

**Minutes of
The Engineering and Maintenance Committee Meeting
of the Water Works Board of the City of Birmingham
Wednesday, May 11, 2022
12:30 p.m.-BWVB Training Room**

An Engineering and Maintenance Committee meeting of the directors of The Water Works Board of the City of Birmingham was held on Wednesday, May 11, 2022, at 12:30 p.m., at 3600 First Avenue North, Birmingham, Alabama.

The following Committee members were present via a roll call: Directors NeSmith (Committee Chairman), Rice and Ward. Other directors present were Directors Henderson and Munchus.

The meeting was also attended by: Michael Johnson, General Manager; Iris Fisher, Derrick Murphy and Jeffrey Thompson, Assistant General Managers; Cynthia Williams, Board Administrator; Anitra Clark, Corporate Governance Specialist; Tracey Godbold, Executive Assistant to the General Manager; Vanessa Washington, Executive Assistant (via telephone); Colandus Mason, David Walker, Ed Travis, Jeff Wade and Charles McGee, BWVB Employees; K. Mark Parnell, Parnell Thompson Law, LLC; Kelvin Howard, KWH, LLC.; Sherry Richardson, Attorney General Office; Trisha Brown, ARCADIS and Kimberly Bivins, BCIA.

The government mandated 2022 Consumer Confidence Report (CCR) handout was distributed before the start of the meeting (*a copy of which is on file with Committee Meeting Book*).

Inasmuch as all Committee members were present, a quorum was in attendance. Committee Chairman NeSmith called the meeting to order at 12:30 p.m.

Next, Committee Chairman NeSmith made a motion to amend the agenda to include an Executive Session after agenda item 1 and Director Ward seconded the motion. The Committee approved to amend the agenda by unanimous vote.

Following, the Committee proceeded to the approval of minutes. Agenda item 1 requested the Committee to approve minutes of the April 13, 2022, Engineering and Maintenance Committee Meeting. Director Ward made a motion to approve said agenda item and Director Rice seconded the motion. The agenda item was approved by unanimous vote.

Next, Director NeSmith proceeded to the report of officers and unfinished business on the agenda, respectively, which there were none.

Following, the Committee proceeded to new business. A motion was made by Director Rice and seconded by Director Ward to enter Executive Session. Attorney Parnell certified that the purpose of the Executive Session is to discuss agenda item 3 noted on today's agenda. The basis for this Executive Session is the potential for litigation based on the course of action the

committee/board of directors may take on item 3. Per Attorney Parnell, he expected the Executive Session to last approximately 30 minutes with the possibility of action taken thereafter.

Next, the Board Members, Executive Management and Board Attorneys left the Training Room at 12:32 p.m., for the Executive Session. At 1:00 p.m., a motion was made by Director Ward and seconded by Director Rice to come out of Executive Session.

Agenda item 2 requested the Committee to recommend to the Board to award bid to Wade, Sand & Gravel, the lowest responsible and responsive bidder, for estimated quantities of Crushed Limestone -Backfill Material (Annual), at an estimated out-of-pocket cost to the Board of \$827,620.00; and to authorize the General Manager and/or the Assistant General Manager to execute said contract. Director Rice inquired about 2022 minority participation on this matter. Purchasing Manager Ed Travis explained that minority vendors are requested for the delivery of said product and the minority vendors are chosen from a vendor list. Director Ward made a motion to approve said agenda item and Director Rice seconded the motion. The agenda item was approved by unanimous vote and moved to the full Board for consideration.

Subsequently, agenda item 3 requested the Committee to recommend to the Board to award bid to Falls Facility Services, Inc., the lowest responsible and responsive bidder, for Janitorial Services, at an estimated out-of-pocket cost to the Board of \$184,020.00; and to authorize the General Manager and/or the Assistant General Manager to execute said contract. Director Ward made a motion to reject all bids and to rebid the referenced agenda item and Director Rice seconded the motion. Said matter was approved by unanimous vote and moved to the full Board for consideration.

As there was no further business before the Committee, Director Ward made a motion to adjourn the meeting and Director Rice seconded. Thus, Committee Chairman NeSmith adjourned the meeting at 1:04 p.m.

/S/

Dalton NeSmith, Esq.
Assistant Secretary-Treasurer

/S/

Christopher B. Rice
Chairman

/S/

Larry Ward
Secretary-Treasurer

/S/

Michael Johnson, MBA, CPA
General Manager