



**AGENDA FOR A REGULAR BOARD OF DIRECTORS' MEETING
SCHEDULED WEDNESDAY, September 27, 2023
at 11:30 a.m.**

Members of the public may listen to the meeting by calling
(888) 398-2342 Access Code: 5608731 [Public - Listening Only].

CALL TO ORDER AND INVOCATION

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. Request Board **to approve** minutes of its Regular Board of Directors' Meeting held on August 23, 2023.

REPORTS OF COMMITTEE

- Executive Committee Meeting held Wednesday, September 27, 2023, at 9:30 a.m.
- Finance Committee Meeting held on Wednesday, September 27, 2023, at 10 a.m.
- Regular Board of Directors' Meeting will be held on Wednesday, October 11, 2023, at 11:30 a.m.
- Regular Board of Directors' Meeting will be held on Wednesday, October 25, 2023, at 11:30 a.m.
- Engineering and Maintenance Committee Meeting will be held on Wednesday, October 18, 2023, immediately after Board Meeting.

REPORTS OF OFFICERS

- A. Chair
- B. Directors
- C. General Manager/Assistant General Manager(s)

UNFINISHED BUSINESS

- None

SPEAKERS

NEW BUSINESS

2. Request Board **to approve** payment of invoices to the following:
 - 2.1 Pat Lynch & Associates for professional services rendered August 2023 in the amount of \$10,000.00.
 - 2.2 Raftelis Financial Consultants, Inc., for professional services rendered August 2023 related to Consolidated Invoices in the amount of \$29,859.55.
 - 2.3 Kelvin W. Howard, LLC for professional services rendered August 2023 in the amount of \$30,090.00.
 - 2.4 Parnell Thompson, LLC for professional services rendered August 2023 in the amount of \$58,850.00.

3. Request Board **to approve** payment of invoice to Moody's Investors Service Inc., for fees related to the Water Infrastructure Finance and Innovation Act (WIFIA) program loan, in the amount of \$85,000.00; as recommended by the Finance Committee.

4. Request Board **to award bids** to the following, as recommended by the Engineering and Maintenance Committee:
 - 4.1 Ferguson Water Works, **the lowest responsible and responsive bidder**, for estimated annual quantities of MJ Valve Adapters, at an out-of-pocket cost to the Board of \$32,572.75; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 0%. Vendor is a direct supplier.]

OF BIDS: 3 MINORITY VENDOR BID: No✓ or Yes NEW VENDOR: No ✓ or Yes

 - 4.2 Walter A. Wood Supply Co., Inc., **the lowest responsible and responsive bidder**, for estimated annual quantities of Rainwear, at an out-of-pocket cost to the Board of \$34,795.85; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 0%. Vendor is a direct supplier.]

NO OF BIDS: 2 MINORITY VENDOR BID: No✓ or Yes NEW VENDOR: No ✓ or Yes

 - 4.3 Consolidated Pipe Co., **the lowest responsible and responsive bidder**, for estimated annual quantities of MJ Retainer Glands, at an out-of-pocket cost to the Board of \$46,045.35; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 0%. Vendor is a direct supplier.]

NO OF BIDS: 4 MINORITY VENDOR BID: No✓ or Yes NEW VENDOR: No ✓ or No

 - 4.4 Ferguson Water Works, **the lowest responsible and responsive bidder**, for estimated annual quantities of Flanged Fittings, at an out-of-pocket cost to the Board of \$51,984.31; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 0%. Vendor is a direct supplier.]

NO OF BIDS: 4 MINORITY VENDOR BID: No✓ or Yes NEW VENDOR: No ✓ or No

 - 4.5 Birmingham Winsupply, **the lowest responsible and responsive bidder**, for estimated annual quantities of Copper Tubing, at an out-of-pocket cost to the Board of \$219,300.00; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 0%. Vendor is a direct supplier.]

NO OF BIDS: 4 MINORITY VENDOR BID: No✓ or Yes NEW VENDOR: No ✓ or Yes

 - 4.6 Core & Main LP, **the lowest responsible and responsive bidder**, for estimated annual quantities of Meter Boxes and Lids, at an out-of-pocket cost to the Board of \$535,300.00; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 0%. Vendor is a direct supplier.]

