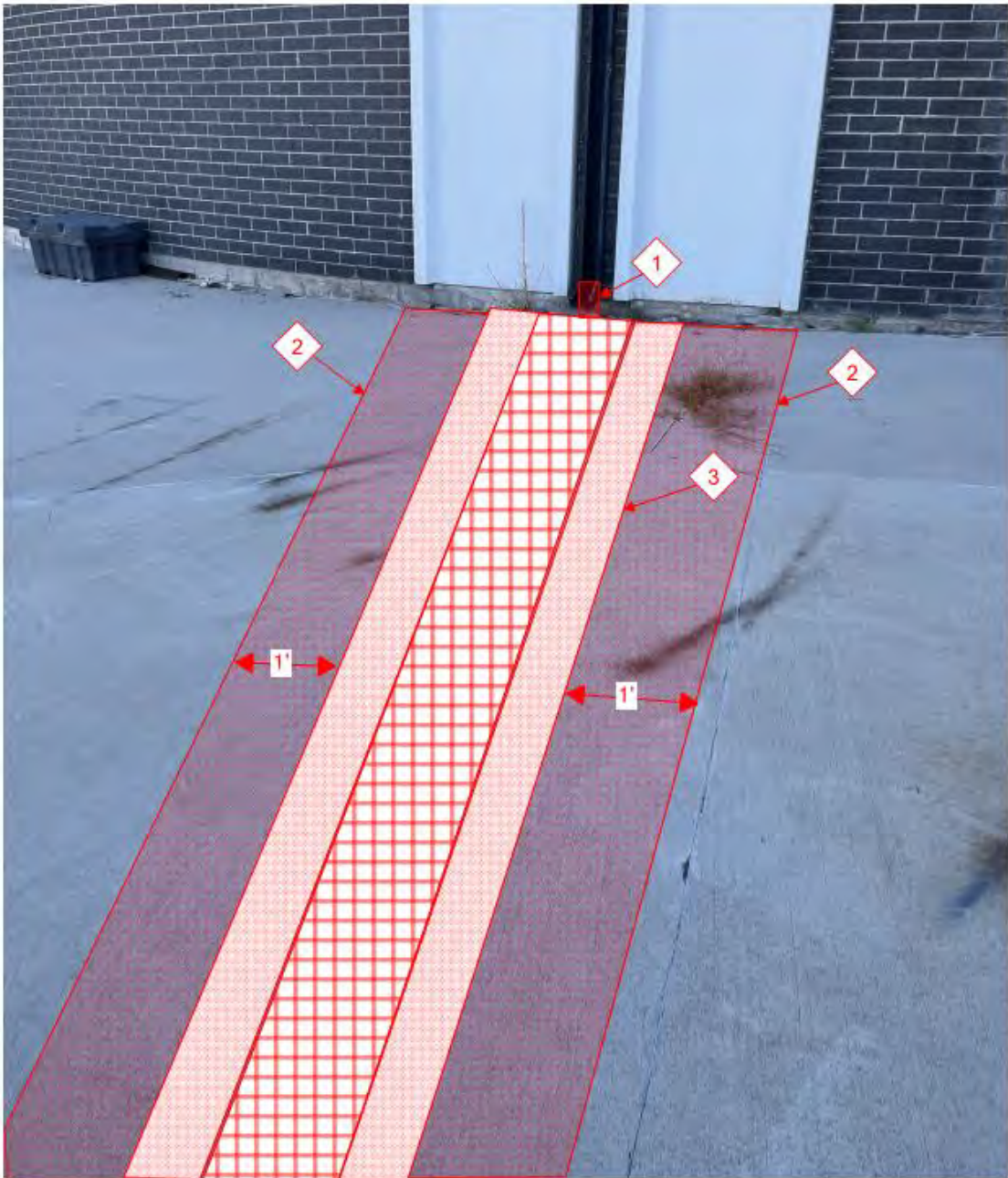
Digester Roof Drainage Improvements



BY \_\_\_\_\_ DATE DEC 22 SUBJECT METRO GATE REPLACE SHEET NO. 3 OF 6  
CHKD. BY \_\_\_\_\_ DATE \_\_\_\_\_ DIGESTER ROOF DRAIN JOB NO. 201122

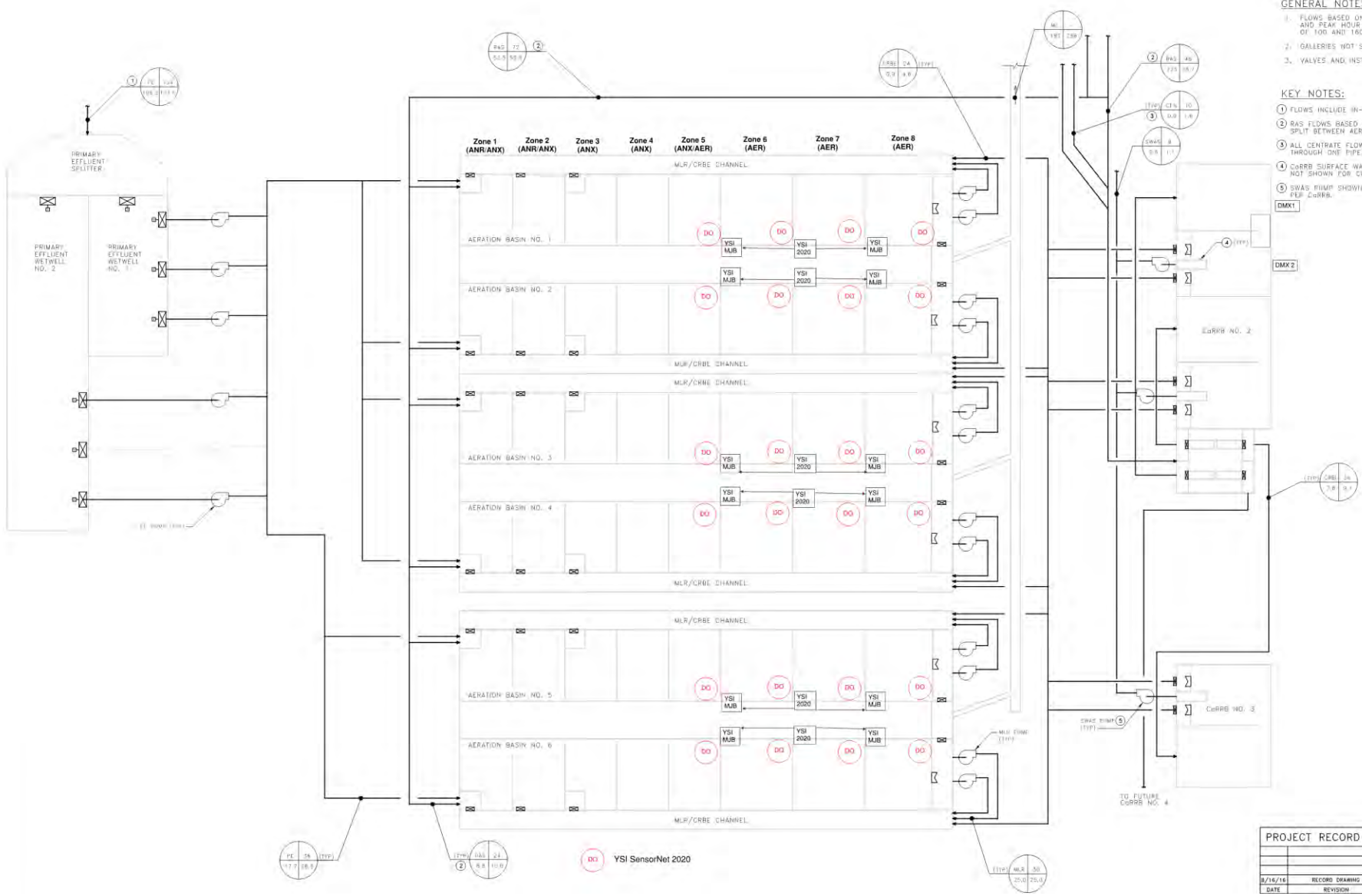
**X** KEY NOTES:

- 1. EXTEND EXISTING ROOF DRAIN, CONNECT TO UPSTREAM INVERT OF SIDEWALK CHASE DRAIN.
- 2. INSTALL 1' NEW SIDEWALK PER DENVER PUBLIC WORKS STANDARD DRAWING NO. 5.1.
- 3. NEW SIDEWALK CHASE DRAIN PER DENVER PUBLIC WORKS STANDARD DRAWING NO. 8.1, SEE PREVIOUS SHEET.





# New Dissolved Oxygen Probes and Transmitters in SSEC



- GENERAL NOTES:**
1. FLOWS BASED ON NOMINAL AVERAGE ANNUAL AND PEAK HOUR SECONDARY INFLUENT FLOWS OF 100 AND 160 MGD, RESPECTIVELY.
  2. GALLERIES NOT SHOWN FOR CLARITY.
  3. VALVES AND INSTRUMENTATION NOT SHOWN.

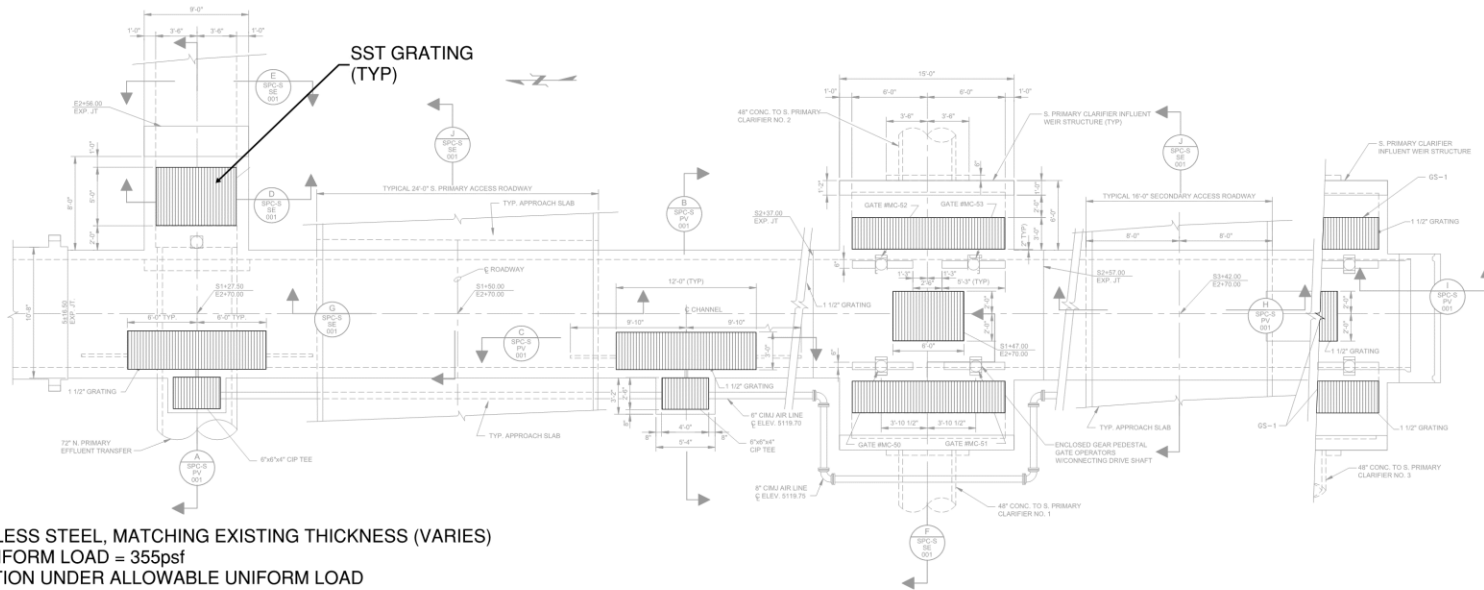
- KEY NOTES:**
1. FLOWS INCLUDE IN-PLANT RECYCLE FLOWS.
  2. BAS FLOWS BASED ON 70/30 PERCENT FLOW SPLIT BETWEEN AERATION BASINS AND CoRRB.
  3. ALL CENTRATE FLOW IS ASSUMED TO BE THROUGH ONE PIPE.
  4. CoRRB SURFACE WASTE BOX, ROTATING WEIR NOT SHOWN FOR CLARITY.
  5. SWAS PUMP SHOWN IS TYPICAL OF TWO PUMPS FOR CoRRB.

PROJECT RECORD DRAWING				VERIFY SCALES
DATE	REVISION	BY	APP	BASED ON ORIGINAL DRAWING
8/16/16	RECORD DRAWING	B.J.B.	DMH	IF NOT ONE INCH ON THIS SHEET, SCALE AS INDICATED

Polymer Dosing System in West RAS Pump Station (SSEC)



# Replacement Grating at the South Primary Clarifiers

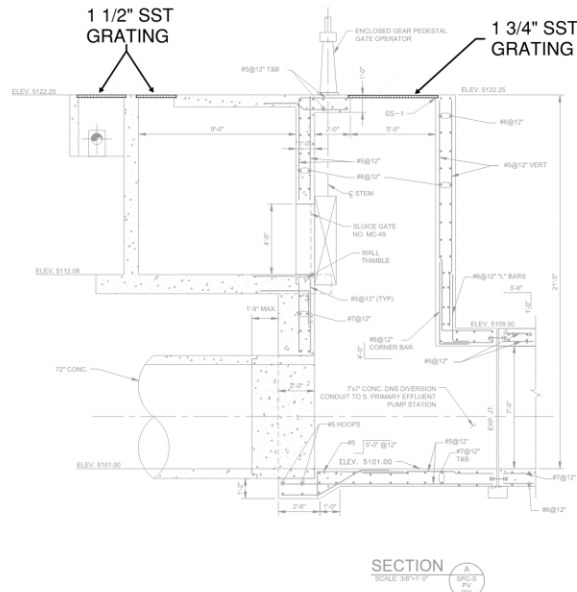


SOUTH PRIMARY INFLUENT CHANNEL  
PLAN  
SCALE: 3/8"=1'-0"

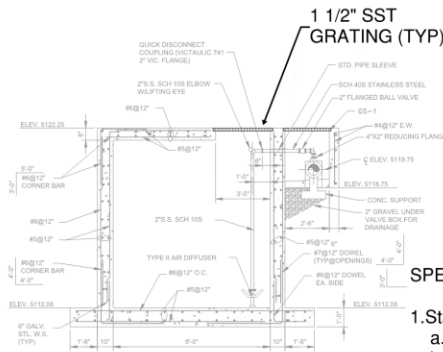
SHEET 3 OF 3: SST

**GENERAL NOTES:**

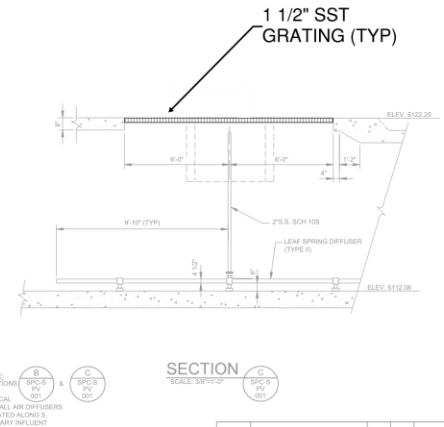
1. OPTION B: STAINLESS STEEL, MATCHING EXISTING THICKNESS (VARIES)
  - A. ALLOWABLE UNIFORM LOAD = 355psf
  - B. 0.199in DEFLECTION UNDER ALLOWABLE UNIFORM LOAD
2. CONTRACTOR TO CONFIRM EXISTING GRATING OPENING DIMENSIONS AND REBATE DEPTHS



SECTION A  
SCALE: 3/8"=1'-0"



SECTION B  
SCALE: 3/8"=1'-0"



SECTION C  
SCALE: 3/8"=1'-0"

**SPECIFICATIONS:**

1. Stainless Steel gratings:
  - a. Type 316 stainless steel.
  - b. Bar size and spacing: As determined by the manufacturer to support design load.
  - c. Design live load: A minimum of 100 pounds per square foot uniform live load on the entire area of the grating area, but not less than the live load indicated on the Drawings for the area where the grating is located.
  - d. Maximum fiber stress for design load: 18,000 pounds per square inch.
  - e. Maximum deflection under design load: 1/240 of grating clear span.
  - f. Bar spacing: Maximum of 1-1/8 inches clear between bars.
  - g. Manufacturers: The following or equal:
    - 1) Harsco Industrial IKG, IKG Weldforged.

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# What's the top concern of Colorado cities and towns these days? Inflation, of course.

Affordable housing, staffing major issues plaguing the state's municipalities



Construction is ongoing along W. 72nd Avenue near Simms street in Arvada on Feb. 03, 2023. (Photo by Andy Cross/The Denver Post)



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By **JOHN AGUILAR** | [iaguilar@denverpost.com](mailto:iaguilar@denverpost.com) | The Denver Post

The cost of hard-to-get goods and equipment was up an average of nearly 40% in La Junta over the past year, and that has this Eastern Plains city pitching to voters a 1% bump in the sales tax on November's ballot.

The extra percentage point is projected to bring in around \$1.4 million a year to this city of 7,300, which has an annual budget of \$36 million. It would be La Junta's first sales tax hike since 1982 — not coincidentally the last time the inflation rate reached levels seen today.

Voters rejected a sales tax increase just three months ago but the city is taking another stab at it.

"If citizens don't vote for it, things will have to fall off the table," City Manager Rick Klein told The Denver Post.

The challenge facing La Junta is not dissimilar to what dozens of other cities and towns across Colorado are grappling with in an uncertain economy where inflation, which [peaked in June at a year-over-year rate of 9.1%](#), has severely eroded buying power in recent months.

The increasing cost of goods and services [has begun to abate](#), but according to the Colorado Municipal League's [2023 State of Our Cities & Towns survey](#) released last month, "municipal officials consider inflation to be the greatest cause of concern" for the first time in the survey's 15-year history.

While that may not come as a surprise following four decades of relatively tame interest rates and stable prices, the rise in inflation that started in 2021 is tantamount to a three-headed Hydra. Not only do pricier goods and services require more dollars at the cash register, but they exacerbate home affordability and make it tougher for cities to recruit and retain workers.

"If you don't have more revenues coming in and you can't grow your economy, then how the heck are you going to be able to deal with rising costs to keeping employees on board?" said Kevin Bommer, the league's executive director. "The tentacles of inflation have impacted a lot of things."

Among the other top concerns of municipal managers in the survey, which was conducted in late summer and included responses from more than 160 Colorado



But not all is doom and gloom on the municipal front. Billions of dollars have flooded into the state from various federal COVID-19 pandemic relief bills — [nearly \\$66 billion to be exact](#) — along with [more than \\$5 billion from 2021's Infrastructure Bill](#) for highways, bridges, public transportation, broadband internet service, water infrastructure improvements and airport projects.

The [\\$1.9 trillion American Rescue Plan Act of 2021](#), which directed around \$9 billion to Colorado to mitigate pandemic impacts, was the most powerful economic package for the state's towns and cities, Bommer said.

"ARPA was the one and only time you see the funds go directly to the local governments," he said, noting that federal monies are typically collected by the state before being passed along to cities and counties.

According to [the Colorado Health Institute](#), nearly \$2 billion in ARPA disbursements went to local governments in Colorado — split nearly evenly between counties and municipalities. But Bommer worries that not all Colorado cities and towns are getting their share from the myriad of other COVID-19 and nonpandemic bills that Congress has passed since 2020.

"If you're a plains town or you're up in the mountains without a grant-writing expert, how do you navigate it?" he asked.

It's a concern shared by La Junta's city manager. While his city does have a grant writer on staff, neighboring southeast Colorado towns with sparser populations do not.

"I worry whether these smaller towns will be able to access that money," he said.





Cadets stand at attention during the Colorado Law Enforcement Memorial ceremony at the Colorado State Patrol Academy in Golden on Friday, May 3, 2019.

---

## Hiring, retention “struggles”

The league’s survey shows that the tight labor market moved into second place in the list of concerns for 2023, up three spots from 2021. Nearly 70% of larger municipalities in the state are experiencing somewhat more, or much more, turnover than last year, and more than half of municipalities — 52% — are having a somewhat, or much harder, time hiring than in 2021.

Perhaps nowhere is the [labor crunch felt more than in policing](#).

“We’re down 31 officers right now,” Arvada Mayor Marc Williams said.

And recruiting new officers to the Denver suburb of nearly 125,000 is difficult, he said. Two Arvada police officers have been killed in the line of duty in less than two years — one in [June 2021](#) and one [last September](#).

And the spotlight that’s been cast on police departments nationwide following [social justice protests](#) in response to the death of George Floyd at the hands of Minneapolis police in May 2020 hasn’t made things easier. That killing spurred [Colorado lawmakers to pass a law](#) that sets limits on police use of force and [holds officers personally liable for civil rights violations](#).



According to another Colorado Municipal League survey, recent legislation “increasing civil and criminal liability” for officers is the top barrier to recruitment and the second biggest impediment to retention. Right next to that, “public perceptions of police” is another major factor keeping officers from signing up for duty.

“Police officers — a lot of them don’t want to be police officers anymore,” Bommer said. “If it’s not a crisis, it’s headed in that direction.”

The city of Craig, in Colorado’s northwest corner, has had trouble filling vacant positions on its 24-officer police force. Four officers left after the legislature passed HB-217, [the police reform bill](#), in 2020.

The city of 9,000 residents 42 miles west of Steamboat Springs recently applied for grant money to pay for cadets to go through the police academy. It also gave a signing bonus of \$5,000 to lure two recruits to the city.

“Trying to find certified officers after HB-217 was really difficult,” said Peter Brixius, Craig’s city manager.

He said the city has to take a close look at what it is paying its 91 workers to keep them around. In particular demand are skilled workers for Craig’s water treatment plant.

“We will be conducting another salary survey this year and we’re going to have to see what we can do to make the salaries equitable to the increased costs,” Brixius said. “The cost of energy is really what’s impacting our employees now.”

Arvada has had to raise the wages of city workers by 6% over the last two years, Williams said.

“There’s a lot of poaching going on between municipalities trying to get replacement workers,” he said.

Fraser, a mountain town of 1,400 next door to the Winter Park ski resort, was more aggressive than Arvada in 2022, approving 9% raises for its 29 municipal employees. The pay bump came during a year when the town lost its public works director, planning director, and water/wastewater superintendent.

“We’ve faced struggles with hiring for some time,” said Town Manager Ed Cannon, who moved to the tourist-trafficked town two years ago. “When we







Upscale buildings are framed by a construction crane at an affordable housing project in Vail, Colo., on Oct. 25, 2022. While cities are typically left to fend off sky-high housing prices, Colorado lawmakers are wading into the crisis with a proposal to free up vacant parcels of state-owned land that could be leased or sold at a discount for affordable housing projects. (AP Photo/Thomas Peipert, File)

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## Everyone “needs more housing”

Fraser’s median home price has leaped to more than \$1 million, Cannon said. On the rental side, the [Mountain Migration Report](#), released in 2021, found that rents had increased 20% to 40% in Colorado mountain communities over the course of a single year.

In November, voters passed a property tax increase to fund a regional housing authority, dubbed the [Fraser River Valley Housing Partnership](#). The authority is comprised of Fraser, Winter Park, Granby and Grand County with the purpose of bringing workforce housing to the valley. A housing needs assessment the organization recently conducted found that there is a 700-unit gap in affordable rental and homeownership in the area.

Meanwhile, Fraser is forging ahead with its own affordable housing project on an 11.3-acre parcel it purchased right in town last spring, with the help of a state grant, for \$3.8 million. It will include 105 to 130 deed-restricted units, Cannon said.



In southeast Colorado, 240 miles away, municipalities are facing the same problem with workforce housing. While home prices are much less expensive in Baca, Bent, Crowley, Kiowa, Otero and Prowers counties when compared to mountain resort real estate, La Junta's city manager said there is still a shortage of housing for the people who work the prisons and schools.

"Every town out here needs more housing," Klein said.

Last year, the six plains counties banded together to get behind the Southeastern Colorado Workforce Housing project, which will deliver more than 100 affordable units in 10 locations across the half-dozen counties.

Stephanie Gonzales, executive director of Southeast Colorado Enterprise Development, said the counties are kicking in \$630,000 in ARPA funds to pay for infrastructure. Developers are then tasked with bringing rental and for-sale units to Olney Springs, Granada, Springfield and Las Animas as part of the first phase of the buildout.

Back on the Front Range, Arvada is also wrestling with the challenge of providing workforce housing for those who can't afford the [stratospheric price of a home in metro Denver](#). The city says there are 686 units of affordable housing in various phases of development currently.

"Our frontline people — police officers, firefighters, teachers — it's difficult for them to live in their community," Williams, the mayor, said.

Bommer, with the Colorado Municipal League, said while there's nothing Colorado cities and towns can do about inflation, they can — and are — dealing with its symptoms.

"Municipalities are not sitting around waiting for someone to tell them what to do," he said. "The sky is not falling."

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## **John Aguilar** | Suburban Reporter — The Denver Post

Denver Post reporter John Aguilar covers hot-button issues such as oil and gas, growth and transportation as they play out in the Denver suburbs. He joined the Post in 2014 after previous work at the Boulder Daily Camera, Rocky Mountain News and the Boulder County Business Report. He hails from Boston and has a master's degree from the University of Colorado at Boulder and a bachelor's from Dartmouth College.

[jaguilar@denverpost.com](mailto:jaguilar@denverpost.com)

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# METRO WATER RECOVERY

## MEMORANDUM

**TO:** Board of Directors  
**FROM:** Emily Jackson, General Counsel  
**RE:** General Counsel Report

**DATE:** February 17, 2023

### ONGOING BUSINESS

#### METRO WATER RECOVERY TRADEMARK

On January 18, 2023, Metro Water Recovery’s trademark counsel, Faegre Drinker Biddle and Reath LLP, informed Metro the “Metro Water Recovery” name and mark trademark received no opposition after being published in the Official Gazette and the U.S. Trademark Office issued a Notice of Allowance on December 20, 2022, accordingly. The next step in Metro’s trademark registration process includes a Statement of Use, or how we are currently using the mark in connection with the services we listed in our application. Director of Strategy and Communication Dawn Ambrosio prepared our answers to the required questions, including samples of how we use the mark currently. Shown below are two examples from social media. With this statement submitted, our trademark is close to finalized.



## GENERAL COUNSEL NEWS PAGE

With help from Jack Hennes in the Strategy and Communications Department, the Office of the General Counsel (OGC) has started publishing General Counsel News on Metro Water Recovery's internal "Flow" news page on SharePoint. Here, OGC will share subjects and topics such as those discussed and shared with the Board of Directors, including updates on ongoing litigations. We hope to provide more transparency concerning our Department's work and a forum for all employees at Metro to engage with the Department.

### SOUTH HEADWORKS AND GREASE PROCESSING IMPROVEMENTS (PAR 1225)

South Headworks and Grease Processing Improvements Project (PAR 1225) reached final completion under the contract in February 2022. The project was 602 days late to substantial completion and 801 days late to final completion. MWH Constructors (MWHC) was the construction company. Metro Water Recovery and MWHC have been in discussions since the summer of 2022 about resolving final payment of the project given the delay in MWHC's completion. The parties reached an agreement earlier this month and the project is now closed. Through this settlement Metro's interest and out-of-pocket costs are covered.

#### OGC Monthly Numbers

- ✓ 3 Resolutions Drafted
- ✓ 6 Contracts Reviewed
- ✓ 12 Total Requests Completed
- ✓ 1 Engineering Issue Resolved

### NACWA 2023 WINTER CONFERENCE

The NACWA 2023 Winter Conference took place February 14-17. In my role as Co-chair of Legal Affairs Committee, I helped host a panel titled Nutrients: What Happens When the Math Doesn't Add Up. The panel discussed when clean water utilities caught between a state's approach to nutrient management and the Environmental Protection Agency (EPA's) – or an environmental organization's – push to have point sources do more to face the prospect of unattainable limits divorced from meaningful water quality improvements. Such "do more" approaches are often based on the flawed application of toxics-based formulas, ignoring the unique properties of nutrients and the contributions of other sources. Additionally, I facilitated a discussion during the Women's Water Network Breakfast focusing on Dr. Brene Brown's Daring Leadership Assessment, which was developed from the principles in her book *Dare to Lead*.

## LITIGATION

New developments since last month's report are shown in **bold**.

### MWH CONSTRUCTORS LITIGATION

On August 26, 2022, MWHC (Plaintiff) filed a civil action (2022cv32466) in Denver County District Court against Metro Water Recovery concerning the Solids Processing Building Improvements Project (PAR 1244) (Project). The action requests declaratory judgment related to the following allegations-implied warranty, a duty to disclose superior knowledge, mutual mistake, and MWHC is not responsible for delays and damages caused by KWS Manufacturing Company (KWS), as well as alleging breach of contract. The claims relate to issues arising from the gates supplied by KWS. The gates release biosolids from the four storage bins to the METROGRO trucks. Metro does not have a contractual relationship with KWS; MWHC holds the contract with KWS. MWHC filed the complaint in the wrong venue, Denver District Court rather than Adams County District Court. Metro filed a Motion to Change Venue. Denver District Court issued an order to move the

venue, and the Courts worked through the process of moving the venue, so the case is now in Adams County District Court. Metro filed its Answer on November 17, 2022. Metro disputes the allegations in the Complaint and the relief sought.

On December 22, 2022, Metro Water Recovery filed a Motion for Judgment on the Pleadings, which is a form of a dispositive motion under Rule 12(b)(5) of the Rules of Civil Procedure, similar to a motion to dismiss. In the motion, Metro contends Counts I-IV in MWHC's complaint should be dismissed for a variety of reasons including a Supreme Court doctrine called the *Sperian* doctrine which does not apply to MWHC's implied warrant claim, the express warranties render *Sperian* inapplicable, and *Sperian* is inapposite to the KWS Relationship; the superior knowledge doctrine fails because the contract placed a duty of inquiry on MWHC; the allegation of mutual mistake fails because the mistake alleged was a future expectation not a present condition existing at the time the contract was executed; and the economic loss doctrine precludes MWHC from alleging a tort claim of negligence. **The parties have completed briefing the motion and are awaiting the judge's order.**

**In early February MWHC filed a Motion for Summary Judgement, alleging there are no issues of material fact and requested the court take action on the claims in their complaint. Metro Water Recovery is formulating its response.**

On January 5, 2023, the parties exchanged initial disclosures.

Metro Water Recovery has employed outside legal counsel to assist with this matter. Outside counsel for Metro is Laurin Quiat with BakerHostetler.

## DITCH COMPANIES LITIGATION

On March 15, 2021, the Farmers Reservoir and Irrigation Company, Burlington Ditch Reservoir and Land Company, and Henrylyn Irrigation District (collectively, Plaintiffs) filed a civil action (Case Number 2021CV30324) in Adams County District Court against Metro Water Recovery. The action asserts breach of contract, declaratory judgment, and promissory estoppel claims arising out of an alleged breach of a 1968 Agreement (Agreement) between Metro, City and County of Denver acting through the Board of Water Commissioners (Denver Water), and Plaintiffs. Among other relief, Plaintiffs seek a court order requiring Metro obtain a water quality discharge permit for an outfall to the Burlington Canal which is currently not in operation due to a lack of connecting infrastructure.

Metro Water Recovery disputes the allegations in the Complaint and the relief sought. On May 10, 2021, Metro filed a Motion to Dismiss, arguing Plaintiffs' claims should be dismissed pursuant to C.R.C.P. 12(b)(1) and 12(h)(3) for lack of subject matter jurisdiction and pursuant to C.R.C.P. 12(b)(5) for failure to state a claim. The Plaintiffs responded to the motion, and Metro replied. On February 15, 2022, the Court denied the Metro's Motion to Dismiss. Metro submitted its answer including counterclaims on March 18, 2022. The trial has been set for December 4, 2023.

Metro Water Recovery has employed outside legal counsel to assist with this matter. Outside counsel for Metro is Colin Deihl with Polsinelli.

## DONALD TEMPLES LITIGATION

On June 2, 2021, Donald Temples, a tanker truck driver who delivered polymer to Metro Water Recovery, filed a civil action (Case Number 2021CV31691) in Denver District Court against Metro and John Doe Construction Company, and subsequently amended its complaint three times to



name PCL Construction and the concrete subcontractor Blue Ribbon Concrete, Inc as defendants. The action asserts premises liability arising out of an alleged slip and fall accident. Additionally, the workers' compensation insurance company for Mr. Temples employer filed a complaint in intervention seeking subrogation for the benefits paid to or on behalf of Mr. Temples as well as motion to intervene.

On June 22, 2021, Metro Water Recovery filed a motion for stay of proceedings and for leave to conduct limited discovery for purposes of determining sovereign immunity pursuant to C.R.S. § 24-10-108. On July 27, 2021, Metro filed its answers to the complaints disputing the allegations and the relief sought. On September 14, 2021, the Court issued an order granting Metro's motion, thereby staying the proceeding. During this period the parties were allowed to conduct discovery limited to the issue of sovereign immunity. On January 27, 2022, Metro filed a Motion to Dismiss outlining the undisputed facts gained during the discovery period and providing the legal arguments why Plaintiff's claims are barred by the Colorado Governmental Immunities Act. The motions practice has concluded on the Motion to Dismiss. On September 30, 2022, the Court issued an order to set a hearing on Metro's Motion to Dismiss to resolve remaining factual disputes. The court set the hearing for Tuesday, November 22, 2022.

The hearing on the Motion to Dismiss occurred on Tuesday, November 22, 2022. Three Metro Water Recovery staff and Donald Temples were called as witnesses. The judge did not issue an order from the bench. She directed both parties to draft Findings of Fact and Conclusions of Law for her consideration, which the parties filed on December 20, 2022. On December 27, 2022, the judge issued an order denying Metro's motion to dismiss.

**On January 13, 2023, Metro Water Recovery filed a Notice of Appeal with the Colorado Court of Appeals and Denver District Court seeking an interlocutory appeal. Metro cited several issues to be raised on appeal including issues such as the District Court erred by imposing strict liability, ignored a Colorado Governmental Immunity act waiver related to a vested function of Metro, ignored holdings of a recent Colorado Supreme Court Case, ignored several deficiencies in Plaintiffs' pleadings, and relied on alleged facts which lacked evidence. The court has not acted on the notice.**

Through the Colorado Special Districts Property and Liability Pool, with which Metro Water Recovery carries general liability insurance, Metro has employed outside legal counsel to assist with this matter. Outside counsel for Metro is Marni Nathan Kloster with Nathan Dumm & Mayer, P.C.

**RESOLUTION  
BOARD OF DIRECTORS  
METRO WATER RECOVERY  
February 21, 2023**

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as "Metro," to enter into an Agreement to replace Metro's Industrial Pretreatment Program (IPP)'s pretreatment information management system database; and

WHEREAS, the IPP's Industrial Pretreatment Information Management System (PIMS) database is now obsolete software and does not meet Metro's current and future requirements; and

WHEREAS, pursuant to Metro's *Purchasing and Contracting Policies*, a Request for Information was issued to identify consulting firms/project managers to assist with software acquisition in early 2022; and

WHEREAS, Link Technologies was selected to kick off the project by aggregating knowledge of the current system to identify key requirements for a replacement system and identified two qualifying vendors; and

WHEREAS, Metro issued a Request for Proposal to these two leading vendors and an evaluation team reviewed each proposal based on their ability to meet Metro's technical and IPP functional requirements; and

WHEREAS, EnfoTech & Consulting, Inc. (EnfoTech) was determined to provide the best value and would meet Metro's current and future Information Technology and IPP implementation needs; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into an Agreement with EnfoTech for licensing of the iPACS system at Metro for a five-year term not to exceed \$610,000; and

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

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to enter into an agreement with EnfoTech & Consulting, Inc. for licensing of the iPACS system at Metro Water Recovery for a five-year term not to exceed \$610,000.

**RESOLUTION  
BOARD OF DIRECTORS  
METRO WATER RECOVERY  
FEBRUARY 21, 2023**

WHEREAS, Metro Water Recovery, hereinafter referred to as "Metro," is a metropolitan sewage district organized, existing, and possessing the statutory powers and authorities set forth in C.R.S. § 32-4-501, *et seq.*, possessing the power of eminent domain pursuant to C.R.S. §§ 32-4-502(2) and 32-4-510(1)(j); and

WHEREAS, Metro seeks to acquire a fee interest in the 6610 and 6620 York Street, Denver, Colorado properties (the "Subject Properties") for the purpose of constructing new facilities at the Robert W. Hite Treatment Facility to effectuate its statutory purpose of owning, holding, and operating a sewage disposal system to intercept, receive, transport, treat, and dispose of the outfalls of sewer systems of municipalities; and

WHEREAS, the Board of Directors has determined the acquisition of the Subject Properties is necessary for the public uses and/or purposes stated herein and hereby declares Metro's intention to acquire the Subject Properties for those uses and/or purposes;

NOW, THEREFORE, BE IT RESOLVED the Board of Directors (the "Board") finds the acquisition of the 6610 and 6620 York Street, Denver, Colorado properties (the "Subject Properties") will serve a proper public purpose and use, and such use is necessary and essential to this public purpose and use. The Board hereby declares its intent to acquire fee interest in the Subject Properties for the purposes stated herein and, if necessary, to do so through the exercise of the power of eminent domain; and

BE IT FURTHER RESOLVED by the Board the Chief Executive Officer be and is hereby authorized to negotiate for the voluntary acquisition of the Subject Properties and is further authorized to make amendments to or otherwise revise the nature and/or description of the property rights to be acquired in furtherance of the public uses and/or purposes; and

BE IT FURTHER RESOLVED if, after engaging in good-faith negotiations, Metro is unable to acquire the necessary property rights, the Chief Executive Officer or designee, on its own or by special counsel, is authorized to institute and prosecute eminent domain proceedings in the name of Metro so as to acquire the Subject Properties by condemnation. In the prosecution of any eminent domain actions to acquire the Subject Properties, Metro shall have and retain all rights and powers lawfully delegated to it by C.R.S. §§ 32-4-502(2) and 32-4-510(1)(j); and

BE IT FURTHER RESOLVED if eminent domain proceedings are instituted, the Chief Executive Officer or designee and Metro's special counsel, are authorized to retain such expert witnesses, including appraisers, as deemed necessary for the eminent domain proceedings; and

BE IT FURTHER RESOLVED the Chief Executive Officer or designee, in consultation with Metro's special counsel, are hereby specifically authorized to make such reasonable or necessary amendments and corrections to the terms and legal descriptions of the property interests to be acquired, with authorization to include such additional or other property rights necessary or desirable by Metro; and

BE IT FURTHER RESOLVED the Chief Executive Officer will keep the Board informed of transactions and the status of any purchase of properties and/or acquisitions of land rights concerning the Subject Properties.

**RESOLUTION  
BOARD OF DIRECTORS  
METRO WATER RECOVERY  
February 21, 2023**

WHEREAS, Metro Water Recovery, hereinafter referred to as "Metro," currently is operating under *Purchasing and Contracting Policies (Policies)* adopted by the Board of Directors on August 18, 2015; and

WHEREAS, the *Policies* have not been updated since August 18, 2015, and several areas require clarification or amendment; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend the *Policies* of Metro be amended in the form attached hereto; and

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

NOW, THEREFORE, BE IT RESOLVED the *Purchasing and Contracting Policies*, as amended in the form attached hereto, be and hereby are adopted as the *Purchasing and Contracts Policy* of Metro Water Recovery; and

BE IT FURTHER RESOLVED all previous policies corresponding to those covered by the *Purchasing and Contracts Policy* adopted by this Resolution be and hereby are rescinded.



6450 York Street ♦ Denver, Colorado 80229-7499  
[www.MetroWaterRecovery.com](http://www.MetroWaterRecovery.com)

# Purchasing and Contracts Policy

Adopted on XXXX XX, 2023

Resolution XXXXXX

# Purchasing and Contracts Policy

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## Section 1: Introduction

The Board of Directors has ~~a fiduciary responsibility to its ratepayers and is primary~~ responsibility to ensure Metro Water Recovery expends funds ~~and resources wisely and~~ in accordance with ~~that duty, both public policy and~~ public law. The Board has retained a Chief Executive Officer (CEO) who is charged with the day-to-day administration of Metro and with carrying out the policies of the Board. The purpose of ~~these Purchasing and Contracting Policies (Policy)~~ is to ~~provide guidance for delineate the Board policies necessary to guide~~ Metro's purchasing and contracting activities. ~~This Policy~~ ~~Purchasing and Contracting Policies~~ may be altered, amended, or repealed by the Board. The CEO is responsible for developing and implementing procedures in compliance and consistent with ~~these Board Policy~~ ~~ies~~ (the Purchasing and Contracts Procedures).

## Section 2: General Policy

It is the policy of the Board of Directors to acquire the resources necessary to carry out Metro Water Recovery's mission in the best interest of the ratepayers of Metro.

## Section 3: Equal Opportunity

Metro Water Recovery is committed to foster and maintain an environment of equal opportunity for all firms in compliance with all applicable federal, State, and local laws. ~~As such, Metro requires that all vendors, contractors, and subcontractors doing business with Metro agree to a similar provision with respect to equal opportunity.~~

## Section 4: Conflict of Interest

### **DIRECTORS**

~~No member of the Board of Directors or employee of Metro Water Recovery shall be interested in any contract or transaction with Metro Water Recovery except in an official representative capacity as established by law or policy.~~

### **EMPLOYEES**

As a political subdivision of the State of Colorado, Metro Water Recovery is obligated to act in the best interest of the people of the Denver metropolitan area. It is imperative that Metro develop and maintain the public trust. Therefore, it is extremely important that no ~~member of the Board of Directors or~~ employee engage in any activity that may be considered a conflict of interest with day-to-day operations or overall objectives of Metro ~~or in violation of any laws governing conflict of interest for public employees.~~

The acceptance of gifts or free services by an employee from suppliers, contractors, or other organizations may be considered a conflict of interest and may violate Colorado Statute (C.R.S. § 24-18-104). In a more general sense, an employee's interests conflict with those of Metro Water Recovery when the employee profits or is in a position to profit, directly or indirectly, through use of his or her Metro position. A ~~Board member or~~ employee involved in a ~~situation that may give rise to a~~ conflict of interest situation or who has any questions regarding ~~conflicts~~ ~~these principles~~ should consult Metro's Code of Ethics Policy or discuss the matter with ~~Metro's~~ ~~the CEO management or Metro's~~ ~~sits~~ General Counsel.

No [member of the Board of Directors or](#) employee or agent of Metro Water Recovery shall be interested in any contract or transaction with Metro except in an official representative capacity, [as established by law or policy](#), ~~or as provided in a contract of employment with Metro.~~

### **Section 5: Delegation of Expenditure and Contracting Authority**

The Board of Directors of Metro Water Recovery approves the expenditure of funds through the adoption of Resolutions. No expenditure may be made except from funds appropriated for the intended purpose by the Board. Change orders and amendments to existing contracts shall be treated as individual expenditures under this policy.

~~Historically, for~~For the efficient management of Metro Water Recovery, the Board of Directors has delegated certain [contracting and](#) expenditure authority to the Executive Committee of the Board and certain authority to the CEO. This ~~[Policy Purchasing and Contracting Policies document](#)~~ establishes the current delegation and the authority for action by the Executive Committee and by the CEO.



The full Board of Directors is, by approval of this document, delegating contracting and expenditure authority as described in the following subsections.

### **Executive Committee**

The Executive Committee may appropriate up to \$50,000 for a specific purpose from any fund of Metro Water Recovery; the Executive Committee and/or the CEO may approve expenditures and/or authorize the CEO to the authority to execute contracts or issue purchase orders in accordance with any such appropriation.

When the Board of Directors has approved an appropriation for a specific purpose and when sufficient funds are available within that appropriation, the Executive Committee shall have the authority to authorize expenditures and amendments/change orders up to ~~twice the amount authorized for the CEO~~ \$750,000; to carry out the intent of the Board's appropriation.

### **CEO**

#### **Operations and Maintenance (O&M) Fund**

Metro Water Recovery's operating Budget is appropriated annually by the Board of Directors as a single total amount. In addition to the operating Budget, the Board appropriates funds for other uses throughout the year, including individual capital projects.— It is the CEO's responsibility to manage the expenditure of funds for these uses during the year so that the appropriated Budget amounts are not exceeded. In such cases where additional funds are necessary related to a use, the Board shall consider additional appropriations upon recommendation by the CEO.

~~Unless otherwise set forth by resolution, t~~The CEO shall have the following authority to approve and/or execute the following where funds have been appropriated by the Board: ~~may approve expenditures from the appropriated Budget amount as follows:~~

- ~~1. 1. Any contract, renewal of a contract, or purchase order, or any other expenditure with an annual estimated total value including all renewals up to and/or expenditure up to~~ and including \$250,000.
- ~~1. Any expenditure up to and including \$250,000 related to an approved contract and/or purchase order as set forth above in paragraph (1);~~
2. Expenditures in excess of \$250,000 may be approved by the CEO on behalf of Metro when the expenditures are in accordance with a contract or agreement previously approved by the Executive Committee or the Board of Directors up to the amount appropriated for such contract or agreement. Renewal options for previously approved contracts or agreements may be approved by the CEO if the Executive Committee or the Board specifically delegates this authority to the CEO at the time the initial contract or agreement is approved.
3. Expenditures in excess of \$250,000 may be approved by the CEO when the CEO has determined that at the expenditure qualifies as a "sole source" pursuant to the Purchasing and Contracts Procedures ~~ere is only one feasible source (i.e., sole source) for a service, such as utilities and certain maintenance or service~~

contracts. The CEO shall have the authority to approve and/or execute contracts related to same.

4. Expenditures in excess of \$~~250~~500,000 may be approved by the CEO for the purpose of providing appropriate insurance benefits for Metro employees, including health, dental, life, ~~long term~~ disability, property and casualty, automobile, and workers compensation. The CEO shall have the authority to approve and/or execute contracts related to the same.

5. Expenditures in excess of \$~~250~~500,000 may be approved by the CEO for the purpose of providing the annual contribution to Metro's Defined Benefit Retirement Plan Fund. The CEO shall have the authority to approve and/or execute contracts related to the same.
6. ~~Expenditures of no more than \$1,000 per occurrence may be approved by the CEO from a petty cash account for use in the day-to-day operations of Metro.~~

~~When the Board of Directors specifically delegates additional authority to the CEO in a Resolution, the CEO may execute contracts, issue purchase orders and expend funds in accordance with that delegation.~~

### Other Appropriations~~Change Orders for Capital Projects~~

When ~~other appropriations have been approved by the full Board of Directors or by the Executive Committee and when funds are available for previously approved in these specific appropriations, the CEO may approve specific expenditures up to and including \$250,000, and amendments and change orders of \$500,000 for related and necessary work associated with the appropriation any phase of a capital project when the original appropriation at phase cost exceeds \$5 million, to carry out the intent of the appropriation.~~

~~Expenditures in excess of \$250,000 may be approved by the CEO on behalf of Metro Water Recovery when the expenditures are in accordance with a contract or agreement previously approved by the Board of Directors.~~

7. When the Board of Directors specifically delegates additional authority to the CEO in a Resolution, the CEO may expend funds or enter into contracts in accordance with that delegation.