NO OF BIDS: 5 MINORITY VENDOR BID: No✓ or Yes NEW VENDOR: No ✓ or Yes

 - 4.7 Willoughby Contracting Company, Inc., **the lowest responsible and responsive bidder**, for the replacement of approximately 5,780' of 2" galvanized steel pipe/2" unlined cast iron pipe with approximately 5,780' of 6" DICL pipe and related

appurtenances; and 110 water services along 2nd Street South; 3rd Avenue South; 3rd Street South; Kappa Avenue South; 1st Avenue/Way South; 4th Avenue South; Omega Street South; Delta Street South; Gamma Street South; and Alpha Street South located in the Titusville Community, at a bid amount of \$1,442,667.10; plus estimated cost of materials and Water Board labor in the amount of \$821,287.88; at an estimated out-of-pocket cost to the Board of \$2,263,954.98 and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 34.7%].

NO OF BIDS: 3

MINORITY VENDOR BID: No ✓ or Yes

NEW VENDOR: No ✓ or No

5. Request Board **to exercise its bid options to extend 1-year agreements** to the following, as recommended by the Engineering and Maintenance Committee:

- 5.1 Advanced Asphalt for Part (A), Delivered, at an estimated cost of \$217,500.00, and Dunn Construction for Part (B), Picked-up, at an estimated cost of \$212,375.00, **the lowest responsive and responsible bidders**, for Asphalt COLD Mix procurement methods, at total estimated out-of-pocket cost to the Board of \$429,875.00, effective November 14, 2023; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreements. [NOTE: The Historically Underutilized Business (HUB) participation 0%. Both vendors are direct suppliers.]

NO OF BIDS: 3

MINORITY VENDOR BID: No ✓ or Yes

NEW VENDOR: No ✓ or No

- 5.2 CJ Pressure Cleaning, Inc., **the lowest responsive and responsible bidder**, for Pressure Washing Services throughout the limits of the Board's distribution system at an estimated out-of-pocket cost to the Board of \$750,000.00, effective November 1, 2023; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 100%].

NO OF BIDS: 1

MINORITY VENDOR BID: Yes ✓ or No

NEW VENDOR: No ✓ or No

- 5.3 James Paving Co., LLC, **the lowest responsive and responsible bidder**, for estimated annual quantities of Longitudinal Transverse - Milling and Resurfacing Paving, at an estimated out-of-pocket cost to the Board of \$765,600.00, effective January 1, 2024 – December 31, 2024; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 0%.]

NO OF BIDS: 2

MINORITY VENDOR BID: Yes ✓ or No

NEW VENDOR: No ✓ or No

- 5.4 Allied Universal Security, and **to amend** rates as outlined in the attached addendum to provide Security Services at various sites referenced in the agreement, at an estimated out-of-pocket cost to the Board of \$949,577.00, effective October 1, 2023; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: This expenditure is exempt from bidding under the State of Alabama Competitive Bid Law because it is related to Security.]

- 5.5 Jones Utility & Contracting Co., Inc., and (Item 3) with Black Diamond Paving, LLC, **the lowest responsive and responsible bidders**, for estimated quantities of Standard Patch Paving/Longitudinal Transverse/Milling and Resurfacing at an estimated annual cost of: Item 1 (West) - \$633,000.00; Item 2 (Central) - \$540,000.00; Item 3 (East/South) - \$1,294,310.00; Item 4 (All Districts) - \$106,250.00; Item 5 (All Districts) - \$1,181,500.00. [NOTE: The Historically Underutilized Business (HUB) participation - 30% Jones Utility, 100% Black Diamond].

- 5.6 Tate Contracting & Excavating Inc., **the lowest responsive and responsible bidder**, for Standard Concrete Replacement, at an estimated out-of-pocket cost of to the Board \$2,265,000.00; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 30%].

6. Request Board **to approve expenditures** to the following, as recommended by the Engineering and Maintenance Committee:

6.1 Technical & Scientific Application Inc., for 11 Hewlett Packard Workstations, through the State of Alabama Master Agreement & Alabama State Examiner's office approved contract number (MA230000003893), at an out-of-pocket cost to the Board of \$29,645.00. [NOTE: The Historically Underutilized Business (HUB) participation 0%. This proposal is exempt from bidding under the Alabama Competitive Bid law because it is a purchase from the State of Alabama Master Agreement contract.]

6.2 Environmental Systems Research Institute, Inc., (ERSI) for ArcGIS Annual Subscription & License, to be utilized as the mapping platform to manage and analyze geospatial data related to BWWB distribution and management of water resources, at an out of-pocket cost to the Board of \$50,655.00; and **to authorize** the General Manager and/or Assistant General Manager to execute the agreement. [NOTE: The Historically Underutilized Business (HUB) participation 0%. Vendor is Sole Source Provider.]