## **Section 6: Methods of Procurement**

### **ACQUISITION OF EQUIPMENT, MATERIALS, SERVICES, AND FACILITY CONSTRUCTION CONTRACTS**

#### **COMPETITIVE BIDS**

The CEO shall select the methods of procurement in order to procure goods and services that are of the best value to the organization. Approved methods of procurement that provide competition for vendors and value for the organization include, but are not limited to the following:

Competitive Bidding  
Competitive Selection  
Request for Proposals/Qualifications  
Informal Quotations  
Sole Source/Single Source  
Commercial Card  
Emergency Purchase

These procurement methods shall be further defined in the Purchasing and Contracts Procedures.~~established by the CEO.~~

~~The process of competitive bidding shall be used to ensure Metro Water Recovery receives the best price for the product or service, and Metro shall award contracts to the lowest responsive, responsible bidder. Competitive bidding is required for goods and services whenever the end product being acquired can be adequately specified to allow competitive bidding and whenever the potential savings from bidding justify the additional expense of bidding.~~

~~Products and services will be specified in a manner to ensure Metro Water Recovery's needs are met. When appropriate, the specifications will be written to take into account the total life cycle cost of the product, service, or facility.~~

~~Metro Water Recovery will encourage and facilitate the broadest participation by vendors in the competitive bidding process and in all acquisition activities.~~

### **REQUESTS FOR PROPOSAL**

~~A Request for Proposal (RFP) may be used for solicitation of goods and services when requirements to complete a project allow various alternative solutions. This initiates a competitive procurement process that allows consideration of factors in addition to price, such as qualifications, experience, innovation, creativity, functionality, value-added services, and project approach. After considering all selection criteria, Metro Water Recovery staff may select the vendor/contractor with the best value solution and negotiate a contract for the work. Contracts may be entered into as authorized by Section 5, Delegation of Expenditure Authority.~~

### **SOLE-SOURCE PURCHASES**

~~Goods or services may be acquired on a sole source basis when it is demonstrated to be in the best interest of Metro Water Recovery for compelling reasons that may include availability from only one source, urgent need arising from an emergency, or when there is a practical or monetary advantage (i.e., reduction of spare parts or staff training) that can be achieved through compatibility with existing equipment or systems. Such sole source purchases shall be made only with appropriate documentation of the rationale for the sole source determination.~~

### **PROJECT DELIVERY APPROACHES**

~~Metro Water Recovery may use various project delivery approaches when performing capital facility construction projects. Every project will be evaluated to determine the most appropriate delivery method considering, among other things, the following criteria: project schedule, clarity of the project scope, cost, risk involved, desired level of Metro staff control, permitting requirements, type of project, how the construction will affect existing operations, the industry's experience with a particular delivery method, and the impact on Metro staffing and resources.~~

## **Section 7: Board of Director Participation in Certain Vendor Selections** **BOARD OF DIRECTOR PARTICIPATION IN CERTAIN VENDOR** **SELECTIONS CONSULTANT SERVICES**

~~Consultant services are those services which essentially are intellectual in character and include analysis, evaluation, prediction, planning, testing, and recommendation. Consultant services generally involve situations when the exact scope and content of the services cannot be specified readily and with certainty. Consultant services involve extended analysis; the exercise of discretion, and independent judgment in their performance; and an advanced, specialized type of knowledge, expertise, and training customarily acquired either by a prolonged course of study or equivalent experience in the field. Consultant services include, but are not limited to, those specialized services performed by accountants, analysts, architects, auditors, developers, engineers, lawyers, planners, programmers, and scientists.~~

~~Agreements for consultant services may be entered into as authorized by Section 5, Delegation of Expenditure Authority. Selection of consultants shall follow the procedures outlined in the following paragraphs:~~

## **SELECTION CRITERIA**

~~Metro Water Recovery shall acquire services from independent consultants based upon an assessment of the professional competence, experience, project leadership, cost, and other factors relevant to the anticipated performance of the consultant. The assessment of competence and project leadership shall include consideration of the consultant's ability to provide Metro with the necessary service or end product. When the scope of the consultant's work can be sufficiently defined, the total cost of a consultant's service will be considered in the selection process. For a project with a less defined scope of work, the service cost factors (e.g., billing rates, work hours, and cost range) will be considered.~~

## **SELECTION OF CONSULTANT AND APPROVAL OF AGREEMENT FOR SERVICES**

### **Selection/Approval by the Board of Directors**

~~Except as set forth herein, the CEO or his designees shall make all selections of vendors pursuant to the procurement methods set forth herein and the terms of the Purchasing and Contracts Procedures. A Selection Committee made up of members of The Board of Directors shall select a vendor~~ the consultant when one or more of the following conditions apply:

- ~~1. An~~ The consultant agreement ~~for services relating to the vendor's work~~ (and successor/related agreements) is expected to exceed \$1,500,000 in total.
  2. Multiple, separate agreements with the same vendoreconsultant for services on a project (or on closely related projects) are expected to exceed \$1,500,000.
  3. ~~The consultant agreement is for a complicated, unusual, or high profile project, regardless of the dollar amount.~~
- ~~24.~~—The vendoreconsultant will report or provide services directly to the Board.

A Board Selection Committee is not necessary for the selections of vendors related to services procured pursuant to the CEO's expenditure and contract authority in ArticleSection 5, subsectionsitems (3), (4,) and (5).

When a Board consultant Selection Committee is needed, the Executive Committee will designate up to ~~two~~three Directors to sit on the Selection Committee. ~~The number of Directors designated will be at the discretion of the Executive Committee after conferring with the CEO about the specific project.~~

~~The Executive Committee also may identify one Director to attend and observe the interview process. This Director would not participate in the interview process nor be a voting member of the Selection Committee.~~

All Directors servng on a selection committee and Metro Water Recovery staff supporting the ~~erving on a~~ Selection Committee will be required to sign a statement that he or she can act in an impartial and unbiased manner and has no conflict of interest with the vendorseconsultants being interviewed.

As representatives of the Board of Directors, the Directors on the Selection Committee shall instruct Metro Water Recovery staff to negotiate a contractn agreement with the highest-ranked vendoreconsultant. If Metro staff is successful in negotiating an acceptable contractagreement, approval of same shall be subject to the terms of this Policy ~~it shall be presented to the Committees and the Board~~. If Metro staff determines that negotiation of an acceptable agreement with the highest-ranked consultant cannot be accomplished, Metro staff shall initiate negotiations with the vendorfirm ranked next highest by the Selection Committee.

The Purchasing and Contracts Procedures ~~CEO~~ shall include ~~mplement detailed~~ procedures for staff to follow to ensure a fair selection process based upon the above selection criteria.

## Selection/Approval by the CEO

~~The CEO shall select the consultant when the amount of the agreement is not expected to exceed \$1,500,000 and shall establish appropriate procedures for Metro Water Recovery staff to follow in the selection of a consultant and approval of agreements within the CEO's spending authority as described in Section 5, Delegation of Expenditure Authority. Such procedures issued by the CEO shall ensure a fair selection process based upon the professional consultant selection criteria presented above. The selection process shall ensure that a broad spectrum of qualified firms is included in the selection process.~~

## **Section 8: Contract Term Limitations**

~~Contracts/Agreements~~ for ~~consulting~~ services shall be for terms not to exceed five years (including any renewals). A new selection process shall be initiated before the end of the term if the service is still needed by Metro Water Recovery. The five-year term limitation may be waived by the CEO if: if it will take longer than five years to complete a specific project or if it is deemed to be in the best interest of Metro by the following authorities:

1. Board of Directors for agreements approved by the Board exceeding \$~~500~~750,000 or for consultants reporting directly to the Board.
2. Executive Committee for agreements in excess of \$~~250~~500,000 but not exceeding an annual estimated total value including all renewals of up to \$~~500~~750,000.
3. CEO for agreements approved by the CEO up to and including an annual estimated total value including all renewals of \$~~250~~500,000.

## **Section 9: Contract Terms which Extend Beyond the Annual Appropriation**

~~The length of a Terms-of-a~~ contract/~~agreement~~ may exceed the one-year ~~authorization~~ time frame of the annual Budget operating budget appropriation if the contract/agreement provides for termination of the service upon written notice by Metro without cause or if the contract/agreement is subject to authorization of future appropriations by the Board of Directors.

## **Section 10: Emergencies**

The CEO may declare an emergency and, to the extent necessary, suspend any policy or policies (1) to avoid violating a regulatory permit; (2) to remedy an unsafe condition that poses a significant danger to Metro Water Recovery employees or property; or (3) in response to a local or national emergency situation, including increased threat levels from the U.S. Department of Homeland Security or the Governor's Office of Homeland Security. The CEO is authorized to make any necessary expenditures in response to the emergency. After a declared emergency is resolved, the actions taken shall be reviewed by the Board of Directors and ratified as necessary.



## Section 11: Sale of Metro Property or Products

~~The CEO is authorized to sell or recovery charges for services, products, non-realty property, surplus property, or resources owned or recovered by Metro, including the sale of recovered biosolids, pursuant to terms that are in the best interests of Metro as deemed by the CEO. This provision does not apply to the purchase or sale of real property. The~~ Within the constraints of the Bond Resolutions, the CEO may declare property of Metro Water Recovery to be surplus and direct the sale or disposal thereof, when it no longer is needed to carry out the responsibilities of Metro. Such property may be disposed of through bid solicitation (formal or informal), public auction, or trade in on new purchases. When any property has been determined to have no sale value, it may be disposed of after it has been altered to ensure that it has no continuing utility. Metro Directors and employees are eligible to bid for any surplus property under the same rules, terms, and conditions as the general public. ~~The~~ Purchasing and Contracts Procedures CEO shall include ~~ssue~~ specific procedures to govern sale and/or disposal of such hrplus property, ~~in accordance with these policies~~ this Policy.

## Section 12: CEO's Responsibility to Carry Out Policies

The CEO may delegate authority or functions under this Policy to staff as the CEO deems necessary. ~~The~~ the CEO is responsible for establishing and implementing the Purchasing and Contracts ~~specific P~~ procedures to provide more detailed guidance on carrying out the intent of these policies. The Purchasing and Contracts Procedures may be amended as deemed necessary by the CEO.

The Purchasing and Contracts Procedures CEO may place additional or more detailed requirements on procurement ~~vendors~~ of goods and services when the CEO and General Counsel determines such requirements are in the best interest of Metro Water Recovery and are not contrary to any ~~of these~~ Board-approved policies. ~~Such additional requirements may involve insurance coverage and performance bonds.~~



**Purchasing and Contracts Policy**



6450 York Street ♦ Denver, Colorado 80229-7499  
[www.MetroWaterRecovery.com](http://www.MetroWaterRecovery.com)

# Purchasing and Contracts Policy

Adopted on XXXX XX, 2023

Resolution XXXXXX

# Purchasing and Contracts Policy

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## **Section 1: Introduction**

The Board of Directors has a fiduciary responsibility to its ratepayers and is responsible to ensure Metro Water Recovery expends funds and resources in accordance with that duty and public law. The Board has retained a Chief Executive Officer (CEO) who is charged with the day-to-day administration of Metro and with carrying out the policies of the Board. The purpose of this *Purchasing and Contracts Policy* (Policy) is to provide guidance for Metro's purchasing and contracting activities. This Policy may be altered, amended, or repealed by the Board. The CEO is responsible for developing and implementing procedures in compliance and consistent with this Policy (the Purchasing and Contracts Procedures).

## **Section 2: General Policy**

It is the policy of the Board of Directors to acquire the resources necessary to carry out Metro Water Recovery's mission in the best interest of the ratepayers of Metro.

## **Section 3: Equal Opportunity**

Metro Water Recovery is committed to foster and maintain an environment of equal opportunity for all firms in compliance with all applicable federal, State, and local laws.

## **Section 4: Conflict of Interest**

As a political subdivision of the State of Colorado, Metro Water Recovery is obligated to act in the best interest of the people of the Denver metropolitan area. It is imperative that Metro develop and maintain the public trust. Therefore, it is extremely important that no member of the Board of Directors or employee engage in any activity that may be considered a conflict of interest with day-to-day operations or overall objectives of Metro or in violation of any laws governing conflict of interest for public employees.

The acceptance of gifts or free services by an employee from suppliers, contractors, or other organizations may be considered a conflict of interest and may violate Colorado Statute (C.R.S. § 24-18-104). In a more general sense, an employee's interests conflict with those of Metro Water Recovery when the employee profits or is in a position to profit, directly or indirectly, through use of his or her Metro position. A Board member or employee involved in a situation that may give rise to a conflict of interest situation or who has any questions regarding conflicts should consult Metro's Code of Ethics Policy or discuss the matter with the CEO or Metro's General Counsel.

No member of the Board of Directors or employee or agent of Metro Water Recovery shall be interested in any contract or transaction with Metro except in an official representative capacity, as established by law or policy.

## **Section 5: Delegation of Expenditure and Contracting Authority**

The Board of Directors of Metro Water Recovery approves the expenditure of funds through the adoption of Resolutions. No expenditure may be made except from funds appropriated for the intended purpose by the Board. Change orders and amendments to existing contracts shall be treated as individual expenditures under this policy.

For the efficient management of Metro Water Recovery, the Board of Directors has delegated certain contracting and expenditure authority to the Executive Committee of the Board and certain authority to the CEO. This Policy establishes the current delegation and the authority for action by the Executive Committee and by the CEO.

The full Board of Directors is, by approval of this document, delegating contracting and expenditure authority as described in the following subsections.

### **Executive Committee**

The Executive Committee may appropriate up to \$50,000 for a specific purpose from any fund of Metro Water Recovery; the Executive Committee and/or the CEO may approve expenditures and/or authorize the CEO to execute contracts or issue purchase orders in accordance with any such appropriation.

When the Board of Directors has approved an appropriation for a specific purpose and when sufficient funds are available within that appropriation, the Executive Committee shall have the authority to authorize expenditures and amendments/change orders up to \$750,000 to carry out the intent of the Board's appropriation.

### **CEO**

Metro Water Recovery's operating Budget is appropriated annually by the Board of Directors as a single total amount. In addition to the operating Budget, the Board appropriates funds for other uses throughout the year, including individual capital projects. It is the CEO's responsibility to manage the expenditure of funds for these uses so that the appropriated amounts are not exceeded. In such cases where additional funds are necessary related to a use, the Board shall consider additional appropriations upon recommendation by the CEO.

The CEO shall have the following authority to approve and/or execute the following where funds have been appropriated by the Board:

1. Any contract, renewal of a contract, purchase order, or any other expenditure with an estimated total value including all renewals up to and including \$500,000.
2. Expenditures in excess of \$500,000 may be approved by the CEO on behalf of Metro when the expenditures are in accordance with a contract or agreement previously approved by the Executive Committee or the Board of Directors. Renewal options for previously approved contracts or agreements may be approved by the CEO if the Executive Committee or the Board specifically delegates this authority to the CEO at the time the initial contract or agreement is approved.
3. Expenditures in excess of \$500,000 may be approved by the CEO when the CEO has determined that the expenditure qualifies as a "sole source" pursuant to the Purchasing and Contracts Procedures. The CEO shall have the authority to approve and/or execute contracts related to same.
4. Expenditures in excess of \$500,000 may be approved by the CEO for the purpose of providing appropriate insurance benefits for Metro employees, including health, dental, life, disability, property and casualty, automobile, and workers

compensation. The CEO shall have the authority to approve and/or execute contracts related to the same.

5. Expenditures in excess of \$500,000 may be approved by the CEO for the purpose of providing the annual contribution to Metro's Defined Benefit Retirement Plan Fund. The CEO shall have the authority to approve and/or execute contracts related to the same.
6. When funds are available for previously approved appropriations, the CEO may approve amendments and change orders of \$500,000 for related and necessary work associated with the appropriation when the original appropriation exceeds \$5 million, to carry out the intent of the appropriation.
7. When the Board of Directors specifically delegates additional authority to the CEO in a Resolution, the CEO may expend funds or enter into contracts in accordance with that delegation.

### **Section 6: Methods of Procurement**

The CEO shall select the methods of procurement in order to procure goods and services that are of the best value to the organization. Approved methods of procurement that provide competition for vendors and value for the organization include, but are not limited to the following:

- Competitive Bidding
- Competitive Selection
- Request for Proposals/Qualifications
- Informal Quotations
- Sole Source/Single Source
- Commercial Card
- Emergency Purchase

These procurement methods shall be further defined in the Purchasing and Contracts Procedures.

### **Section 7: Board of Director Participation in Certain Vendor Selections**

Except as set forth herein, the CEO or his designees shall make all selections of vendors pursuant to the procurement methods set forth herein and the terms of the Purchasing and Contracts Procedures. A Selection Committee made up of members of The Board of Directors shall select a vendor when one or more of the following conditions apply:

1. An agreement for services (and successor/related agreements) is expected to exceed \$1,500,000 in total.
2. Multiple, separate agreements with the same vendor for services on a project (or on closely related projects) are expected to exceed \$1,500,000.
3. The vendor will report or provide services directly to the Board.

A Board Selection Committee is not necessary for the selections of vendors related to services procured pursuant to the CEO's expenditure and contract authority in Section 5, items 3, 4, and 5.

When a Board Selection Committee is needed, the Executive Committee will designate up to two Directors to sit on the Selection Committee.

All Directors serving on a selection committee and Metro Water Recovery staff supporting the Selection Committee will be required to sign a statement that he or she can act in an impartial and unbiased manner and has no conflict of interest with the vendors being interviewed.

As representatives of the Board of Directors, the Directors on the Selection Committee shall instruct Metro Water Recovery staff to negotiate a contract with the highest-ranked vendor. If Metro staff is successful in negotiating an acceptable contract, approval of same shall be subject to the terms of this Policy. If Metro staff determines that negotiation of an acceptable agreement with the highest-ranked consultant cannot be accomplished, Metro staff shall initiate negotiations with the vendor ranked next highest by the Selection Committee.

The Purchasing and Contracts Procedures shall include procedures for staff to follow to ensure a fair selection process based upon the above selection criteria.

### **Section 8: Contract Term Limitations**

Contracts for services shall be for terms not to exceed five years (including any renewals). A new selection process shall be initiated before the end of the term if the service is still needed by Metro Water Recovery. The five-year term limitation may be waived by the CEO if it will take longer than five years to complete a specific project or if it is deemed to be in the best interest of Metro by the following authorities:

1. Board of Directors for agreements approved by the Board exceeding \$750,000 or for consultants reporting directly to the Board.
2. Executive Committee for agreements in excess of \$500,000 but not exceeding an estimated total value including all renewals of up to \$750,000.
3. CEO for agreements approved by the CEO up to and including an estimated total value including all renewals of \$500,000.

### **Section 9: Contract Terms which Extend Beyond the Annual Appropriation**

The length of a contract may exceed the one-year time frame of the annual Budget operating budget appropriation if the contract/agreement provides for termination of the service upon written notice by Metro without cause or if the contract/agreement is subject to authorization of future appropriations by the Board of Directors.

### **Section 10: Emergencies**

The CEO may declare an emergency and, to the extent necessary, suspend any policy or policies (1) to avoid violating a regulatory permit; (2) to remedy an unsafe condition that poses a significant danger to Metro Water Recovery employees or property; or (3) in response to a local or national emergency situation, including increased threat levels from the U.S. Department of Homeland Security or the Governor's Office of Homeland Security. The CEO is authorized to make any necessary expenditures in response to the emergency. After a declared emergency is resolved, the actions taken shall be reviewed by the Board of Directors and ratified as necessary.



## **Section 11: Sale of Metro Property or Products**

The CEO is authorized to sell or recover charges for services, products, surplus property, or resources owned or recovered by Metro, including the sale of recovered biosolids, pursuant to terms that are in the best interests of Metro as deemed by the CEO. This provision does not apply to the purchase or sale of real property. The Purchasing and Contracts Procedures shall include specific procedures to govern sale and/or disposal of such property.

## **Section 12: CEO's Responsibility to Carry Out Policies**

The CEO may delegate authority or functions under this Policy to staff as the CEO deems necessary. The CEO is responsible for establishing and implementing the Purchasing and Contracts Procedures to provide more detailed guidance on carrying out the intent of these policies. The Purchasing and Contracts Procedures may be amended as deemed necessary by the CEO.

The Purchasing and Contracts Procedures may place additional or more detailed requirements on procurement of goods and services when the CEO determines such requirements are in the best interest of Metro Water Recovery and are not contrary to any Board-approved policies.



**Purchasing and Contracts Policy**

# METRO WATER RECOVERY

## Operations Committee Meeting Minutes

Tuesday, February 7, 2023

The meeting of the Operations Committee of Metro Water Recovery was held Tuesday, February 7, 2023 at 11:30 a.m., in the Boardroom.

### Roll Call

Chair Williams called the roll.

#### Members Present

Jennifer Williams, Chair  
Bill Ray, Vice Chair  
Nadine Caldwell  
David Councilman  
Clark Davenport  
James DeHerrera  
Robert Duncanson  
Mary Gearhart  
Bob LeGare  
Jamie Miller  
Steve Pott\*  
Kim Schoen  
Greg Sekera  
Mary Beth Susman  
Amerigo Svaldi  
Dennis Towndrow  
Scott Twombly

#### Members Absent

John Chavez  
Joan Iler  
Martin Majors

#### Others Present

Mickey Conway  
Emily Jackson  
Liam Cavanaugh  
Martin Alvis  
Dawn Ambrosio  
Kim Cowan  
Colleen Dempsey  
Shawn Fredrickson  
Ruth Kedzior  
Molly Kostelecky  
Andy Nelson  
Sherman Papke  
Jennifer Robinett  
Pat Stanley  
Orren West  
Reed Koenig  
Yvonne Kohlmeier  
Jason Lee  
Lydia Nkem  
Brittany Peshek  
Dan Stillwell  
Chris Thyfault

\*Attended virtually

### Public Comment

There was none.

### Action Items

Chief Executive Officer (CEO) Conway reviewed the following Action Items, and he and Metro Water Recovery staff answered Directors' questions.

#### 1. **Consideration of Replacement of Metro Water Recovery's Industrial Pretreatment Program Database, Pretreatment Information Management System with the iPACS System**

Director Gearhart moved and Director Councilman seconded the motion to recommend authorizing the CEO to enter into an agreement with EnfoTech & Consulting, Inc. for licensing of the iPACS system at Metro Water Recovery for a five-year term not to exceed \$610,000.

Mr. Fredrickson answered questions regarding backup systems for the proposed software.

Ms. Robinett answered a question concerning how Connectors can assist in identifying Industrial Users.

The motion carried unanimously.

## 2. **Consideration of Property Acquisition**

Director DeHerrera moved and Director Davenport seconded the motion to recommend adopting the attached resolution which includes the following determinations among other items:

1. Metro Water Recovery intends to acquire the particular properties (Subject Properties) and its grant of authority to the CEO to negotiate the acquisition thereof, and, if necessary, to do so through the exercise of the power of eminent domain; and
2. The Board finds the acquisition of the Subject Properties will serve a proper public purpose and use, and such use is necessary and essential to this public purpose and use; and
3. Metro Water Recovery intends to make amendments to or otherwise revise the nature and/or description of the property rights to be acquired in furtherance of the public uses and/or purposes.

General Counsel Jackson gave an overview of the item.

Ms. Jackson answered questions about the length of eminent domain proceedings, timing issues, the potential of settling out of court, and how the proposed resolution differs from previous resolutions.

The motion carried unanimously.

## 3. **Consideration of Revisions to Metro Water Recovery's *Purchasing and Contracts Policy***

Director Twombly moved and Director LeGare seconded the motion to recommend adopting the revised *Purchasing and Contracts Policy*, which incorporates recommended updates, changes, and clarifications.

The motion carried unanimously.

## **Information Items**

The Operations Committee reviewed the following Information Items.

### 1. Sludge Process Building Improvements Project (PAR 1244) Presentation

Mr. Nelson presented the Sludge Process Building Improvements Project (PAR 1244) Updates, highlighting how certain issues have been resolved or mitigated for the time being and the testing procedures necessary to proceed to the next phase.

Mr. Nelson answered questions regarding the vibration monitors and when the old centrifuges were installed.

CEO Conway noted future updates will be provided to the Committee.

## 2. Emerging Issues

Ms. Robinett gave an overview of the Emerging Issues report.

Ms. Robinett answered questions concerning the definition of slug load, if Metro Water Recovery dictates what pretreatment industries use, and if Metro evaluates what pretreatment is used.

CEO Conway noted the issues regarding pretreatment will become more prominent as direct potable reuse is implemented within the state, and appreciated the work staff does in the Industrial Pretreatment Program.

## 3. Metro Water Recovery Meet the Team – Northern Treatment Plant Facility Maintenance

Ms. Cowan introduced herself and Ms. Thyfault, noting the rest of the team was handling an emergency shutdown of a gravity thickener at the Northern Treatment Plant (NTP), and appreciated the team's work. She also expressed appreciation for Ms. Thyfault for being an exceptional employee, her concern for the environment, and for mentoring staff as oftentimes employees are promoted into department positions after she trains them.

The Committee gave a round of applause for Ms. Thyfault and the team.

## 4. Status of Capital Improvement Projects Report

## 5. Current Activities/Operational Performance Report

## 6. Financial Reports

Ms. Kostelecky gave an update, noting Metro Water Recovery ended 2022 slightly over budget due to the cost of utilities, materials, and peracetic acid (PAA) rising in the second half of the year along with maintenance to keep the old biosolids building operational while PAR 1244 is completed. She stated 2023 rates will not be affected by the 2022 spending increases and a budget amendment action item will be presented in March.

Mr. Cavanaugh provided more details regarding the rising cost of PAA, how the flow diversion affects dosing levels, and if alternatives to PAA were being considered.

Ms. Kostelecky answered a question regarding how the new process of revising the budget is beneficial to Metro and is a best practice with public entities.

## 7. Upcoming Events

Chair Williams reminded Directors of the Spring Board Workshop on April 13 and the METROGRO Farm tour on July 20, asking Directors to RSVP on BoardEffect.

CEO Conway noted the National Western Center tour has been delayed but will reach out with a new date when possible.

**Other Information**

CEO Conway answered a question concerning how Suncor Energy Refinery USA, Inc.'s (Suncor) recent activities have impacted Metro Water Recovery and if Suncor is being monitored for violations.

Chair Williams adjourned the meeting at 12:24 p.m.

MC:rak\lmm

# METRO WATER RECOVERY

## Finance Committee Meeting Minutes

Thursday, February 9, 2023

The meeting of the Finance Committee of Metro Water Recovery was held Thursday, February 9, 2023 at 7:30 a.m., in the Boardroom.

### Roll Call

Chair Roth called the roll.

#### Members Present

Bob Roth, Chair  
Janet Kieler, Vice Chair  
Curt Aldstadt  
Greg Baker  
Phil Burgi  
Deborah Crisp\*  
Jo Ann Giddings\*  
Andrew Johnston  
Craig Kocian  
Kathy Laurienti\*  
Doug Lazure\*  
Charlie Long  
Charlie Miller\*  
Sarah Niyork  
Del Smith  
Peter Spanberger  
Ronald Younger

#### Members Absent

Peter Baertlein  
Laura Kroeger

#### Other Directors Present

Joan Iler\*

#### Others Present

Mickey Conway  
Emily Jackson  
Liam Cavanaugh  
Dawn Ambrosio  
Colleen Dempsey  
Shawn Fredrickson  
Perry Holland  
Ruth Kedzior  
Molly Kostelecky  
Andy Nelson  
Sherman Papke  
Jennifer Robinett  
Pat Stanley  
Orren West  
Matt Duncan  
Tim Kelly  
Yvonne Kohlmeier  
Jason Lee  
Lydia Nkem  
Brittany Peshek  
Steve Summers  
Chris Thyfault

\*Attended virtually

### Public Comment

There was none.

### Action Items

Chief Executive Officer (CEO) Conway reviewed the following Action Items, and he and Metro Water Recovery staff answered Directors' questions.

#### 1. **Consideration of Replacement of Metro Water Recovery's Industrial Pretreatment Program Database, Pretreatment Information Management System with the iPACS System**

Director Johnston moved and Director Burgi seconded the motion to recommend authorizing the CEO to enter into an agreement with EnfoTech & Consulting, Inc. for licensing of the iPACS system at Metro Water Recovery for a five-year term not to exceed \$610,000.

Ms. Robinett answered a question regarding the migration of data to the new system.

Director Kieler expressed appreciation for the system being updated.

The motion carried unanimously.

## 2. **Consideration of Property Acquisition**

Director Johnston moved and Director Younger seconded the motion to recommend adopting the attached resolution which includes the following determinations among other items:

1. Metro Water Recovery intends to acquire the particular properties (Subject Properties) and its grant of authority to the CEO to negotiate the acquisition thereof, and, if necessary, to do so through the exercise of the power of eminent domain; and
2. The Board finds the acquisition of the Subject Properties will serve a proper public purpose and use, and such use is necessary and essential to this public purpose and use; and
3. Metro Water Recovery intends to make amendments to or otherwise revise the nature and/or description of the property rights to be acquired in furtherance of the public uses and/or purposes.

General Counsel Jackson gave an overview of the item.

Ms. Jackson answered questions concerning how long Metro Water Recovery has considered the Subject Properties and if the record would be part of the supporting documents.

The motion carried unanimously.

## 3. **Consideration of Revisions to Metro Water Recovery's *Purchasing and Contracts Policy***

Director Burgi moved and Director Niyork seconded the motion to recommend adopting the revised *Purchasing and Contracts Policy*, which incorporates recommended updates, changes, and clarifications.

The motion carried unanimously.

## **Information Items**

The Finance Committee reviewed the following Information Items.

### 1. Sludge Process Building Improvements Project (PAR 1244) Presentation

Mr. Nelson presented the Sludge Process Building Improvements Project (PAR 1244) updates, highlighting how certain issues have been resolved or mitigated for the time being and the testing procedures necessary to proceed to the next phase.

Mr. Nelson answered questions about the ceramic tiles, how long it would take to replace tiles in the future, if employees can safely access the building, if the contractor is still on site and interacting well with staff, and when the next phase of the project can begin.



Directors Smith and Kieler expressed positivity that the project is progressing, and Director Kieler expressed appreciation to staff for their work on the project.

## 2. Emerging Issues

Ms. Robinett gave an overview of the Emerging Issues report.

Ms. Robinett answered questions regarding how Connectors were previously involved in pretreatment, and if newer and upcoming members have been briefed on the requirements.

CEO Conway noted the issues regarding pretreatment will become more prominent as direct potable reuse is implemented within the state and other regulatory limits are tightened, and appreciated the work staff does in the Industrial Pretreatment Program.

Mr. Conway answered a question concerning, if and when, staff would give a presentation on direct potable reuse.

## 3. Metro Water Recovery Meet the Team – Northern Treatment Plant Facility Maintenance

Mr. Cavanaugh introduced the team, highlighting the variety of work undertaken on a daily basis at the Northern Treatment Plant. He also expressed appreciation for Ms. Thyfault for mentoring staff as oftentimes employees are promoted into other department positions after she trains them.

Directors Burgi, Niyork, Baker, Johnston and Chair Roth expressed appreciation to the team for their work and for their presence at the meeting.

Ms. Thyfault answered questions about how large irrigation repairs are handled, and where she caught the fish in her feature photo.

The Committee gave a round of applause to the team.

## 4. Status of Capital Improvement Projects Report

## 5. Current Activities/Operational Performance Report

## 6. Financial Reports

Ms. Kostelecky gave a financial update, noting Metro Water Recovery ended 2022 slightly over budget due to the cost of utilities, materials, and peracetic acid rising in the second half of the year along with maintenance to keep the old biosolids building operational while PAR 1244 is completed. She stated 2023 rates will not be affected by the 2022 spending increases and a budget amendment action item will be presented in March.

Ms. Kostelecky answered a question regarding how the Sewer Connection Charges from Fort Lupton would positively impact the year's budget.

## 7. Upcoming Events

CEO Conway reminded Directors of the Spring Board Workshop on April 13, Gold Awards [NOTE: the meeting has been moved from May 3 to May 10], Town Hall on June 14, and METROGRO Farm tour on July 20. He also noted the National Western Center tour has been delayed but will reach out with a new date when possible.

### **Other Information**

CEO Conway answered questions concerning the migrating geese and their impact on operations, and if the recent moisture is expected to lead to a plentiful crop year.

Chair Roth adjourned the meeting at 8:17 a.m.

MC:rak\lmm

# METRO WATER RECOVERY

## Executive Committee Meeting Minutes

Tuesday, February 14, 2023

The meeting of the Executive Committee of Metro Water Recovery was held Tuesday, February 14, 2023 at 11:30 a.m., in the Boardroom.

### Roll Call

Chair Johnston called the roll.

### Members Present

Andrew Johnston, Chair  
Sarah Niyork, Chair Pro Tem  
Jo Ann Giddings, Secretary  
Del Smith, Treasurer  
Bob LeGare  
Charles Long  
Bob Roth  
Scott Twombly  
Jennifer Williams  
\*Attended virtually

### Other Directors Present

Philip Burgi, Advisory

### Others Present

Mickey Conway\*  
Liam Cavanagh  
Molly Kostelecky  
Ruth Kedzior  
Sherman Papke  
Yvonne Kohlmeier  
Lydia Nkem  
Brittany Peshek

### Public Comment

There was none.

### Action Items

#### 1. **Consideration of Replacement of Metro Water Recovery's Industrial Pretreatment Program Database, Pretreatment Information Management System with the iPACS System**

Director Smith moved and Director Niyork seconded the motion to recommend authorizing the Chief Executive Officer (CEO) to enter into an agreement with EnfoTech & Consulting, Inc. for licensing of the iPACS system at Metro Water Recovery for a five-year term not to exceed \$610,000.

Mr. Fredrickson answered questions regarding backup systems for the proposed software.

The motion carried unanimously.

#### 2. **Consideration of Property Acquisition**

Director Smith moved and Director Niyork seconded the motion to recommend adopting the attached resolution which includes the following determinations among other items:

1. Metro Water Recovery intends to acquire the particular properties (Subject Properties) and its grant of authority to the CEO to negotiate the acquisition thereof, and, if necessary, to do so through the exercise of the power of eminent domain; and
2. The Board finds the acquisition of the Subject Properties will serve a proper public purpose and use, and such use is necessary and essential to this public purpose and use; and
3. Metro Water Recovery intends to make amendments to or otherwise revise the nature and/or description of the property rights to be acquired in furtherance of the public uses and/or purposes.

The motion carried unanimously.

**3. Consideration of Revisions to Metro Water Recovery's *Purchasing and Contracts Policy***

Director Smith moved and Director Niyork seconded the motion to recommend adopting the revised *Purchasing and Contracts Policy*, which incorporates recommended updates, changes, and clarifications.

The motion carried unanimously.

**4. Hearing for Metro Water Recovery's Revised 2022 Budget**

Director Roth moved and Director Giddings seconded the motion to recommend scheduling a hearing to be held at approximately 5:30 p.m. at the February 21, 2023 Board of Directors Meeting for Metro Water Recovery's Revised 2022 Budget.

Deputy CEO Cavanaugh gave an overview of the item.

Mr. Cavanaugh and Ms. Kostelecky answered a question about the purpose of the item and Ms. Kostelecky answered a question about the process involved.

The motion carried unanimously.

**Information Items Discussed/Presented at Standing Committees**

The Executive Committee reviewed the following Information Items.

1. Sludge Process Building Improvements Project (PAR 1244) Presentation
2. Emerging Issues
3. Metro Water Recovery Meet the Team – Northern Treatment Plant Facility Maintenance
4. Status of Capital Improvement Projects Report
5. Current Activities/Operational Performance Report
6. Financial Reports
7. Upcoming Events

## **Information Items**

1. Electrical Transmission-Level Service Substation Project (PAR 1265) Adams County 1041 Permit/Intergovernmental Agreement (IGA)

Deputy CEO Cavanaugh introduced the item and Mr. Nelson gave an overview, noting the IGA would be similar to the IGA which was executed for the Second Creek Interceptor and Sand Creek Interceptor Project (PAR 1232).

Mr. Nelson answered questions concerning the location of the agreement concerns, the work completed on PAR 1265, and the reasoning behind the project.

2. South Headworks Improvements Project (PAR 1225) Settlement Update

CEO Conway gave an overview of the item, highlighting the team effort to reach a successful settlement and expressing optimism for a positive relationship with MWH Constructors. He also noted General Counsel Jackson would include the update in her February legal report.

Mr. Conway answered a question regarding the completion of the project.

3. City of Brighton Update

CEO Conway gave an overview of the item, highlighting the history of the agreement with the City of Brighton and its current desire to accelerate its buy-in schedule.

Mr. Conway and Ms. Kostelecky answered questions regarding how the accelerated schedule would impact Metro Water Recovery and how the final payment would be determined.

Deputy CEO Cavanaugh answered questions concerning the City of Brighton's plans for its drinking water plant, and the impact increased flow will have on the Northern Treatment Plant.

Mr. Cavanaugh and Mr. Conway answered a question regarding the decommissioning of the City of Brighton's wastewater treatment plant.

Directors Burgi and Long and Chair Johnston expressed support for the item.

## **Other Information**

There was none

Chair Johnston adjourned the meeting at 12 p.m.

MC:rak\lmn



# METRO WATER RECOVERY

## METROGRO Farm Tour

Thursday, July 20, 2023

**7 a.m. Leave from Metro**  
**2:30 p.m. Return to Metro**  
*Long pants and close-toed shoes required*

This a great opportunity to observe summer farm activities and learn about the biosolids program.  
Please RSVP in the BoardEffect event by early July.



**[RSVP on BoardEffect here](#)**

# METRO WATER RECOVERY

## Operations Committee Meeting

### Agenda

Tuesday, March 7, 2023

11:30 a.m.

Boardroom

Administration Building

### Roll Call

### Public Comment

### Action Items

### Tab No.

1. **Consideration of Electrical Transmission-Level Service Substation Project (PAR 1265) Adams County 1041 Permit/Intergovernmental Agreement (O/F/E/Bd)** 1

#### **Chief Executive Officer's Proposal:**

Authorize the Chief Executive Officer to enter into an Intergovernmental Agreement (IGA) with Adams County, substantially similar to the terms outlined in the IGA as currently written, in conjunction with Adams County issuing an Areas and Activities of State Interest (AASI or 1041) permit for the construction of the Electrical Transmission-Level Service Substation Project (PAR 1265) in Adams County.

2. **Consideration of 2023 Northern Treatment Plant Wastewater Utility Plan (PAR 1431) Professional Study Services Agreement and Appropriation (O/F/E/Bd)** 2

#### **Chief Executive Officer's Proposal:**

Authorize the Chief Executive Officer to enter into an Agreement for Study and Report Professional Services with HDR, Inc. up to the amount of \$682,000 to provide study services for the 2023 Northern Treatment Plant Wastewater Utility Plan (PAR 1413) and appropriate \$750,000 for this purpose.

3. **Consideration of Adoption of the Second Amended 2022 Annual Budget (O/F/E/Bd)** 3

#### **Chief Executive Officer's Proposal:**

Adopt the Second Amended 2022 Budget Proposals as recommended by the Chief Executive Officer.

**Tab No.**

- |    |  |   |
|----|--|---|
| 4. | <b>Consideration of Appropriation of Funds in Accordance with the Second Amended 2022 Annual Budget (O/F/E/Bd)</b> | 4 |
|----|--|---|

**Chief Executive Officer’s Proposal:**

Appropriate \$1,400,000 from the General Fund for the purpose of funding a Second Annual Operating Budget for fiscal year 2022. The Second 2022 supplemental appropriation is allocated as shown on the attached summary.

**Information Items**

- |    |   |   |
|----|---|---|
| 1. | Small Projects Accounts Semi-Annual Report (O/F/E)        | 5 |
| 2. | Status of Capital Improvement Projects Report (O/F/E)     | 6 |
| 3. | Current Activities/Operational Performance Report (O/F/E) | 7 |
| 4. | Upcoming Events (O/F/E) <i>(Separate Attachment)</i>      |   |



# METRO WATER RECOVERY

## MEMORANDUM

**TO:** Mickey Conway, Chief Executive Officer **DATE:** February 24, 2023

**FROM:** Sherman Papke, Chief Technical Officer  
Emily Jackson, General Counsel  
Andrew Nelson, Director of Engineering  
Matt Duncan, Senior Treatment Plant Engineering Manager  
Renee A. Paplow, Principal Permitting Engineer  
Ben Ruder, Principal Engineer (Metro Project Manager)

**RE:** Electrical Transmission-Level Service Substation Project (PAR 1265)  
Adams County 1041 Permit/Intergovernmental Agreement

### RECOMMENDATION

We recommend the Board of Directors authorize the Chief Executive Officer to enter into an Intergovernmental Agreement (IGA) with Adams County, substantially similar to the terms outlined in the IGA as currently written, in conjunction with Adams County issuing an Areas and Activities of State Interest (AASI or 1041) permit for the construction of the Electrical Transmission-Level Service Substation Project (PAR 1265) in Adams County.

### BACKGROUND

Background information regarding the distribution-level electrical supply at the Robert W. Hite Treatment Facility can be found in the Board memo dated [June 21, 2022](#).

Metro Water Recovery staff, in collaboration with NEI Electric Power Engineering, Inc. and PCL Construction, Inc. (PCL), have completed the design of Work Package #2 through the 90 percent design milestone. Work Package #1 included site activities to raise the switchyard and substation site above the floodplain and procurement of the two 115 kV transformers, two 13.2kV transformers to replace the existing TU-16 transformers, and one 13.2 kV transformer to replace the existing Xcel Energy, Inc. transformer at the Transmissions building. Work Package #2 includes the construction of the new Metro substation and necessary modifications to the existing power distribution facilities. Metro is progressing with permitting with various agencies based on the 90 percent design to assure timely issuance of permits as construction activities begin.

Adams County has been delegated the power to supervise matters of state interest by the Colorado General Assembly through the Areas and Activities of State Interest Act (HB 74-1041) as set forth in C.R.S. § 24-65.1-101, *et. seq.* Adams County has adopted regulations governing AASI, Chapter 6 of the Adams County Development Standards and Regulations. Activities of state interest include site selection and construction of major facilities of a public utility and major extensions of existing domestic water and wastewater treatment systems.

The Adams County Board of Commissioners (Commissioners) will review the IGA during an Agency Hearing in mid-March 2023. To the extent material changes are made by the Commissioners, such changes will be presented to the Board of Directors for approval.

## **JUSTIFICATION FOR BOARD ACTION**

Pursuant to Section 6-16 of the 1041 Regulations, Metro Water Recovery and Adams County prefer and elect to enter into an IGA in lieu of a permit application to construct the Electrical Transmission-Level Service Substation in Adams County.

## **CONTRACT INFORMATION**

It is common practice for governmental entities to enter into an IGA in lieu of a permit application to demonstrate interagency cooperation and increase efficiency of the approval process. Metro Water Recovery staff has worked with Adams County during review of the IGA development, planning the neighborhood scoping meeting, and discussing 1041 permit process schedule milestones.

The neighborhood scoping meeting was held January 19, 2022. Metro Water Recovery and Adams County developed the IGA as currently written based on responses from the neighborhood scoping meeting and various stakeholder comments. Once Adams County deems the application complete and the negotiated terms and conditions of the IGA finalized, Adams County staff will schedule the hearing with the Commissioners in mid-March 2023 to consider approving the negotiated IGA. If applicable, any material changes to the terms made by the Commissioners will be presented to the Board of Directors for approval.

## **FINANCIAL IMPACTS**

There are no financial impacts associated with this IGA. Per the terms of the IGA, Metro Water Recovery, through its contractor PCL, will be required to file a guarantee of financial security in the amount of \$20,000 as part of the construction work. This security will be returned upon successful completion of construction.

# METRO WATER RECOVERY

## MEMORANDUM

**TO:** Mickey Conway, Chief Executive Officer **DATE:** February 24, 2023

**FROM:** Sherman Papke, Chief Technical Officer  
Perry Holland, Director of Comprehensive Planning  
Dan Wcislo, Senior Wastewater Infrastructure Planner

**RE:** 2023 Northern Treatment Plant Wastewater Utility Plan (PAR 1431)  
Professional Study Services Agreement and Appropriation

### RECOMMENDATION

We recommend the Board of Directors authorize the Chief Executive Officer to enter into an Agreement for Study and Report Professional Services with HDR, Inc. (HDR) up to the amount of \$682,000 to provide study services for the 2023 Northern Treatment Plant (NTP) Wastewater Utility Plan (WUP) (PAR 1431) (Project) and appropriate \$750,000 for this purpose.

### SUMMARY

A WUP was prepared for the NTP in 2010 by CH2M Hill (now Jacobs Solutions [Jacobs]), prior to the design and construction of the NTP Regional System, to document the NTP's potential impacts on the water quality of the receiving waters and outline Metro Water Recovery's plans for meeting environmental standards. The WUP was required in order to gain approval for the facility through local agencies, regional planning agencies, and the Colorado Department of Public Health and Environment (CDPHE). An update to the 2010 NTP WUP is now required to be submitted and approved to comply with the site application process for new construction projects. The cost of the plan requires Board of Directors approval.

### BACKGROUND

The North Front Range Water Quality Planning Association (NFRWQPA) requires all public wastewater treatment agencies in its region submitting a site application to the CDPHE have a current WUP in place which has been approved or conditionally approved by NFRWQPA before the request. Plans are required to be updated after ten years of approval. While no site applications are expected to accompany the 2023 NTP WUP at this time, the 2023 NTP WUP will meet that requirement for upcoming projects related to the NTP including the NTP Effluent Temperature Project (PAR 1416).

The 2023 NTP WUP will evaluate the water quality impact the NTP has on receiving waters throughout the 20-year planning period and include any actions which will be taken and strategies for meeting all applicable and known future water quality standards and classifications. It will also serve as the primary support document for Metro Water Recovery to amend its portion of the 208 Areawide Water Quality Management Plan (AWQMP), serve as the primary support document for Regulation No. 22, and provide necessary background and planning information needed by CDPHE's Water Quality Control Division in the discharge permitting process.

Additionally, Metro Water Recovery staff has identified the 2023 NTP WUP as the correct opportunity to update evaluations of Metro’s current and future planning service area, population forecasts, and wastewater flow and loadings for its entire service area. These analyses will be used not only in the 2023 NTP WUP but also the upcoming Biosolids Master Plan, Facility Plan Update, and other potential future planning efforts.

### **JUSTIFICATION FOR BOARD ACTION**

Metro Water Recovery requires the assistance of a consultant to develop a WUP for the NTP. The selected consultant will use the exiting WUP to develop an updated version and support the submission and approval (or conditional approval) by the NFRWQPA. Completing a WUP update for the NTP is a regulatory requirement as it is necessary for future site application processes.

On January 3, 2023, Metro Water Recovery issued a Request for Proposals (RFP) for consulting services for the Project. Metro received proposals from HDR and Black & Veatch on February 3, 2023. Pursuant to Metro’s *Purchasing and Contracts Policy*, a Committee of Metro staff unanimously selected HDR for the project.

### **CONTRACT INFORMATION**

Metro Water Recovery staff is negotiating a standard Professional Study Services Agreement with HDR in an amount not to exceed \$682,000 for study services to produce the 2023 NTP WUP document for submission to and approval by the NFRWQPA. Scope is currently being refined between HDR and Metro and it is anticipated the contract value will be slightly less than the not-to-exceed amount requested. Included in HDR’s proposal was their intent to sub-consult portions of the WUP with Jacobs. Members of the Jacobs teams were involved with the development of the original WUP associated with design and construction of the NTP. The scope of work to support the creation of the 2023 NTP WUP includes administrative tasks, project chartering, analysis of existing and future conditions for the entire Metro service area including the RWHTF and NTP, analysis of receiving stream water quality for the NTP service area, recommendations for wastewater treatment and collection system improvements for the NTP service area, recommendations of nonpoint source improvements, a summary of Metro’s management and financial planning, all reporting tasks, and support for the agency review and approval process.

### **FINANCIAL IMPACTS**

Metro Water Recovery staff has negotiated a standard Professional Study Services Agreement with HDR in the amount of \$682,000 for study services to produce the 2023 NTP WUP. The total requested appropriation is as follows:

Agreement for Study and Report Professional Services (HDR)	\$682,000
Contingency (~10 percent)	\$68,000
<b>Total Appropriation Requested</b>	<b><u>\$750,000</u></b>

Pursuant to Metro Water Recovery’s capital financing policy, \$750,000 will come from the General Fund Capital Project Account. The [\*Ten-Year Capital Expenditure Schedule\*](#) used to prepare the cash flow schedule for the 2023 Adopted Budget did not include this Project; however, the cash flow schedule for the 2024 Proposed Budget will include \$750,000 for this Project.