6.3 Software House International (SHI), to purchase 60 Panasonic Tough books, at an estimated out-of-pocket cost to the Board of \$232,466.70; and **to authorize** the General Manager and/or the Assistant General Manager to execute the expenditure. [NOTE: The Historically Underutilized Business (HUB) participation 100%. No bid required, items and services fall under Omnia Partners Cooperative Contract# 2018011-02.]

6.4 Pursuant to the State of Alabama Contract #MA 230000004059 for Tires (Bridgestone), at an estimated out-of-pocket cost of \$550,000.00, for a period of up to 1-year. [NOTE: The Historically Underutilized Business (HUB) participation 0%. Proposal is exempt from bidding under the Alabama Competitive Bid Law because it is a purchase from the State of Alabama Master Agreement contract.]

7. Request Board **to adopt** a resolution authorizing the issuance by the Water Works Board of the City of Birmingham ("Board") of its Senior Water Revenue Refunding Bonds, Series 2023, in a principal amount not to exceed \$225,000,000.00 (the "Bonds") and a related tender offer to purchase and cancel portions of its Senior Water Revenue Refunding Bonds, Series 2019 and Series 2021 (the "Tender"); to authorize the General Manager and/or the Assistant General Manager of the Board to engage Raffelis as independent rate consultant, AMTEC as verification agent, and Municipal Government Investors Corp. as investment advisor, and such additional professionals as may be deemed necessary in connection with the Bonds and the Tender; and to authorize the Chairwoman and Vice-Chairman of the Board to execute the Financing Documents and all other documents, certificates, agreements, and other instruments in connection with the Bonds and the Tender, as recommended by the Finance Committee.

8. Request Board **to approve** agreements to the following, as recommended by the Finance Committee:

8.1 Municipal Government Investors Corp., (mGIC) to bid the following: 1) Funds from a Guaranteed Investment Contract (GIC) that matured with Bayerische Landesbank on March 15, 2023, currently with Truist Bank for \$1,200,000.00. 2) A GIC with Toronto

Dominion Bank that matures 11/10/2023 and has a balance of \$9,830,228.00. 3) A one-year Certificate of Deposit (CD) with Citizens Trust Bank, which matures 10/30/2023 and has a balance of \$126,414.18. 4) Surplus funds with Truist Bank with a balance of \$12,587,239.00 or more; and to authorize the General Manager and/or the Assistant General Manager to execute the agreement.

- 8.2 Butler Snow LLC., to provide legal services related to the bid of the following: 1) Funds from a Guaranteed Investment Contract (GIC) that matured with Bayerische Landesbank on March 15, 2023, currently with Truist Bank for \$1,200,000.00. 2) A GIC with Toronto Dominion Bank that matures 11/10/2023 and has a balance of \$9,830,228.00. 3) A one-year Certificate of Deposit (CD) with Citizens Trust Bank, which matures 10/30/2023 and has a balance of \$126,414.18. 4) Surplus funds with Truist Bank with a balance of \$12,587,239.00 or more, in an amount not-to-exceed \$10,000.00; and **to authorize** the General Manager and/or the Assistant General Manager to execute the agreement.
- 8.3 Raftelis Financial Consultants, Inc., to provide consulting services to the Birmingham Water Works Board related to the upcoming Series 2023 Bonds tender transaction, at an amount not-to-exceed \$43,000.00; and **to authorize** the General Manager and/or the Assistant General Manager to execute the agreement.
9. Request Board **approval to enter** a standard Alabama Department of Transportation (ALDOT) Reimbursable Agreement (SAHD No. 3) for the relocation of Water Board facilities in conflict with ALDOT Project No. HPP-TAPBH-CMAQ-A104(916), Pedestrian Bridge over U.S Highway 31 near Wald Park in Vestavia Hills in Jefferson County, Alabama, at an estimated cost of \$51,076.70, less estimated ALDOT reimbursement totaling \$51,076.70, at no cost to the Board, as recommended by the Engineering and Maintenance Committee.
10. Request Board **to award an easement** to Alabama Power Company, to replace overhead electric service with underground electric service near Stonebrook Drive and Bailey Road in Leeds, Alabama, at no cost to the Board, as recommended by Engineering and Maintenance Committee.
11. Request Board **to enter** an Executive Session to discuss with legal counsel legal matters that are appropriate under Ala. Code Section 36-25A-7(a)(3).

ADJOURNMENT