# METRO WATER RECOVERY

## MEMORANDUM

**TO:** Mickey Conway, Chief Executive Officer

**DATE:** February 1, 2023

**FROM:** Molly Kostelecky, Chief Financial Officer  
Laura Cook, Senior Budget Manager

**RE:** Adoption of the Second Amended 2022 Annual Budget

### RECOMMENDATION

We recommend the Board of Directors adopt a Second Amended Budget for the fiscal year 2022 Annual Budget, all funds totaling \$153,600,503.

### SUMMARY

Metro Water Recovery's 2022 actual operating expenses exceeded the First Amended 2022 Operating Budget and supplemental appropriation adopted by the Board in June 2022 in [Resolution 0622-B7.f](#). To comply with Local Government Budget Law, it is necessary to adopt a Second Amended 2022 Operating Budget which reflects these expenses and supplement the previous appropriations.

The Second Amended 2022 Budget includes the following change from the First Amended 2022 Budget:

1. Adopt the Second Amended 2022 Operating Budget of \$103,478,003, which is \$1,400,000, or 1.4 percent higher, than the previously Amended 2022 Budget (Revised 2022 Budget).

The remaining items in the Second Amended 2022 Annual Budget remain unchanged, including new and replacement vehicle and equipment expenditures, Small Projects expenditures, and Debt Service expenditures.

### BACKGROUND

The operating budget process is based on staff's best estimate of future operating expenses. The operating budget is established every June for the following calendar year, so the 2022 operating budget was approved and appropriated in June of 2021. Due to unprecedented economic conditions, including inflation, by June of 2022 staff identified expenses were going to exceed the original operating budget. In June 2022 in Resolution 0622-B7.f, the Board adopted the First Amended 2022 Operating Budget and associated supplemental appropriation. This also was an estimate of the operating expenses for the second half of 2022.

Metro Water Recovery's operating expenses were tracking in line with the First Amended 2022 Operating Budget and associated supplemental appropriation until December 2022. Inflationary

economic conditions, supply chain issues, and operational conditions in December 2022 caused operational expenses to exceed the First Amended 2022 Operating Budget and associated appropriation. C.R.S. § 29-1-109 establishes the requirements associated with changes to budget and supplemental appropriations. The section requires notice of the amended budget and supplemental appropriation under C.R.S. § 29-1-106, a public hearing under C.R.S. § 29-1-108, and approval through a resolution. Metro has complied with these requirements. This process only serves to amend the 2022 operating budget and supplement the appropriation, it does not change any of Metro's revenues including the Annual Charges for Services amount for 2022 or 2023.

### **JUSTIFICATION FOR BOARD ACTION**

The Second Amended 2022 Operating Budget recommendation is in the best interest of Metro Water Recovery. The public and regulatory agencies continue to have great expectations of Metro to protect the environment and reduce public health risk. The Second Amended 2022 Operating Budget will allow Metro to comply with the Local Government Budget Law and [Bylaws of Metro Water Recovery](#) while continuing to meet these expectations.

### **FINANCIAL IMPACTS**

The First Amended 2022 Annual Budget was initially developed during the 2023 Annual Budget process. Continued pressures on certain expenditures require the 2022 Budget be amended again. There is no impact to annual charge rates for 2022 and 2023.

# METRO WATER RECOVERY

## MEMORANDUM

**TO:** Mickey Conway, Chief Executive Officer **DATE:** February 1, 2023

**FROM:** Molly Kostelecky, Chief Financial Officer  
Laura Cook, Senior Budget Manager

**RE:** Second Amended 2022 Annual Budget Supplemental Appropriation

### RECOMMENDATION

We recommend the Board of Directors appropriate \$1,400,000 from the General Fund for the purpose of funding a Second Annual Operating Budget for fiscal year 2022. The Second 2022 supplemental appropriation is allocated as shown on the attached summary.

### SUMMARY

Metro Water Recovery's 2022 actual operating expenses exceeded the First Amended 2022 Operating Budget and supplemental appropriation adopted by the Board of Directors in June 2022 in [Resolution 0622-B7.f](#). To comply with Local Government Budget Law, it is necessary to adopt a Second Amended 2022 Operating Budget which reflects these expenses and supplements the previous appropriations.

### BACKGROUND

The operating budget process is based on staff's best estimate of future operating expenses. The operating budget is established every June for the following calendar year, so the 2022 operating budget was approved and appropriated in June of 2021. Due to unprecedented economic conditions, including inflation, by June of 2022 staff recognized expenses were going to exceed the original operating budget. In June 2022 in Resolution 0622-B7.f, the Board adopted the First Amended 2022 Operating Budget and associated supplemental appropriation. This also was an estimate of the operating expenses for the second half of 2022.

Metro Water Recovery's operating expenses were tracking in line with the First Amended 2022 Operating Budget and associated supplemental appropriation until December 2022. Inflationary economic conditions, supply chain issues, and operational conditions in December 2022 caused operational expenses to exceed the First Amended 2022 Operating Budget and associated appropriation. C.R.S. § 29-1-109 establishes the requirements associated with changes to budget and supplemental appropriations. The section requires notice of the amended budget and supplemental appropriation under C.R.S. § 29-1-106, a public hearing under C.R.S. § 29-1-108, and approval through a resolution. Metro has complied with these requirements. This process only serves to amend the 2022 operating budget and supplement the appropriation, it does not

change any of Metro's revenues including the Annual Charges for Services amount for 2022 or 2023.

### **JUSTIFICATION FOR BOARD ACTION**

The Second Amended 2022 Operating Budget recommendation is in the best interest of Metro Water Recovery. The public and regulatory agencies continue to have great expectations of Metro to protect the environment and reduce public health risk. The Second Amended 2022 Operating Budget will allow Metro to comply with Local Government Budget Law and [Bylaws of Metro Water Recovery](#) while continuing to meet these expectations.

### **FINANCIAL IMPACTS**

The First Amended 2022 Annual Budget was initially developed during the 2023 Annual Budget process. Continued pressures on certain expenditures require the 2022 Budget be amended again. There is no impact to annual charge rates for 2022 and 2023.

Attachment



## Second Amended 2022 Budget Supplemental Appropriation Summary

This budget sets forth the revised 2022 operations and maintenance expenses; the revised 2022 capital equipment and vehicle expenses greater than \$10,000 and less than or equal to \$250,000; the 2022 small project expenditures; and the 2022 debt service requirements on the 2009B Sewer Improvement Bonds, 2019A&B Sewer Refunding and 2020A Sewer Improvement Bonds.

Adoption of the Second Amended 2022 Budget will require an appropriation resolution to be approved by the Board of Directors as follows:

	Adopted 2022 Budget	2022 Supplemental Appropriation 1	2022 Supplemental Appropriation 2	Amended 2022 Budget
<u>OPERATIONS AND MAINTENANCE REVENUE FUND</u>				
Operations and Maintenance (O&M) Expenses	\$ 98,726,223	\$ 3,351,780	\$ 1,400,000	\$ 103,478,003
O&M Capital Outlay	418,000	104,000	-	522,000
Less: Operating Reserve	-	1,500,000	-	1,500,000
Total O&M Expense Requirements	99,144,223	1,955,780	1,400,000	102,500,003
<u>FIXED ASSET REPLACEMENT FUND</u>				
Fixed Asset Replacement Fund (FARF) Capital Outlay	952,500	298,000	-	1,250,500
Total O&M and FARF Expense Requirements	100,096,723	2,253,780	1,400,000	103,750,503
<u>DEBT SERVICE FUND</u>				
2009A&B Sewer Improvement Bonds – Interest	4,000,000	-	-	4,000,000
2012A Sewer Improvement Bonds – Principal	11,000,000	-	-	11,000,000
2012A Sewer Improvement Bonds – Interest	300,000	-	-	300,000
2019A&B Sewer Refunding Bonds – Principal	17,000,000	-	-	17,000,000
2019A&B Sewer Refunding Bonds – Interest	11,500,000	-	-	11,500,000
2020A Sewer Improvement Bonds – Interest	5,300,000	-	-	5,300,000
Total Debt Service Expenditure Requirements	49,100,000	-	-	49,100,000
<u>SMALL PROJECT EXPENDITURES</u>				
General Fund	750,000	-	-	750,000
Fixed Asset Replacement Fund	-	-	-	-
Total Small Project Expenditures	750,000	-	-	750,000
<b>Total Appropriation</b>	<b>\$ 149,946,723</b>	<b>\$ 2,253,780</b>	<b>\$ 1,400,000</b>	<b>\$ 153,600,503</b>

# METRO WATER RECOVERY

## MEMORANDUM

**TO:** Mickey Conway, Chief Executive Officer **DATE:** February 9, 2023

**FROM:** Perry Holland, Director of Comprehensive Planning  
Jessica Maloney, Senior Wastewater Infrastructure Planner

**RE:** SEMI-ANNUAL STATUS REPORT – JULY THROUGH DECEMBER 2022  
General Fund Small Projects, Studies, and Expenditures Account  
Fixed Asset Replacement Fund Small Projects, Studies, and Expenditures Account

### BACKGROUND

The Board of Directors established the Small Projects Accounts by delegating authority to the Chief Executive Officer (CEO) to approve small projects subject to the CEO's spending authority rather than requiring individual appropriations by the Board for each activity. This process increases efficiency and allows Metro Water Recovery staff to better manage small capital projects. Metro staff requests an appropriation for small projects each year as part of the annual budget process.

Under the authority delegated by the Board, the CEO has the discretion, subject to the CEO's spending authority, to:

- Approve expenditures from the General (GEN) Fund Small Projects, Studies, and Expenditures Account for (1) environmental projects, studies, or activities; (2) improvement and growth-related projects, studies, or expenditures; or (3) relatively minor initial services to determine the scope of potential improvement and growth-related and regulatory projects expected to exceed the CEO's spending authority.
- Approve expenditures from the Fixed Asset Replacement (FAR) Fund Small Projects, Studies, and Expenditures Account for (1) replacement/rehabilitation projects, studies, and expenditures; or (2) relatively minor initial services needed to determine the scope of potential replacement/rehabilitation projects expected to exceed the CEO's spending authority.

The following table describes these two accounts.

<b>Account</b>	<b>Purpose</b>
GEN Fund Small Projects, Studies, and Expenditures	Environmental assessment efforts – ensure regulatory requirements are met in a logical/cost-effective manner Improvement and growth-related (to a new condition) – adding capacity, improving technology, expanding, and upgrading
FAR Fund Small Projects, Studies, and Expenditures	Replacement and rehabilitation (to previous/existing condition) – restoring and repairing

## PROJECT ACTIVITIES – STATUS REPORT

The attached overview summarizes ongoing and new projects as well as projects completed under each of the two accounts from July to December 2022:

- Attachment A: GEN Fund Small Projects, Studies, and Expenditures Account; FAR Fund Small Projects, Studies, and Expenditures Account; and GEN Fund and FAR Fund Combined Small Projects, Studies, and Expenditures Accounts

The attachment also indicates an estimate of the work completed for each ongoing small project and lists projects for which the work is completed but the closeout paperwork has not been completed or the final payments have not been made. Remaining funds for all closed projects have been rescinded.

## FINANCIAL IMPACTS

The following table gives a summary of how the Small Projects have impacted the overall budget from July to December 2022:

Total Initiated from GEN Fund	\$2,185,000
Total Initiated from FAR Fund	\$1,025,000
Total Amount Rescinded	(\$981,498)
<b>Total Spent on Small Projects from July to December 2022</b>	<b>\$2,228,502</b>
Total Appropriated Amount for 2022	\$750,000
Total Small Project Balance	\$2,974,408

A list of current and future projects can also be found on the [Ten-Year Capital Expenditure Schedule](#).

Attachment

**ATTACHMENT A**  
**July 1 through December 31, 2022**

**GENERAL FUND, FIXED ASSET REPLACEMENT FUND, AND COMBINED PROJECTS**  
**SMALL PROJECTS, STUDIES, AND EXPENDITURES ACCOUNTS**

**ONGOING PROJECTS**

These projects have received funding from either the General Fund (GEN), Fixed Asset Replacement Fund (FAR), or both if they fall into both categories. Dollar amounts have been assigned according to the amount of work expected in each category. Some links have been provided throughout to our treatment website: <https://treatment.metrowaterrecovery.com/>.

**Asset Management:**

<b>Project Title and Project Manager</b>	<b>Update</b>	<b>Amount Authorized/Expended</b>	<b>Work Completed Percentage</b>
<b>PAR 1405 – Asset Management Program Implementation</b> E. Stec-Uddin	The Asset Management Reference Manual and associated documentation are being developed. A draft plan for the Asset Management Plan pilot is in place as staff continues to work with the Enterprise Asset Management (EAM) Request for Proposals (RFP) team to select a software solution capable of supporting the computerized maintenance management system and asset management needs.	FAR Authorized: \$250,000 Expended: \$ 61,568	10 Percent
<b>PAR 1413 – Robert W. Hite Treatment Facility Conduit Study</b> M. Said	The assessment program for the Robert W. Hite Treatment Facility (RHWTF) underground conduits and associated documentation are being developed. Drawings and specifications for the specialty vendor to perform inspections will be completed in the spring of 2023.	FAR Authorized: \$250,000 Expended: \$ 76,841	58 Percent

## Continuous Improvement:

### *Featured Projects:*

#### **PAR 1403 – Continuous Improvement Framework** (M. Kiflai)

In 2016, Raftelis Financial Consultants, Inc. (Raftelis) was involved with the development of Metro Water Recovery’s Strategic Plan (Plan). A major element of the Plan was to advance the organization’s capability and capacity to innovate, communicate, collaborate, and empower its staff to identify ways to maximize the effectiveness and efficiency of its operations. It was agreed success would require the creation of internal staff positions focused on strategy and continuous improvement (CI).

In late 2021, Metro Water Recovery engaged Raftelis to develop a guiding framework for how best to build upon existing CI program efforts. The focus of this effort was to design and deploy an enterprise-wide CI program which addressed the program’s staffing, processes, tools, training, and change management aspects and needs.

Raftelis implemented a multi-faceted approach designed to gather input from Metro Water Recovery employees regarding strengths and opportunities relevant to program design and change management. That process included a series of meetings with Metro’s project steering committee and leadership team as well as focused interviews with division managers, process owners, project managers, and other staff. Specifically, Raftelis engaged with 32 Metro employees through 24 individual interviews and two focus groups. Lastly, Raftelis completed extensive best practice and benchmarking research to define how other organizations, of comparable size or complexity, have effectively built and sustained CI programs.

<p><b>Organizational Capacity</b></p> <p>Organizational capacity issues create a barrier to enhancing Metro’s CI program.</p>	<p><b>Change Management and Execution</b></p> <p>The organization’s current approach to program definition has successfully identified and executed multiple projects, but capacity constraints have limited the ability of staff to implement solutions and achieve desired results.</p>
<p><b>Program Awareness and Storytelling</b></p> <p>Beyond cursory understanding of CI “buzzwords,” Metro staff generally have a limited awareness of the organization’s CI efforts, capabilities, and potential.</p>	<p><b>Training Constraints and Opportunities</b></p> <p>There is a level of training fatigue throughout Metro.</p>

Key Conclusions from Enterprise Continuous Improvement Framework

<b>GEN Authorized: \$250,000</b>	<b>Expended: \$93,592</b>	<b>Work Completed: 30%</b>
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#### **PAR 1415 – EAM Business Process Study and Mobile** (M. Simmons)

The EAM Business Process study began in late June 2022. The consultant from Link Technologies conducted multiple rounds of subject matter expert interviews to better understand Metro Water Recovery’s processes and overall direction with managing and maintaining assets. A recommendation was made in October for both the EAM platform and a mobile solution for users in the field.

The project manager has changed from Mike Montez to Matt Simmons. The scope of this project now includes the selection and implementation of a new EAM tool, a selection committee made up of Metro Water Recovery staff has been identified, and an RFP has been developed and sent to the selection committee for review. The RFP is expected to go to *BidNet* soon. The project is on the Board Agenda for May as the project will exceed the small project budget and will need Board approval for a large project.

The screenshot shows the 'E-mail Viewer' interface. At the top, there is a navigation bar with icons for back, forward, search, and other actions. Below this is a filter dropdown set to 'All E-mail Records' and a search box. The main area contains a table with the following columns: Date, E-mail Record, E-mail Template, Recipients, E-mail Sent, E-mail Error, Push Notification Sent, and Push Notification Error. The table lists several records from 01/30/2023 to 01/27/2023, with templates like 'TRANS-WOSTCHG', 'PRIORITY 1 CANCEL', and 'FAIL CANCELPO'. Below the table, there is a section for 'E-mail Details' for the selected record (Date: 01/30/2023, E-mail Record: 1116565). This section shows the template 'TRANS-WOSTCHG', recipients 'KOrtb@metrowaterrecovery.com', and the email body text: 'Work Order # 1950085, Transmission Galatia, Garage Electrical Outlets and Out-Checks, created on 01/30/2023 03:43, by LWENPOLZ, status has changed to R. Please contact the C2 Supervisor it was assigned to with any questions or concerns.'

Date	E-mail Record	E-mail Template	Recipients	E-mail Sent	E-mail Error	Push Notification Sent	Push Notification Error
01/30/2023	1116565	TRANS-WOSTCHG	KOrtb@metrowaterrecovery.com;TAcampora@Metro...	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/29/2023	1116564	PRIORITY 1 CANCEL	Uwest@MetroWaterRecovery.com;LEllis@MetroWater...	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/27/2023	1116562	FAIL CANCELPO	ATILLMAN@metrowaterrecovery.com;TBonnet@metr...	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/27/2023	1116563	FAIL CANCELPO	ATILLMAN@metrowaterrecovery.com;TBonnet@metr...	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/27/2023	1116561	FAIL CANCELPO	ATILLMAN@metrowaterrecovery.com;TBonnet@metr...	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
01/27/2023	1116560	FAIL CANCELPO	ATILLMAN@metrowaterrecovery.com;TBonnet@metr...	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Screenshot from Metro Water Recovery’s Infor EAM system, showing the tracking of emails sent for built-in notifications

<b>GEN Authorized: \$250,000</b>	<b>Expended: \$71,189</b>	<b>Work Completed: 40%</b>
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*Other Projects:*

Project Title and Project Manager	Update	Amount Authorized/Expended	Work Completed Percentage
<b>PAR 1360 – Intellectual Property Program</b> E. Jackson	Work continues with outside counsel to evaluate potentially patentable ideas and close out the process of procuring patent protection for efforts associated with simultaneous <a href="#">nitrogen</a> and <a href="#">phosphorus</a> removal from <a href="#">anaerobically digested sludge</a> in the <a href="#">Post-Aerobic Digester</a> process at the Northern Treatment Plant (NTP).	GEN Authorized: \$100,000 Expended: \$ 34,937	34 Percent
<b>PAR 1367 – Digital Presence</b> J. Hennes	The website redesign is complete and social media engagement is increasing through Facebook and LinkedIn. The remaining funds are being used to develop/revise additional web pages and promote social media campaigns. In late 2022, funds were used to deploy a social media followership campaign with impressive returns.	FAR Authorized: \$100,000 Expended: \$ 86,590	98 Percent
<b>PAR 1372 – Pretreatment Database Pretreatment Information Management System (PIMs) Replacement and Cross-Media Electronic Reporting Rule Portal</b> S. Fredrickson	The project is in progress with Environmental Services (ES) and Information Technology (IT) staff working with EnfoTech (software vendor) staff on data migration and system implementation of the iPACS system. A large project approval was scheduled to go to the Board in February, which will reimburse the small project fund.	FAR Authorized: \$250,000 Expended: \$168,582	40 Percent
<b>PAR 1377 – Office 365 Evolution</b> S. Fredrickson	This project will be closed and the remaining work will be included in the full MetroNet migration and redesign which is being managed under the 2022 Grouped IT Customer Experience Project.	FAR Authorized: \$100,000 Expended: \$ 55,450	100 Percent
<b>PAR 1384 – Vital Records Update 2020</b> D. Dickson	Staff has updated the retention schedule, prepared a new signature/acknowledgment page, and is in the process of summarizing the changes made to the schedule in a memo. Once the Executive Leadership Team and/or the Senior Management Team reviews the summarization memo and executes the new signature page, this PAR can be closed.	FAR Authorized: \$50,000 Expended: \$27,600	95 Percent
<b>PAR 1386 – Legal Assistance Fund 1</b> B. Peshek	The project team has been able to address chemical approvals, contract with Stantec Inc. for support, and contribute to work on <a href="#">per- and polyfluoroalkyl substances</a> (PFAS), and other ongoing regulatory items.	GEN Authorized: \$250,000 Expended: \$102,963	41 Percent
<b>PAR 1387 – Legal Assistance Fund 2</b> B. Peshek	The project team has been able to address heat recovery innovations. This fund has not been used in the current six-month reporting period.	GEN Authorized: \$250,000 Expended: \$ 51,392	20 Percent

<p><b>PAR 1388 – Education And Outreach Asset Update</b>                  K. Merritt</p>	<p>Staff created this project to support Metro Water Recovery’s education and outreach goals. As of December 31, 2022, the design of a new education mascot was nearing completion. When finished, it will be incorporated into a new children’s video. In addition, website fact sheets and education campaign materials are complete with an updated design reflecting Metro’s new brand.</p>	<p>GEN Authorized: \$100,000                  Expended: \$ 41,824</p>	<p>50 Percent</p>
<p><b>PAR 1389 – Records Management System Upgrade 2020</b>                  E. Sturgeon</p>	<p>A test server was created to download the upgraded software by the Service Desk. IT Management decided to upgrade to the cloud version of the software and extra funding was needed, so an amendment of \$25,000 has been added to the Purchase Order. A new schedule has been requested of the third-party integrator, and Records Management staff is waiting for the project to start.</p>	<p>FAR Authorized: \$75,000                  Expended: \$ 3,450</p>	<p>30 Percent</p>
<p><b>PAR 1414 – Digital Screens</b>                  R. Nuber</p>	<p>Strategy and Communication’s (StratComm) Communication Roadshow introduced digital signage across the organization. Staff presented to every department to receive feedback on the channel. In addition, StratComm worked with the Procurement Division on the RFP process which was completed on September 7, 2022. StratComm is working with the project team to draft an implementation and management plan by April 30, 2023.</p>	<p>GEN Authorized: \$50,000                  Expended: \$ 0</p>	<p>20 Percent</p>
<p><b>PAR 1417 – Strategic Plan Update (2022)</b>                  M. Kiflai</p>	<p>The Strategic Plan Update Project kicked off in August 2022. Since then, two four-hour workshops have been held with the project team and Committee. Employee focus groups provided valuable feedback into the process. Three large themes were identified as part of this update: Our People, Our Work, and Our Communities. Workgroups were tasked with further developing each concept and an additional workgroup was focused on the values. The values team developed a recommendation to the Committee in December 2022 with the following values: Excellence, Integrity, Inclusion, and Collaboration. The Committee presented recommendations to the full Board of Directors at the February Board meeting related to the plan’s pillars and focus areas.</p>	<p>GEN Authorized: \$250,000                  Expended: \$110,876</p>	<p>45 Percent</p>
<p><b>PAR 1423 – Maintenance Equipment Optimization</b>                  M. Kiflai</p>	<p>The Process Maintenance and Electrical Maintenance divisions have been working to reorganize the maintenance shop. In order to optimize flow and increase safety, the crews have been working to clean and organize the shop, the gated outdoor storage area, Connex storage sheds, and miscellaneous process buildings where materials have been stored. Supervisors and division heads have been working with staff to identify and procure more effective storage solutions.</p>	<p>FAR Authorized: \$250,000                  Expended: \$ 23,824</p>	<p>10 Percent</p>



<b>PAR 1427 – Payment Optimization</b> P. Parodi	The project is in the beginning stages. Staff is working on finalizing the costs and implementation schedule/timeline with Wells Fargo. Implementation and project work will begin in February 2023.	GEN Authorized: \$150,000 Expended: \$ 0	0 Percent
<b>PAR 1428 – Community Relations Program</b> D. Ambrosio	The procurement process has been initiated. No additional work has been performed.	GEN Authorized: \$250,000 Expended: \$ 0	0 Percent
<b>PAR 1429 – Labworks Upgrade</b> S. Pargee	The project is in the beginning stages. A purchase order has been issued to Labworks for the work, which will begin in February 2023.	FAR Authorized: \$250,000 Expended: \$ 0	0 Percent

**Energy:**

<b>Project Title and Project Manager</b>	<b>Update</b>	<b>Amount Authorized/Expended</b>	<b>Work Completed Percentage</b>
<b>PAR 1375 – Transformer and ARMS Standardization</b> C. Geier	The consultant has developed design guides for both transformer protection and Arcflash Reduction Maintenance System control scheme for future projects; made modifications to existing equipment; and submitted the Issued for Construction drawings.	GEN Authorized: \$125,000 FAR Authorized: \$125,000 <b>Total Authorized: \$250,000</b> GEN Expended: \$125,000 FAR Expended: \$125,000 <b>Total Expended: \$250,000</b>	100 Percent
<b>PAR 1397 – Electric Fleet Vehicle Charging Infrastructure</b> C. Geier	Installation, testing, and commissioning of all four charging stations has been completed. Two stations are located near the Technical Services Building, one at the Resource Recovery and Reuse Biosolids and Fleet Services Building, and one at the METROGRO Farm (Farm). The radio frequency identification cards needed to use the stations at the RWHTF have been activated.	GEN Authorized: \$250,000 Expended: \$153,777	100 Percent
<b>PAR 1398 – Effluent Temperature Compliance Study</b> A. Norford	The draft report was completed in 2022 and identified areas of opportunity to incorporate heat recovery into the HVAC systems at the RWHTF, offering thermal pollution reduction while reducing the combustion of natural gas for heating buildings and sludge in support of anaerobic digestion. Staff is currently investigating funding and execution opportunities for the implementation of the identified <a href="#">heat recovery</a> projects. The report is expected to be finalized in early 2023 and the project will be closed shortly thereafter.	GEN Authorized: \$250,000 Expended: \$239,021	95 Percent

<p><b>PAR 1401 – Alternative Energy Evaluation</b>                  J. Trujillo</p>	<p>The Project Team is drafting an RFP to engage a solar photovoltaic (PV) developer and/or consulting engineer to evaluate/study the feasibility of solar PV at various Metro Water Recovery facilities and ultimately design, construct, operate, and maintain solar PV installations. The current schedule is to finalize the RFP by March with proposals due in April and execute an agreement with the developer or consulting engineer by June 2023.</p>	<p>GEN Authorized: \$75,000                  Expended: \$ 200</p>	<p>5 Percent</p>
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## Liquids:

### Featured Project:

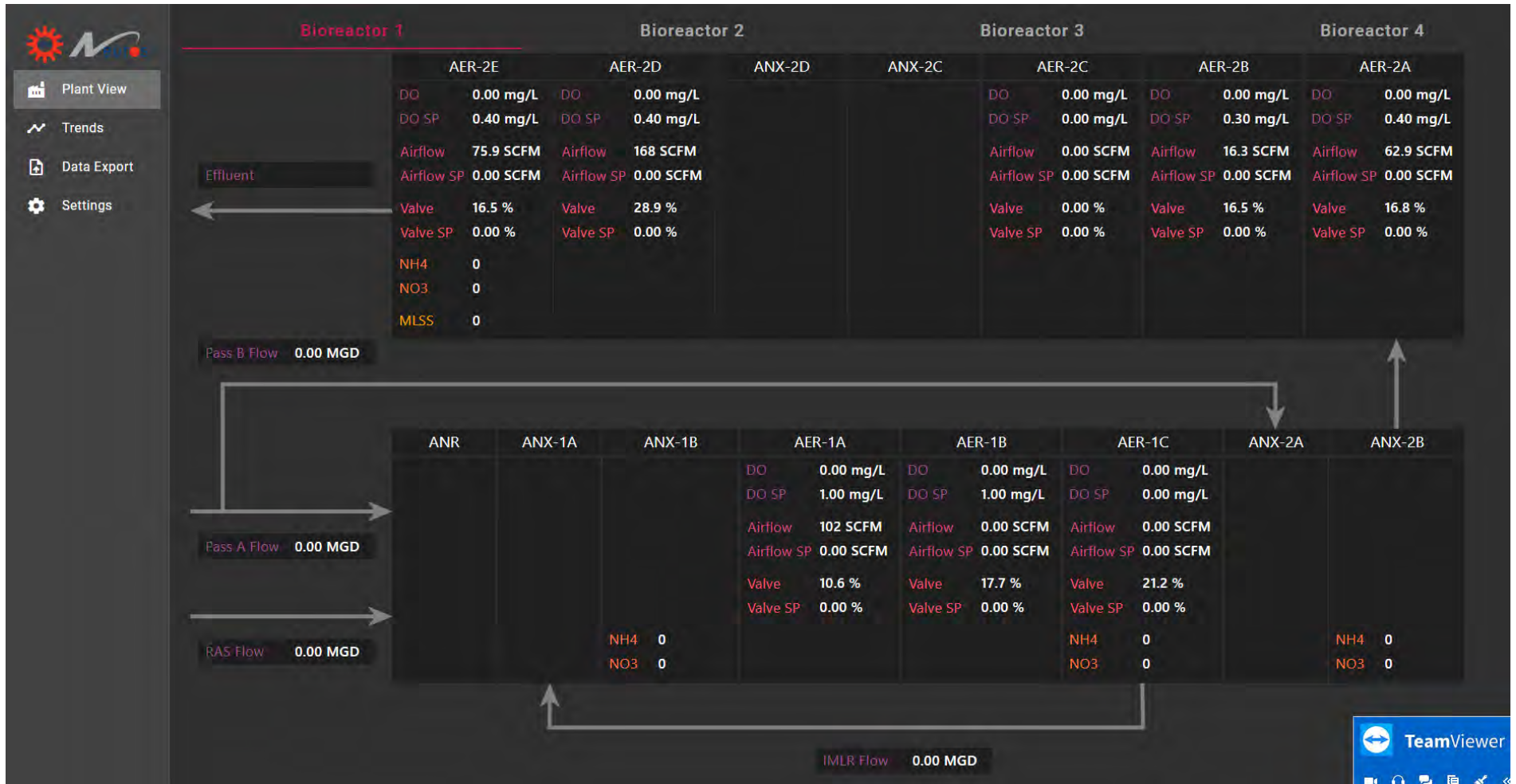
#### **PAR 1390 – Aeration Control Strategy Review and Implementation** (D. Freedman)

Aeration of the activated sludge process at water resource recovery facilities is the highest energy consumption area of a treatment facility. Since aeration is energy intensive, automated aeration controls are often applied to constrain the system from supplying dissolved oxygen (DO) in excess of demand. While focused on achieving energy efficiency goals, Metro Water Recovery is also facing tighter future effluent discharge limits for ammonia, which will require more reliable and consistent nitrification. Market offerings for advanced data-driven controllers have developed to the point where the technology can effectively mitigate operational risk while simultaneously minimizing operating costs by optimizing aeration control beyond the capability of traditional proportional-integral-derivative (PID) control algorithms. While Metro has been operating a sophisticated, mechanistic, feed-forward ammonia-based aeration control (ABAC) strategy at the RWHTF North Secondary (NSEC), the South Secondary (SSEC) and NTP have employed less sophisticated feedback control and direct DO control, respectively. Recognizing these controllers will need to be upgraded to support future treatment requirements, this study was launched to proactively evaluate and recommend an aeration control strategy. The deployment and gathered observations will also provide helpful information for the NSEC Upgrades and Intensification Project (PAR 1411), which will be replacing and upgrading the NSEC aeration equipment and associated controllers.

The project team identified an opportunity to partner with APG-Neuros (APGN) on a full-scale demonstration of their newly developed advanced aeration control (AAC) platform at the NTP. The APGN AAC employs a data-driven, machine-learning model to calculate optimized control setpoints. In preparation for deployment of the control platform, the project team designed and implemented a major analytical instrumentation upgrade in BioReactor No. 4. The sensor data resulting from this upgrade is critical for the successful implementation and optimization of any advanced aeration control system. After completion of the instrumentation upgrade in October 2022, the APGN AAC was deployed to the NTP in November.

Since that time, the model has been collecting data and running simulations to calibrate against real-time plant data. Additional control system modifications are underway to support the implementation. The system is scheduled to go live for real-time operational control in the first quarter of 2023.

<p><b>GEN Authorized: \$250,000</b></p>	<p><b>Expended: \$111,812</b></p>	<p><b>Work Completed: 20%</b></p>
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User Interface of the APG-Neuros Advanced Aeration Controller

Other Projects:

Project Title and Project Manager	Update	Amount Authorized/Expended	Work Completed Percentage
<b>PAR 1336 – North Secondary Pilot Program</b> R. Maltos	Innovative process concepts and new technologies and equipment are being investigated and tested for the ability to improve performance, increase energy efficiency, and increase the ease of operation and maintenance while simultaneously delivering overall secondary capacity needs at the RWHTF. Hydrocyclones were selected for a technological evaluation to increase the treatment capacity of the NSEC, allowing for the retention of current rated capacity at future permit limits. While the initial pilot experiment and study have reached completion, the pilot will continue to be operated for the next few months to support design of PAR 1411 and an ongoing Water Research Foundation study of which Mr. Maltos is a co-principal investigator.	GEN Authorized: \$250,000 Expended: \$197,645	90 Percent
<b>PAR 1373 – Innovation and Research Initiatives</b> K. Gedge	This small project supports multiple studies including support of the city of Aurora's Box Elder Feasibility Study and change management and support of water research projects such as source identification, control, fate, and transport of PFAS occurrence in U.S. wastewater treatment plants.	GEN Authorized: \$250,000 Expended: \$118,721	50 Percent
<b>PAR 1381 – NTP Effluent Pond Herbicide Treatment for Aquatic Nuisance Species</b> S. Lundt	Staff's goal is to eradicate and prevent further spread of non-native, aquatic nuisance species (ANS) from the NTP ponds. 2022 was the third and final year of treatment for all three NTP ponds. This project will go through the close out process in early 2023. No invasive plants were documented during plant surveys in 2022.	GEN Authorized: \$75,000 Expended: \$73,111	100 Percent
<b>PAR 1385 – NTP Post Startup Evaluation</b> T. Worley-Morse	Short-term improvements to the <a href="#">post-aerobic digestion</a> system have been identified and final cost estimates have been completed for Phase Gates initiation under the solids program. Safety improvements have been identified and ranked for execution under the operational risk management program. Cost estimates have been prepared for improvements to the plant recycle water system for execution under the support facilities program. Various additional plant needs and improvements have been identified, and the project team is finalizing a memo to document the highest, near-term priorities.	GEN Authorized: \$250,000 Expended: \$ 95,725	85 Percent

<b>PAR 1410 – 2021 Process Optimization</b> R. Maltos	<p>The evaluation of an online microbial measurement instrument for continuous monitoring of pre-disinfection Escherichia coli (E. coli) is being conducted to understand the potential application for optimizing disinfectant dose control. The instrument piloting was completed in the fourth quarter of 2022, and data analysis is ongoing. The project also procured a zeta-potential device for measuring electrokinetic potential as a means to optimize sludge granulation and/or dewatering polymer dose. The data is being used to support PAR 1336 and PAR 1411. An additional optical instrument was procured for direct control of dewatering polymer. Implementation and test plans are in progress.</p>	GEN Authorized: \$250,000 Expended: \$ 78,117	20 Percent
<b>PAR 1411 – North Secondary Upgrades and Intensification</b> A. Norford	<p>Hazen &amp; Sawyer, P.C., (Hazen) supported this study phase work (managed by Technology and Innovation Senior Wastewater Process Engineering Manager Dan Freedman) and completed it in June 2022. Stantec Inc./Hazen/NEI Electric Power Engineering, Inc., was selected as the consultant team for design, and this project will transfer from a small to a large project and will reimburse small project funds.</p>	FAR Authorized: \$250,000 Expended: \$211,200	100 Percent
<b>PAR 1422 – Dissolved Organic Nutrients Evaluation</b> J. Hlad	<p>Routine sampling efforts began in July 2022 to quantify the baseline particulate and dissolved organic nitrogen and phosphorus nutrient fractions at the influent and effluent of the RWHTF and NTP. Concurrent routine sampling was conducted at the Denver Water Recycling Plant to study the treatment efficacy of their conventional tertiary treatment system. Beginning in November 2022, Metro Water Recovery and the Colorado School of Mines began operation of a pilot-scale advanced treatment system at the RWHTF to understand if additional treatability is available through ozonation and biologically active filtration. Full-scale and pilot operation, sampling, and analysis will be ongoing through 2023. The information collected will be used to inform future facility planning.</p>	GEN Authorized: \$250,000 Expended: \$ 7,002	30 Percent
<b>PAR 1430 – 2022 Process Optimization</b> D. Freedman	<p>Process Optimization was initiated as an annually recurring small project for the completion of studies, demonstrations, or other efforts to assess the viability of optimizing treatment processes. The projects have the common goal of generating long-term sustainable operating cost savings. The 2022 Process Optimization Efforts project will evaluate digital solutions for intelligent, data-driven operation and control at the NTP. An RFP is under development and scheduled for solicitation in the first quarter of 2023. The intent is to begin with digital platform procurement, followed by procurement of an Owner’s Advisor to support the implementation phase.</p>	GEN Authorized: \$250,000 Expended: \$ 0	0 Percent

**Operational Risk Management:**

<b>Project Title and Project Manager</b>	<b>Update</b>	<b>Amount Authorized/Expended</b>	<b>Work Completed Percentage</b>
<b>PAR 1307 – North and South Entry Gate Emergency Notification Improvement</b> L. Chamberlain	The final programmable logic controller upgrade is scheduled to fully integrate the signs with supervisory control and data acquisition and with the plant emergency and announcement system. The project is scheduled to be completed in the first quarter of 2023.	GEN Authorized: \$250,000 Expended: \$190,983	95 Percent
<b>PAR 1347 – RWHTF HazMat Shelter-In-Place Rehabilitation</b> M. Gipe, B. O'Malley	This project provides modifications and upgrades to the HazMat controls in office buildings, eliminating inconsistencies between shelter-in-place locations on the RWHTF plant site. Additionally, some HazMat shelter-in-place locations in process areas are being decommissioned and several new ones are being added for better distribution across the plant site.	FAR Authorized: \$250,000 Expended: \$233,317	98 Percent
<b>PAR 1350 – RWHTF Radio System Upgrade Project</b> K. Burton	Motorola conducted an assessment for digital radio performance from analog. Staff is conducting a digital coverage test with a local vendor for the RWHTF, NTP, and Farm, and has procured new digital radios.	FAR Authorized: \$250,000 Expended: \$169,956	65 Percent
<b>PAR 1355 – Dynamic Safety System</b> B. O'Malley	Final program development of an Asbestos Management plan was completed in July 2022 along with associated training presentations. Training at the awareness and maintenance level is now available with rollout dependent on a survey (separate project) taking place in 2023. A spreadsheet to be used to track asbestos surveys in 2023 is completed.	GEN Authorized: \$200,000 Expended: \$185,530	100 Percent
<b>PAR 1365 – Fall Protection Infrastructure Improvements</b> B. O'Malley	Bulk swing installation work is complete as are the technical guidelines for fall protection design. An additional request of \$10,000 to the Capital Planning Workgroup was approved to cover the cost of swing gates on the SSEC clarifiers. This installation was completed in October 2022.	GEN Authorized: \$210,000 Expended: \$203,233	100 Percent

## Solids:

### Featured Project:

#### **PAR 1404 – Solids Evaluation**

(D. Stillwell)

The RWHTF processes solids from the NSEC and SSEC using various technologies including [gravity thickening](#), [dissolved air floatation \(DAF\)](#), [anaerobic digestion](#), phosphorus sequestration, and [centrifuge dewatering](#). The 2018 Facility Plan reviewed the latest solid stabilization practices and assessed the existing processes for capacity, redundancy, and level of service drivers. Several facility improvements were identified. To confirm costs and validate the alternatives, a solids improvements evaluation is needed for a comprehensive review and refinement of the recommended improvements and implementation strategies.

Staff is currently proceeding with the in-house, pre-evaluation scope of work, prior to issuing an RFP to secure a consultant to perform the Study. To date, pilot testing of a thickening centrifuge has been completed, with comparative analysis of conventional activated sludge and densified activated sludge. Additionally, an evaluation of the RWHTF's existing screening processes was completed in 2022 and implementation planning is ongoing for a primary sludge screening pilot planned for Spring 2023 (pilot equipment pictured to the right). The results of these evaluations, as well as results from the upcoming Study of PFAS as Related to Biosolids Land Application (PAR 1420), will be incorporated into the Solids Improvement Evaluation. The RFP for this project is expected to be issued early in the third quarter of 2023, at which time the project will transition from a small to a large project.



Huber Drum Screen Pilot Unit

<b>GEN Authorized: \$250,000</b>	<b>Expended: \$141,736</b>	<b>Work Completed: 60%</b>
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Other Projects:

Project Title and Project Manager	Update	Amount Authorized/Expended	Work Completed Percentage
<b>PAR 1354 – Process Building Centrifuge Variable Frequency Drives Replacement</b> D. Miller	The current Process Building's equipment (variable frequency drives) is being used as a bypass for the continued processing of solids as the new Sludge Process Building Improvements Project (PAR 1244) completes construction later this year. As it stands, PAR 1354 is complete, contingent upon completion of PAR 1244.	FAR Authorized: \$75,000 Expended: \$59,071	80 Percent
<b>PAR 1420 – Technical Support for Legal Work</b> J. Hlad	This project was initiated to coordinate and support technical information related to the work being conducted with outside legal counsel under Legal Assistance Fund 1 Project (PAR 1386). Work is progressing on schedule.	GEN Authorized: \$250,000 Expended: \$ 62,174	33 Percent
<b>PAR 1426 – Phosphorus Recovery Facility Reliability Improvements</b> J. Schroeder	The design is progressing on the secondary effluent line from Magprex™. The team has located a vendor capable of manufacturing the specialty lined pipe for the second effluent line.	GEN Authorized: \$250,000 Expended: \$ 11,633	20 Percent

Support Facilities:

Project Title and Project Manager	Update	Amount Authorized/Expended	Work Completed Percentage
<b>PAR 1374 – Facilities Maintenance Satellite Facility Improvements</b> T. Gottschalk	Staff initiated this project to address improvements and deficiencies in the steel structure which was purchased from the SSEC Improvements Project (PAR 1085) contractor for Facilities Maintenance storage use. Delays in material deliveries have extended the original schedule. Work crew commitments changed with the delay in materials causing delays in completion. A change order was issued extending the contract times. The adjusted final completion is expected in the first quarter of 2023.	GEN Authorized: \$100,000 FAR Authorized: \$150,000 <b>Total Authorized: \$250,000</b> GEN Expended: \$ 57,218 FAR Expended: \$ 85,826 <b>Total Expended: \$143,044</b>	85 Percent
<b>PAR 1391 – Boardroom Refresh</b> R. Kedzior	The project team has completed the installation and testing of the equipment. Remaining funds will be used to update the NTP Visitor's Center Conference Room and improve the Boardroom audio. Further progress is expected in 2023.	FAR Authorized: \$250,000 Expended: \$135,598	85 Percent
<b>PAR 1392 – HVAC High Priority Improvements</b>	Replacement of certain HVAC assets which have reached or exceeded their service life will be evaluated, as well as addressing operational	FAR Authorized: \$250,000 Expended: \$178,435	100 Percent



M. Gipe	issues of certain other HVAC fixed assets at both plant sites. The study phase has been completed, and the project is now in the process of passing through the Phase Gates committees to re-evaluate the project's scope, secure additional funding for the remaining phases, and proceed to the design phase.		
<b>PAR 1399 – Support Facilities Master Plan</b> P. Gehlhoff	Project scope included development of a master plan for all support facilities at the RWHTF and NTP, identification of space requirements including future staff projections, functional adjacencies, and work environment trends and will serve as a guide for future capital construction projects. The first draft has been submitted and is currently being reviewed. Comments will be provided to the consulting team and a second draft will be reviewed by the Capital Planning Workgroup before closeout.	GEN Authorized: \$250,000 Expended: \$199,574	95 Percent
<b>PAR 1412 – Administration Office Remodel 2021-22</b> P. Gehlhoff	Interviews to understand staff requirements have been conducted and the project is in design. The project was bid, but staff did not receive any bids for the project. Project scope was reduced to Human Resources (HR)'s Recruiting and Employee Development Team area only. Awaiting delivery of furniture, fixtures, and equipment, which will meet HR's needs.	GEN Authorized: \$250,000 Expended: \$ 1,750	60 Percent

**Work Completed – Closeout in Routing:**

<b>Project Title and Project Manager</b>	<b>Update</b>	<b>Amount Authorized/Expended</b>	<b>Work Completed Percentage</b>
<b>PAR 1271 – RWHTF Electric Gate Actuator Project</b> C. Geier	The electric actuators on 27 large gates and valves located at the SSEC Complex at the RWHTF were installed. The electrical contractor completed their work, the Maintenance Department has installed all actuators, and all are operable. The project has been closed out.	FAR Authorized: \$250,000 Expended: \$ 192,697	100 Percent

**Closed Projects:**

<b>Project Title and Project Manager</b>	<b>Update</b>	<b>Amount Authorized/Expended</b>	<b>Work Completed Percentage</b>
<b>PAR 1341 – Portable Emergency Safety Shower – Disinfection 2018</b> O. West	Portable showers and other equipment were purchased and installed to protect staff from exposure to chemicals used in the disinfection process.	GEN Authorized: \$90,000 Expended: \$87,789	100 Percent
<b>PAR 1407 – Warehouse Assessment and Use Plan</b> S. Light	Staff completed an informal internal assessment and use plan which developed a configuration and floor plan of racking and travel corridors to address warehousing activities. Equipment installation was completed in late 2021.	GEN Authorized: \$100,000 Expended: \$ 93,731	100 Percent

# METRO WATER RECOVERY

## MEMORANDUM

**TO:** Mickey Conway, Chief Executive Officer **DATE:** February 15, 2023  
**FROM:** Andy Nelson, Director of Engineering  
**RE:** Status of Capital Improvement Projects Report Through January 2023

The monthly Status of Capital Improvement Projects Report provides information on capital improvement projects. The Report includes:

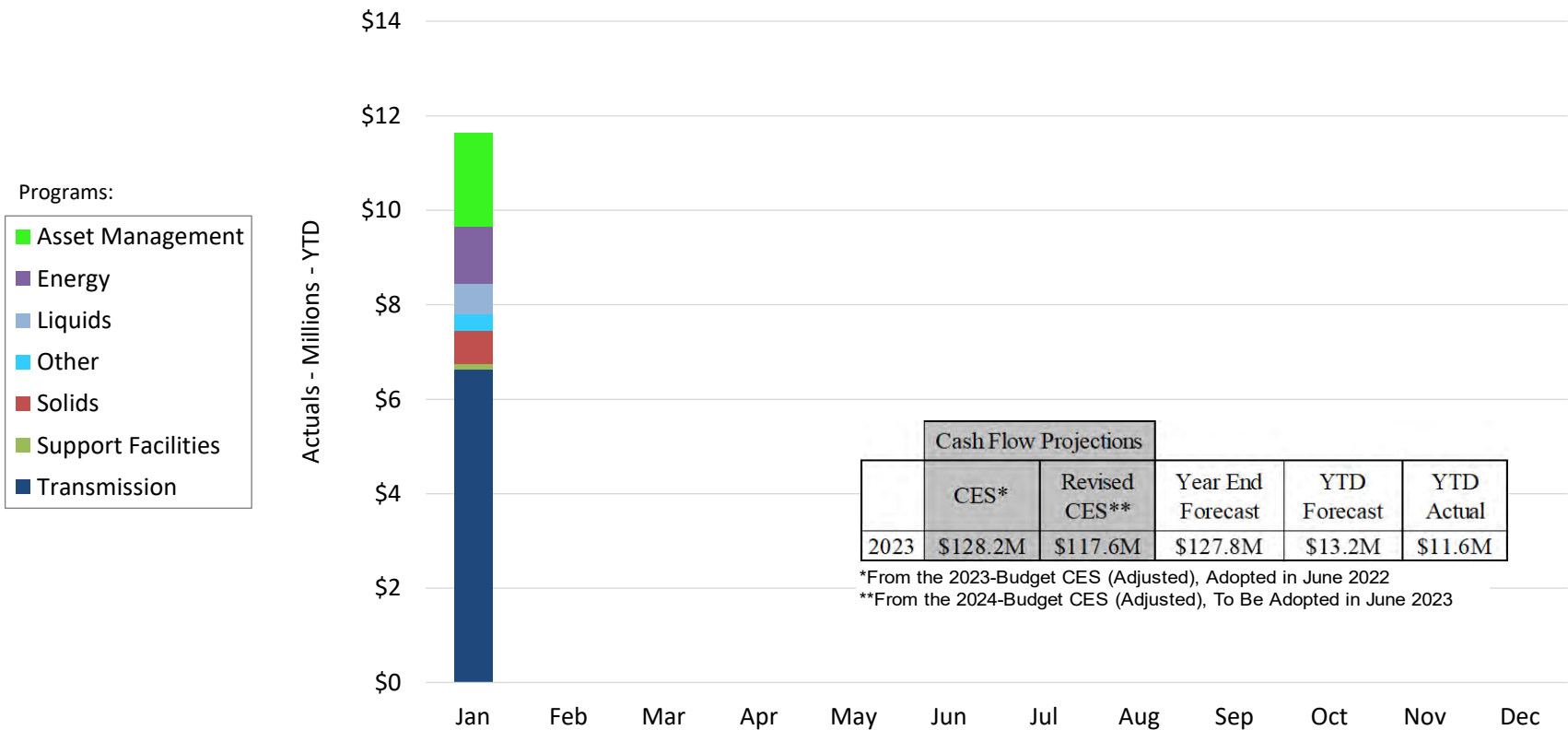
1. Cash Flow Projections versus Actual (Attachment 1): This bar graph provides program-wide cash flow forecast versus actual expenditures and the capital program's monthly cash flow projections for the current year. Content includes the 2023 *Ten-Year Capital Expenditure Schedule* (CES) amount, the Revised 2023 CES amount, dollars spent to date on all capital projects (by Program) and forecast of expenditures. The legend is shown on the attachment.
2. Five-Year Schedule (Attachment 2): This bar graph provides basic project schedule information for significant projects which are currently active or will be initiated in the near term. Content includes the Project Action Request (PAR) number, project name, and a five-year project schedule window showing the previous and current years plus the next three years. The legend is shown on the attachment.
3. Monthly Capital Project Financial Status Report (Attachment 3): This table provides financial information on large capital projects. Content includes general project information, active phase, and total project cost information. The Definitions Page provides a definition of certain columns and how each column's value is calculated.

Attachments

# Attachement 1

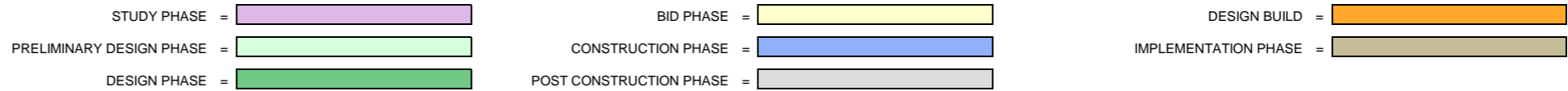
## CAPITAL IMPROVEMENT PROJECTS

### 2023 Cash Flow Projections versus Actuals through January 2023



## Attachment 2 CAPITAL IMPROVEMENT PROJECTS Five-Year Schedule

PAR	PROJECT	2022												2023												2024												2025												2026											
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
	<i>SUPPORT FACILITIES</i>																																																												
1369	TSB FARs and Improvements	[Gantt bars: 2022 Jan-Dec, 2023 Jan-Mar, 2024 Jan]																																																											
	<i>ASSET MANAGEMENT</i>																																																												
1379	2020 Annual Fixed Asset Replacement Priorities	[Gantt bars: 2022 Jan-Dec, 2023 Jan]																																																											
1408	Potable Waterline Replacement	[Gantt bars: 2022 Jan-Dec, 2023 Jan]																																																											
	<i>LIQUIDS</i>																																																												
1225	South Headworks and Grease Processing Improvements	[Gantt bars: 2022 Jan-Dec, 2023 Jan]																																																											
1396	NTP Primary Clarifier Cover Damage Repair	[Gantt bars: 2022 Jan-Dec, 2023 Jan-Dec, 2024 Jan-Dec]																																																											
1400	PAA Disinfection System Improvements	[Gantt bars: 2022 Jan-Dec, 2023 Jan-Dec, 2024 Jan-Dec]																																																											
1416	NTP Effluent Temperature	[Gantt bars: 2022 Apr-Dec, 2023 Jan-Dec, 2024 Jan-Dec, 2025 Jan-Dec, 2026 Jan-Dec]																																																											
	<i>SOLIDS</i>																																																												
1244	Solids Processing Building Improvements	[Gantt bars: 2022 Jan-Dec, 2023 Jan]																																																											
	<i>ENERGY</i>																																																												
1265	Electrical Transmission Service Substation	[Gantt bars: 2022 Jan-Dec, 2023 Jan-Dec, 2024 Jan-Dec]																																																											
1395	Cogeneration Equipment Replacement	[Gantt bars: 2022 Jan-Dec, 2023 Jan-Dec, 2024 Jan]																																																											
	<i>TRANSMISSION</i>																																																												
1232	Second Creek Interceptor Sand Creek Interceptor System Improvements	[Gantt bars: 2022 Jan-Dec, 2023 Jan-Dec, 2024 Jan-Dec, 2025 Jan-Dec]																																																											
1312	Lift Station (TNW & DM)	[Gantt bars: 2022 Jan-Dec, 2023 Jan-Dec, 2024 Jan-Dec, 2025 Jan-Dec]																																																											
1325	Transmission System Rehabilitation 2020	[Gantt bars: 2022 Jan-Dec, 2023 Jan]																																																											
1340	Force Main and Siphon Condition Assessment and Cleaning	[Gantt bars: 2022 Jan-Dec, 2023 Jan]																																																											
1363	Interceptor Rehabilitation 2020-2022	[Gantt bars: 2022 Jan-Dec, 2023 Jan]																																																											





### Attachment 3 Monthly Capital Projects Financial Status Report

						ACTIVE PHASE									TOTAL PROJECT				
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
PAR #	Project Name	Active Phase	Deliv Meth	Consultant(s)	Contractor(s)	Appropriations	Consultant			Contractor			Other Tasks	Remaining Contingency	Costs to Date	Total Project Cost Estimate	Total Appropriations	Total Costs to Date	Total Variance
							Contracts	Amendments	%	Contracts	Change Orders	%							
<b>Support Facilities</b>																			
1369	TSB FARs and Improvements	Construction	DBB	Metro Water Recovery	TCC Corporation	\$1,350,000	\$17,500	\$0	0.0%	\$1,076,758	\$687,876	176.9%	\$111,244	\$144,498	\$987,351	\$1,350,000	\$1,350,000	\$994,020	\$355,980
<b>Sub Total for Support Facilities :</b>						<b>\$1,350,000</b>	<b>\$17,500</b>	<b>\$0</b>		<b>\$1,076,758</b>	<b>\$687,876</b>		<b>\$111,244</b>	<b>\$144,498</b>	<b>\$987,351</b>	<b>\$1,350,000</b>	<b>\$1,350,000</b>	<b>\$994,020</b>	<b>\$355,980</b>
<b>Asset Management</b>																			
1379	Annual Fixed Asset Replacement Priorities	Construction	N/A	NEI	Moltz and Sturgeon	\$7,375,000	\$140,000	\$0	0.0%	\$6,525,000	(\$200,000)	-3.0%	\$210,000	\$500,000	\$2,933,428	\$11,728,000	\$12,928,000	\$6,275,391	\$6,652,609
1408	Potable Waterline Replacement	Construction	N/A	Adams County	Adams County	\$1,825,000	\$0	\$0	0.0%	\$1,652,000	\$1,002,000	154.2%	\$15,000	\$158,000	\$65,104	\$1,825,000	\$1,825,000	\$65,104	\$1,759,897
<b>Sub Total for Asset Management :</b>						<b>\$9,200,000</b>	<b>\$140,000</b>	<b>\$0</b>		<b>\$8,177,000</b>	<b>\$802,000</b>		<b>\$225,000</b>	<b>\$658,000</b>	<b>\$2,998,531</b>	<b>\$13,553,000</b>	<b>\$14,753,000</b>	<b>\$6,340,495</b>	<b>\$8,412,505</b>
<b>Liquids</b>																			
1225	South Headworks and Grease Processing Improvements	Construction	DBB	Carollo Engineers, Inc	MWH Constructors, Inc	\$67,124,067	\$9,023,100	\$2,937,200	48.3%	\$54,944,343	\$1,944,352	3.7%	\$2,660,045	\$496,579	\$66,375,491	\$71,498,000	\$71,498,000	\$70,750,894	\$747,106
1396	NTP Primary Clarifier Cover Damage Repair	Construction	DBB	Stantec Consulting Services, Inc	Hensel Phelps Construction	\$5,919,278	\$129,500	\$0	0.0%	\$4,988,000	\$0	0.0%	\$50,000	\$751,778	\$338,956	\$6,000,000	\$6,000,000	\$409,177	\$5,590,823
1400	PAA Disinfection System Improvements	Design	CMAR	CDM Smith, Inc.	Garney Construction	\$1,581,944	\$1,367,765	\$200,000	17.1%	\$0	\$0	0.0%	\$71,325	\$142,854	\$1,212,140	\$13,000,000	\$4,080,000	\$2,070,196	\$2,009,804
1416	NTP Effluent Temperature	Study Phase	N/A	Stantec Consulting Services, Inc	Hensel Phelps Construction Co	\$691,000	\$345,000	\$95,000	38.0%	\$0	\$0	0.0%	\$266,000	\$80,000	\$232,454	\$21,970,000	\$2,036,000	\$368,146	\$1,667,854
<b>Sub Total for Liquids :</b>						<b>\$75,316,289</b>	<b>\$10,865,365</b>	<b>\$3,232,200</b>		<b>\$59,932,343</b>	<b>\$1,944,352</b>		<b>\$3,047,370</b>	<b>\$1,471,212</b>	<b>\$68,159,040</b>	<b>\$112,468,000</b>	<b>\$83,614,000</b>	<b>\$73,598,413</b>	<b>\$10,015,587</b>
<b>Solids</b>																			
1244	Solids Processing Building Improvements	Construction	DBB	Brown And Caldwell	MWH Constructors, Inc	\$89,637,329	\$8,704,942	\$463,688	5.6%	\$76,551,836	\$2,356,071	3.2%	\$950,000	\$3,430,551	\$78,429,244	\$96,757,000	\$96,757,000	\$85,434,279	\$11,322,721
<b>Sub Total for Solids :</b>						<b>\$89,637,329</b>	<b>\$8,704,942</b>	<b>\$463,688</b>		<b>\$76,551,836</b>	<b>\$2,356,071</b>		<b>\$950,000</b>	<b>\$3,430,551</b>	<b>\$78,429,244</b>	<b>\$96,757,000</b>	<b>\$96,757,000</b>	<b>\$85,434,279</b>	<b>\$11,322,721</b>
<b>Energy</b>																			
1265	Electrical Transmission Service Substation	Design	CMAR	NEI	PCL Construction, Inc.	\$2,076,422	\$1,780,500	\$0	0.0%	\$0	\$0	0.0%	\$50,000	\$245,922	\$1,457,300	\$39,700,000	\$33,026,500	\$3,473,077	\$29,553,423
1395	Cogeneration Equipment Replacement	Pre-Design	CMAR	Carollo Engineers, Inc	Moltz Construction, Inc	\$707,000	\$707,000	\$0	0.0%	\$0	\$0	0.0%	\$0	\$0	\$681,770	\$44,100,000	\$3,570,976	\$1,375,136	\$2,195,840
<b>Sub Total for Energy :</b>						<b>\$2,783,422</b>	<b>\$2,487,500</b>	<b>\$0</b>		<b>\$0</b>	<b>\$0</b>		<b>\$50,000</b>	<b>\$245,922</b>	<b>\$2,139,069</b>	<b>\$83,800,000</b>	<b>\$36,597,476</b>	<b>\$4,848,213</b>	<b>\$31,749,263</b>



### Attachment 3 Monthly Capital Projects Financial Status Report

						ACTIVE PHASE									TOTAL PROJECT				
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
PAR #	Project Name	Active Phase	Deliv Meth	Consultant(s)	Contractor(s)	Appropriations	Consultant			Contractor			Other Tasks	Remaining Contingency	Costs to Date	Total Project Cost Estimate	Total Appropriations	Total Costs to Date	Total Variance
							Contracts	Amendments	%	Contracts	Change Orders	%							
<b>Transmission</b>																			
1232	Second Creek Interceptor and Sand Creek Interceptor System Improvements	Construction	CMAR	HDR Engineering, Inc	Garney Construction	\$162,373,992	\$13,830,000	\$0	0.0%	\$136,216,409	\$3,553,879	2.7%	\$5,000,000	\$7,327,583	\$109,519,245	\$194,309,000	\$192,901,417	\$130,614,572	\$62,286,845
1312	Lift Station (TNW & DM)	Construction	CMAR	Stantec Consulting Services, Inc	PCL Construction	\$38,450,000	\$2,833,000	\$0	0.0%	\$31,960,000	\$0	0.0%	\$1,325,000	\$2,332,000	\$6,852,032	\$41,726,000	\$41,726,000	\$10,068,108	\$31,657,892
1325	Transmission System Structure Rehabilitation 2020	Construction	DBB	Mott MacDonald	Iron Woman Construction	\$3,568,816	\$91,996	\$1,780	2.0%	\$2,852,077	(\$306,523)	-9.7%	\$7,000	\$617,743	\$1,677,087	\$4,008,316	\$4,008,316	\$2,041,451	\$1,966,865
1340	Force Main and Siphon Condition Assessment and Cleaning	Construction	DBB	Brown & Caldwell	Doestch Environmental Services	\$6,211,709	\$443,000	\$0	0.0%	\$5,185,585	\$0	0.0%	\$20,000	\$563,124	\$3,249,100	\$6,859,000	\$6,859,000	\$3,896,391	\$2,962,609
1363	Interceptor Rehabilitation 2020-2022	Design	CMAR	Metro Water Recovery	Granite InLiner, LLC	\$838,000	\$784,000	\$286,000	57.4%	\$0	\$0	0.0%	\$5,000	\$49,000	\$761,425	\$35,812,000	\$35,812,000	\$23,496,434	\$12,315,566
<b>Sub Total for Transmission :</b>						<b>\$211,442,517</b>	<b>\$17,981,996</b>	<b>\$287,780</b>		<b>\$176,214,071</b>	<b>\$3,247,356</b>		<b>\$6,357,000</b>	<b>\$10,889,450</b>	<b>\$122,058,890</b>	<b>\$282,714,316</b>	<b>\$281,306,733</b>	<b>\$170,116,955</b>	<b>\$111,189,778</b>
<b>Report Total:</b>						<b>\$389,729,558</b>	<b>\$40,197,303</b>	<b>\$3,983,668</b>		<b>\$321,952,008</b>	<b>\$9,037,655</b>		<b>\$10,740,614</b>	<b>\$16,839,633</b>	<b>\$274,772,126</b>	<b>\$590,642,316</b>	<b>\$514,378,209</b>	<b>\$341,332,374</b>	<b>\$173,045,835</b>

### ATTACHMENT 3 - DEFINITIONS

COLUMN	COLUMN TITLE & DEFINITION
D	<p><b>Delivery Method:</b> DBB = Design/Bid/Build (Traditional Metro Water Recovery Delivery Method)</p> <p>DB = Design/Build (Progressive, Collaborative)</p> <p>CMAR = Construction Manager at Risk</p> <p>N/A = Studies, Facility Plans</p>
G	<b>Appropriation(s)</b> = Total available appropriation for the active phase. Includes requested appropriation number in the Board resolution for the active phase plus unused, available appropriation from any previous phase or phases.
H	<b>Consultant Contract(s)</b> = Original contract plus any amendments (for the active phase). May include more than one consultant contract.
I	<b>Consultant Amendments</b> = Summation of all consultant amendments (for the active phase).
J	<b>Consultant Amendment %</b> = The consulting amendments as a percentage of the original consulting services contract (for the active phase).
K	<b>Contractor Contract(s)</b> = Original contract plus any change orders (for the active phase). A typical project has only one contractor (General Contractor).
L	<b>Change Orders</b> = Summation of change orders (for the active phase).
M	<b>Construction Change Order %</b> = Change Orders as a percentage of the original construction contract (for the active phase).
N	<b>Other Tasks</b> = Administrative costs, materials testing, owner-purchased equipment, land/easement acquisition, etc.
O	<b>Remaining Contingency</b> = Original appropriated contingency minus the portion of contingency used for amendments, change orders, or other tasks.
P	<b>Costs to Date</b> = Active phase payments made as of the report date (shown in the report's upper left corner).
Q	<b>Total Project Cost Estimate (TPCE)</b> = Total appropriations or project cost amount as shown in the <i>Capital Expenditure Schedule (CES)</i> .
R	<b>Total Appropriations</b> = Total requested appropriation amount in the Board resolution. This value is a summation of appropriations from all project phases to date.
S	<b>Total Costs to Date</b> = Payments made as of the report date (shown in the report's upper left corner). This amount is a summation of all payments for all project phases to date.
T	<b>Total Variance</b> = Total Appropriations minus Total Costs to Date. Includes remaining portion of agreements, contracts, other tasks, and contingency.



# METRO WATER RECOVERY

## CURRENT ACTIVITIES/OPERATIONAL PERFORMANCE REPORT

January 2023 – February 2023

### NORTHERN TREATMENT PLANT Current Activities

#### Northern Treatment Plant Cooling Tower Demonstration

This winter, the Northern Treatment Plant (NTP) began initial testing of cooling tower technology as part of the NTP Effluent Temperature Demonstration. This effort is in response to the approaching effluent temperature discharge permit limits beginning in 2026. These permit limits are based on the Water Quality Control Commission's temperature standards adopted in 2007 to ensure discharges into the South Platte River maintain a normal pattern of diurnal and seasonal fluctuations to protect aquatic life living in our receiving waters. In response to these permit limitations and standards, NTP staff is investigating the feasibility of using cooling towers to achieve adequate effluent cooling.

As there is limited design criteria on cooling towers for municipal wastewater, there are many variables to test for while working toward permit compliance over the next few years. During the current phase of the demonstration, the Technology and Information Department (TID) is gathering data on the optimal media type to use within the tower for secondary effluent cooling



NTP's demonstration  
Cooling Tower.

as well as investigating operational and maintenance challenges with the extreme weather and air temperatures during a typical Colorado winter, as cooling towers are typically used in warmer weather as opposed to cold.

The installation of the cooling tower demonstration began in late December. Over the course of a month, TID worked alongside contractors, with assistance from on-site Maintenance staff, to modify the tertiary influent wet well for secondary effluent testing, install a submersible

pump, piping, instrumentation, and a singular cooling tower designed to test three different types of media for optimal performance. TID has also been working alongside the Control Systems Group and the Operations Department at the NTP to establish communication between the equipment and the Supervisory Control and Data Acquisition (SCADA) system; generate alarms and responses for plant staff; and create trending pages and graphics for staff and the PI System data to monitor the performance of the demonstration.

The cooling tower was commissioned on January 17, 2023, and operation, testing, and data collection will continue through mid-April 2023. There will be an opportunity to tour the demonstration after the Board Workshop in April.

**Robert W. Hite Treatment Facility (RWHTF)  
Permit Compliance Performance—December 2022**

**Discharge Permit/Limits and Effluent Quality**

<u>Parameter</u>	<u>Max. Limit</u>
Suspended Solids, mg/L, 30-day <sup>a</sup>	30.00
CBOD, mg/L, 30-day <sup>b</sup>	17.00
Ammonia (NH <sub>3</sub> ) mg/L, 30-day	5.10
Nitrate plus Nitrite, mg/L, Daily	9.80
E. coli per 100 mL, 30-day	126.00

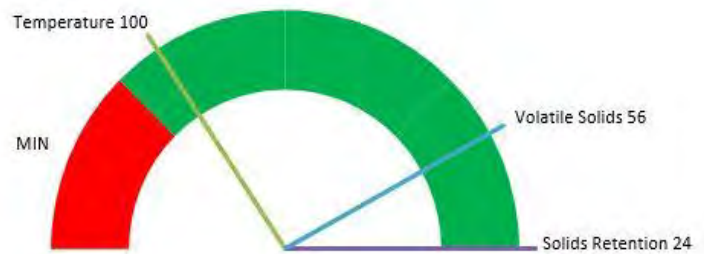
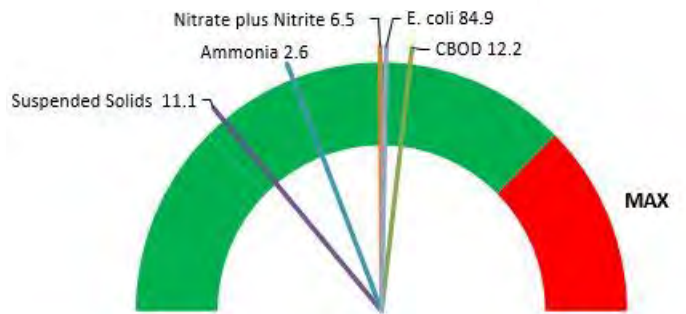
- (a) 7-day average is higher than average due to an outlying data point. Data is being reviewed.
- (b) 7-day average is higher than average due to outlying data points. Data is being reviewed.

**503 Regulations/Anaerobic Digester Limit**

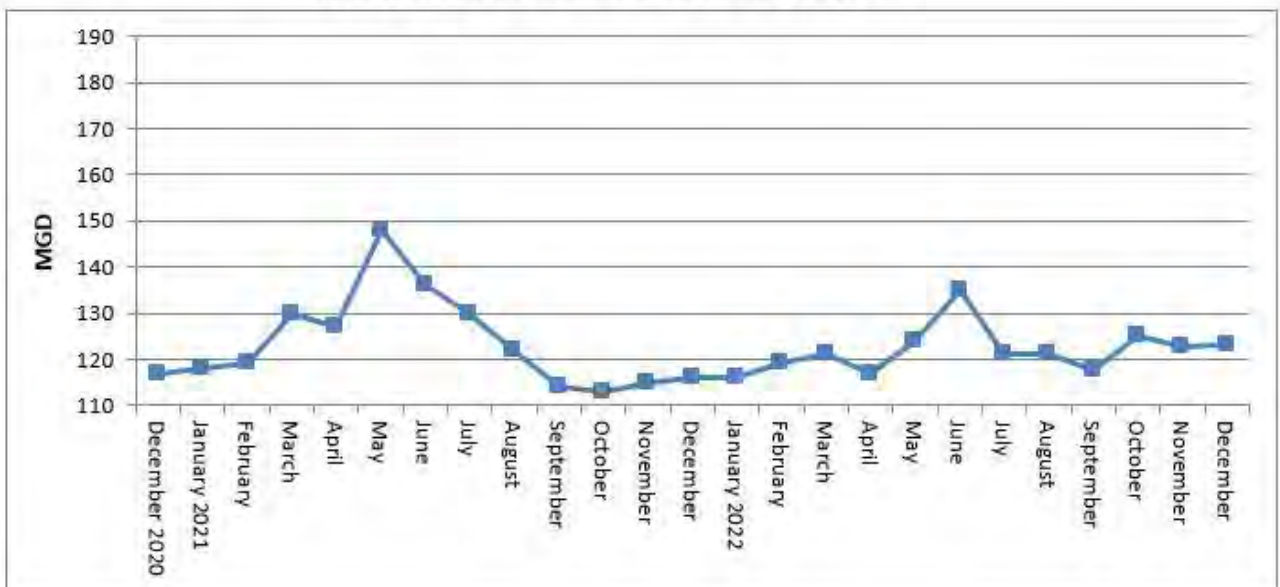
<u>Parameter</u>	<u>Min. Limit</u>
Temperature—Monthly Average °F	95 <sup>1</sup>
Solids Retention – Days	15
Volatile Solids Percent Reduction – Monthly Average	38

<sup>1</sup> A maximum limit also applies; the maximum allowable regulatory monthly average temperature is 131°F.

**Performance**



**RWHTF Total Plant Effluent Flow 2020-2022**

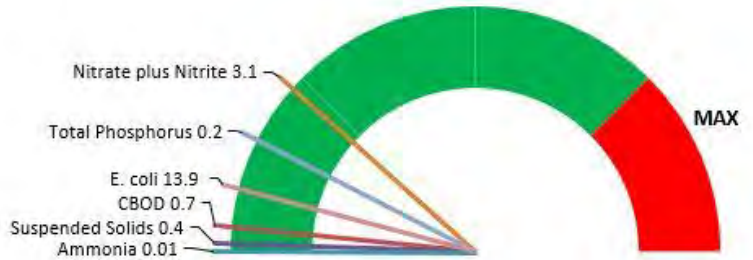


**Northern Treatment Plant (NTP)  
Permit Compliance Performance—December 2022**

**Discharge Permit/Limits and Effluent Quality**

<u>Parameter</u>	<u>Max. Limit</u>
Suspended Solids, mg/L, 30-day	30.00
CBOD, mg/L, 30-day	17.00
Ammonia (NH <sub>3</sub> ) mg/L, daily	9.24
Nitrate plus Nitrite, mg/L, daily	10.00
E. coli, per 100 mL, 30-day	126.00
Total Phosphorus mg/L, running annual median	1.00

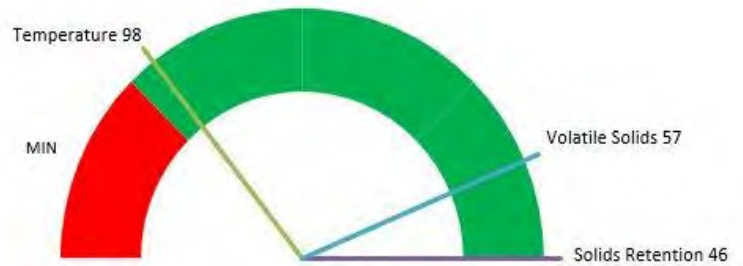
**Performance**



**503 Regulations/Anaerobic Digester Limit\***

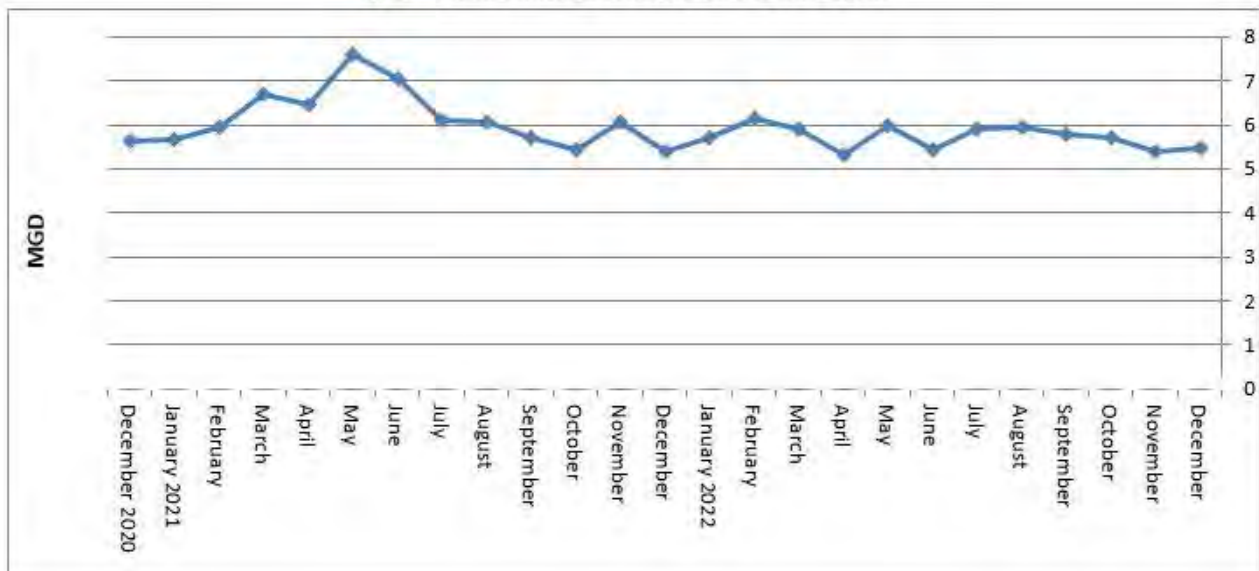
<u>Parameter</u>	<u>Min. Limit</u>
Temperature—Monthly Average °F	95 <sup>1</sup>
Solids Retention – Days	15
Volatile Solids Percent Reduction – Monthly Average	38

<sup>1</sup> A maximum limit also applies; the maximum allowable regulatory monthly average temperature is 131°F.



\*NTP is currently sending all biosolids to a composting facility due to maintenance work; 503 Regulations are not applicable at this time.

**NTP Total Plant Effluent Flow 2020-2022**



**MAINTENANCE DEPARTMENT**  
**Current Activities – January 2023**

**Thornton North Washington Lift Station Valve Replacement**



Mechanical crew replacing the valve at the lift station.

Recently the Maintenance Department’s mechanical crews worked with the Transmission Division team to resolve an issue which arose at the Thornton North Washington lift station. Essentially, a valve failed on one of the pumps and took the pump completely out of service, limiting the redundancy of this equipment.

Although this may seem like a routine job, it was fairly complicated and unique in nature. The failed valve is large (20 inches and weighing 1,500 pounds) and is located 12-15 feet in the air, with very limited access. In order to repair the pump, the project required careful planning and strategy to safely remove the old valve and install the new one. Scaffolding was erected to create a working platform, and



Scaffolding erected to reach valve.

five to six Maintenance workers were needed to maneuver the valve into position. The new valve has been installed and redundancy has now been restored.

**Current Maintenance Summary—January 2023**

January 2023	Jobs Completed	Overtime <sup>a</sup>	Priority 0 <sup>a,b</sup>
Mechanical Maintenance	532	24.30%	2.80%
Electrical Maintenance	268	0.10%	0.80%
Facilities Maintenance	641	0.30%	9.70%

<sup>a</sup> Target overtime and Priority 0 rate is 5 percent or less.

<sup>b</sup> Priority 0 work orders address critical safety, permit, and production issues.

**RESOURCE RECOVERY and REUSE (RR&R) DEPARTMENT**  
**Current Activities**

On February 6, 2023, the Transmission team executed a flow diversion as a component of the Wastewater Flow Management Plan in support of the West and Southside (WSS) Interceptor Rehabilitation. During the rehabilitation of a pipeline using a Cured-In-Place Pipe (CIPP) liner, it is necessary to remove wastewater flow for cleaning, liner insertion, and curing purposes. A substantial portion of the repair cost is related to bypass pumping required to redirect the flow around the rehabilitation area.

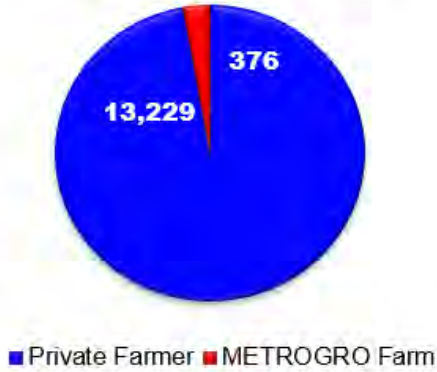


Transmission crew conducting a flow diversion.

To minimize the bypass pumping expenses, the Transmission and Engineering teams collaborated to devise a cost-efficient plan. In the case of the WSS rehabilitation between manholes 51 and 48, a flow diversion structure at WSS 58 enabled the Transmission team to transfer flows from the WSS interceptor to the Platte River interceptor, upstream of the pipeline repair. This flow diversion significantly reduced the flow which needed to be bypassed from 11 million gallons per day (MGD) to less than two MGD, resulting in substantial cost savings for Metro Water Recovery and its ratepayers.

**RR&R DEPARTMENT**  
**Biosolids Management—January 2023**

**RWHTF Total Wet Tons Applied 2023 YTD**

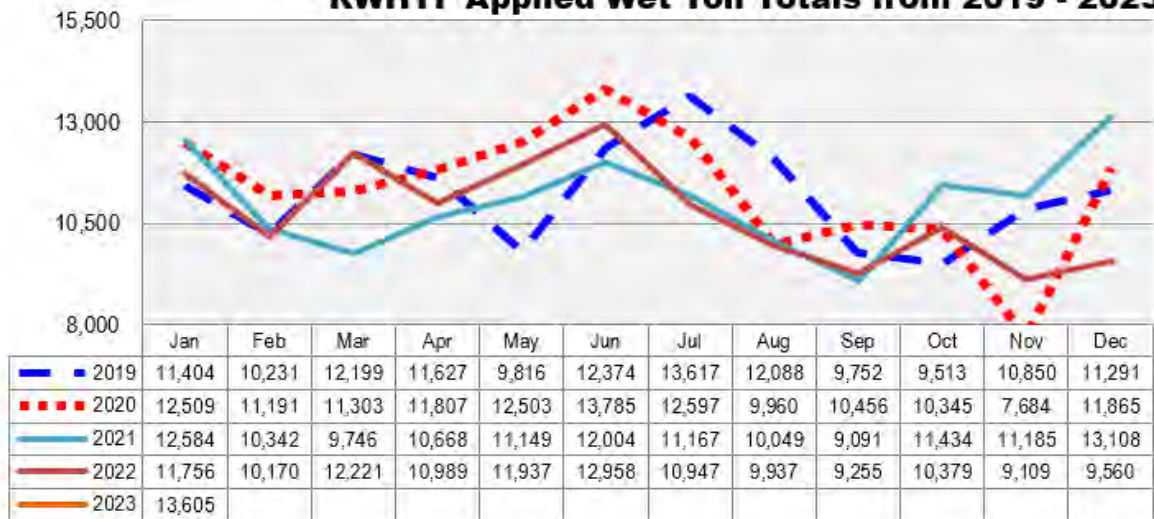


Dry Tons	January 2023	YTD 2023
<b>RWHTF Biosolids</b>		
METROGRO Farm	81	81
Private Farms	2,657	2,657
<b>NTP Biosolids</b>		
Private Composter	100	100
METROGRO Farm	0	0
<b>METROGRO Cake (Total Solids)</b>		
<i>(Percentage)</i>	<b>RWHTF</b>	<b>NTP</b>
Average	20.16	17.88
High	22.00	18.40
Low	17.70	17.00

**METROGRO Farm Schedule 2023**



**RWHTF Applied Wet Ton Totals from 2019 - 2023**



## METRO WATER RECOVERY

### Board of Directors Upcoming Events

Directors are provided information on upcoming events in the monthly committee meeting packets and Chief Executive Officer's Report in the Board packet. Any new information is shown in ***bold italics***. Please add applicable meeting dates to your calendars.

<u>Date</u>	<u>Event/Location</u>
Thursday, March 9, 2023 Immediately following Finance Committee	Finance Committee Budget Workshop Boardroom
Thursday, April 6, 2023 9 a.m. or directly following Finance	Audit Committee Boardroom
Thursday, April 13, 2023 8 a.m. (breakfast served at 7 a.m.)	Spring Board Workshop Northern Treatment Plant Visitor Center Presentation Room
Wednesday, April 19, 2023 TBD	Wastewater Worker Recognition TBD
<b>Wednesday, May 10, 2023</b> 8:30 a.m.	Gold Awards Robert W. Hite Treatment Facility
Thursday, May 18, 2023 7:30 a.m. (breakfast served at 7 a.m.)	Defined Benefit Plan Retirement Board Boardroom
Thursday, May 18, 2023 12:30 p.m. (lunch served at noon)	Defined Contribution Plan Retirement Board Boardroom
Friday, May 19, 2023 TBD	Bike to Work Day TBD
Wednesday, June 14, 2023 TBD	Spring Metro 6.0 Town Hall/Field Day TBD
Thursday, July 20, 2023 7 a.m. depart from Administration Building	METROGRO Farm Tour 1 p.m. depart Farm
Thursday, July 6, 2023 7:30 a.m. (breakfast served at 7 a.m.)	Joint Operations / Finance Committee Boardroom
Monday, August 21, 2023 TBD	New Director Orientation Boardroom
Thursday, August 24, 2023 7:30 a.m. (breakfast served at 7 a.m.)	Defined Benefit Plan Retirement Board Boardroom

<b><u>Date</u></b>	<b><u>Event/Location</u></b>
Thursday, August 24, 2023 12:30 p.m. (lunch served at noon)	Defined Contribution Plan Retirement Board Boardroom
Thursday, October 26, 2023 8 a.m. (breakfast served at 7 a.m.)	Fall Board Workshop TBD
Thursday, November 9, 2023 9 a.m. or directly following Finance	Audit Committee Boardroom
Wednesday, November 15, 2023 TBD	Fall Metro 6.0 Town Hall TBD
Thursday, November 30, 2023 7:30 a.m. (breakfast served at 7 a.m.)	Defined Benefit Plan Retirement Board Boardroom
Thursday, November 30, 2023 12:30 p.m. (lunch served at noon)	Defined Contribution Plan Retirement Board Boardroom
Tuesday, December 19, 2023 4:45 p.m.	Annual Employee Recognition Reception Prior to Board of Directors Meeting





# Spring Board Workshop

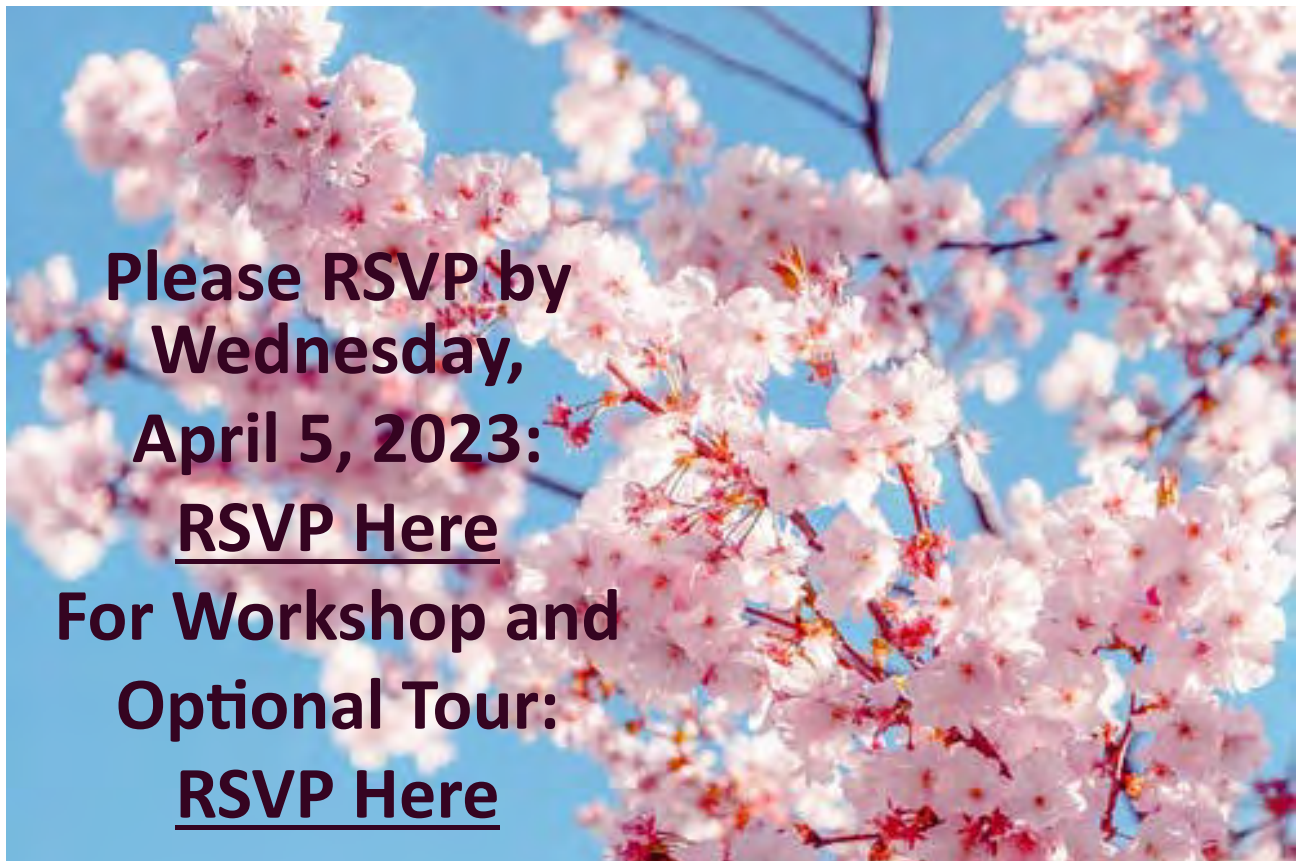
**Thursday, April 13, 2023, 8 a.m.**

(Breakfast available at 7 a.m.,  
Presentations until approximately 2:30 p.m.)

## Northern Treatment Plant

51 Baseline Road, Brighton, CO 80603

**Optional Cooling Tower Demonstration to follow**



**Please RSVP by  
Wednesday,  
April 5, 2023:**

**[RSVP Here](#)**

**For Workshop and  
Optional Tour:**

**[RSVP Here](#)**



# METRO WATER RECOVERY

## **METROGRO Farm Tour** Thursday, July 20, 2023

**7 a.m. Leave from Metro**  
**2:30 p.m. Return to Metro**  
*Long pants and close-toed shoes required*

This a great opportunity to observe summer farm activities  
and learn about the biosolids program.  
Please RSVP in the BoardEffect event by early July.

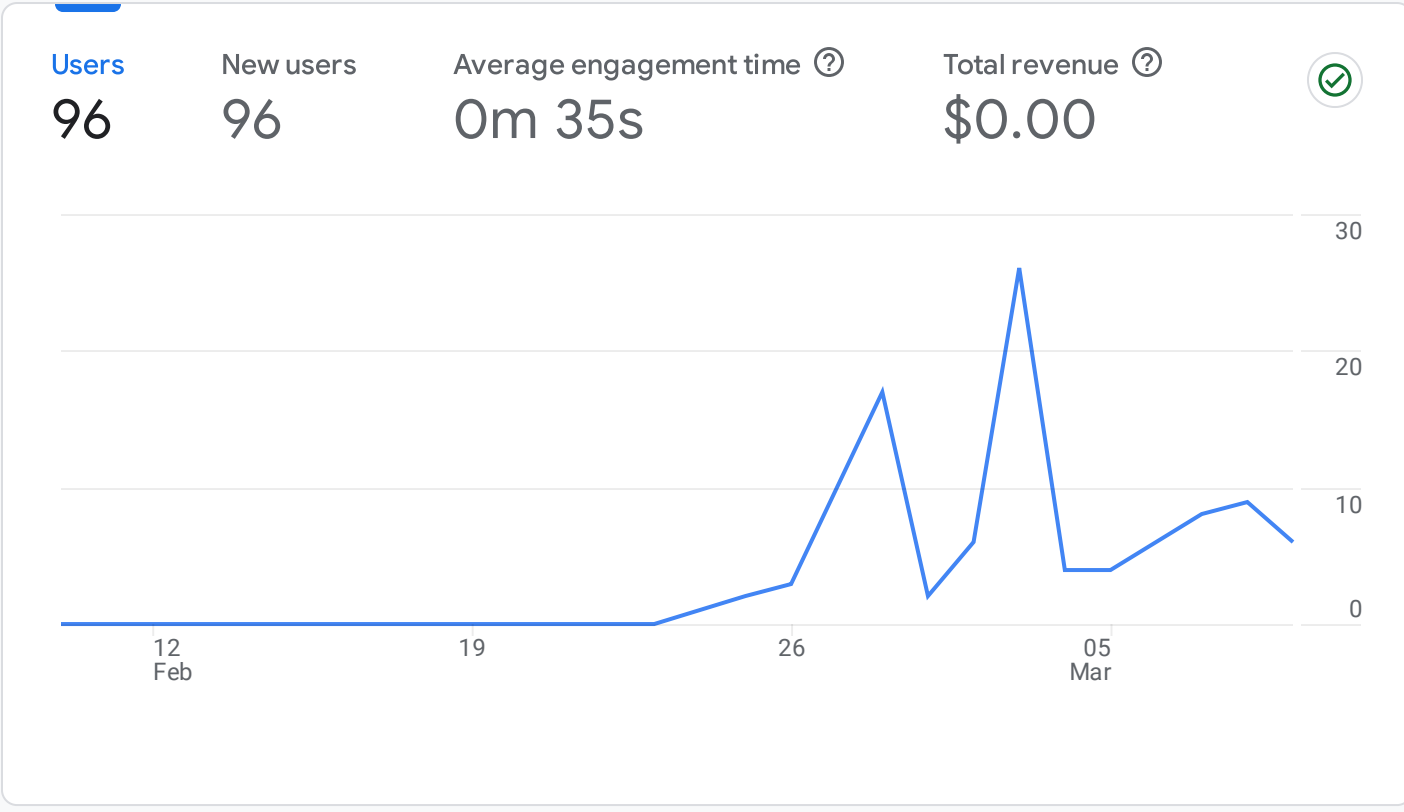


**[RSVP on BoardEffect here](#)**

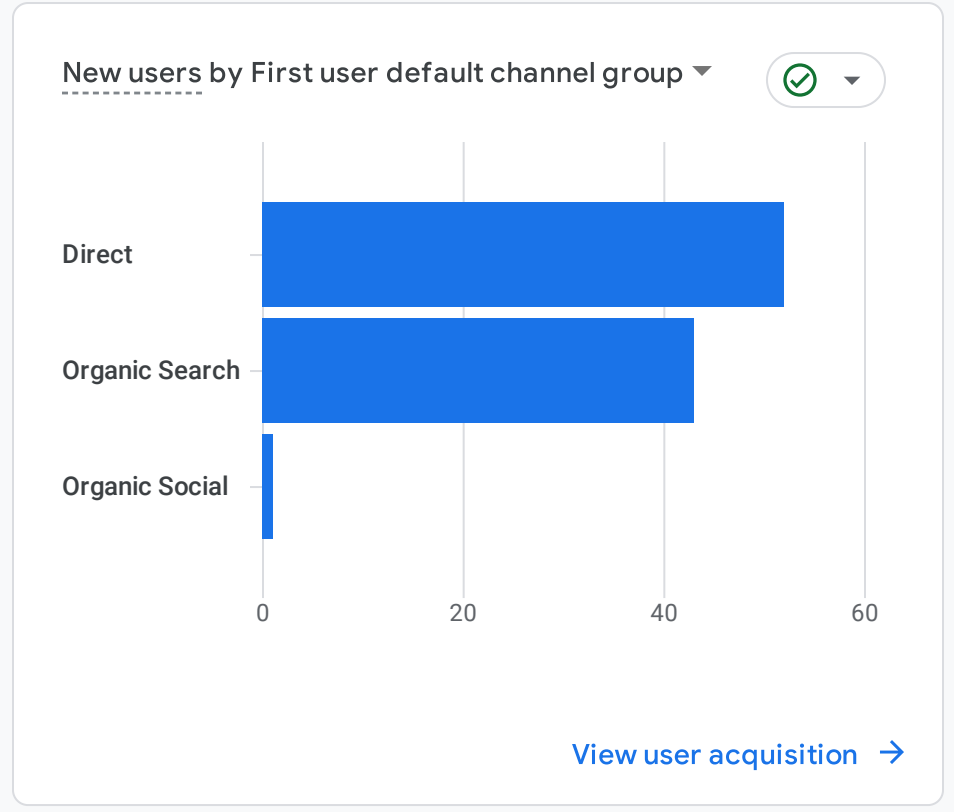
All Users [Add comparison](#)

Last 28 days Feb 10 - Mar 9, 2023

### Reports snapshot



### WHERE DO YOUR NEW USERS COME FROM?



### WHAT ARE YOUR TOP CAMPAIGNS?

