

**AGENDA**  
**MEETING OF THE**  
**SAN ANTONIO WATER SYSTEM**  
**BOARD OF TRUSTEES**  
**Tuesday, December 1, 2009, 9:00 A.M.**  
**6th Floor Board Room #609**  
**Administrative Offices**  
**2800 U. S. 281 North, San Antonio, Texas**

1. **MEETING CALLED TO ORDER.**
2. **Announcements.**
  - A. **The San Antonio Water System Board of Trustees will, during the Meeting, close the Meeting and hold an Executive Session pursuant to and in accordance with Chapter 551 of the Texas Open Meetings Act. The Board of Trustees may, at any time during the Meeting, close the Meeting and hold an Executive Session for consultation with its attorneys concerning any of the matters to be considered during the Meeting pursuant to Chapter 551 of the Texas Open Meetings Act.**
3. **Minutes.**
  - A. **Approval of the Minutes of the San Antonio Water System Board of Trustees Regular Meeting of November 3, 2009.**
  - B. **Approval of the Minutes of the San Antonio Water System Board of Trustees Policy and Planning Meeting of October 19, 2009.**
  - C. **Approval of the Minutes of the San Antonio Water System Board of Trustees Retreat Workshop Meeting of November 6, 2009.**
  - D. **Approval of the Minutes of the San Antonio Water System Board of Trustees Special Meeting of November 4, 2009.**
4. **Ceremonial Items.**
  - A. **Recognition of Howard Peak and Ian Wellborn for their service as Chairmen of the Citizen’s Advisory Panel and Community Conservation Committee, respectively. (CHARLES AHRENS - CALVIN FINCH – KAREN GUZ)**
  - B. **Recognition of the establishment of the “Alexander E. Briseño Leadership and Management Excellence Award” by the Association of Hispanic Municipal Officials. (THE HONORABLE DANIEL TEJADA, MAYOR OF FLORESVILLE AND JOHNNY A. RODRIGUEZ, EXECUTIVE DIRECTOR, AHMO)**
5. **Citizens to be Heard.**

**SAN ANTONIO WATER SYSTEM**  
**HANDICAPPED ACCESSIBILITY STATEMENT**

The San Antonio Water System building and meeting rooms are handicapped accessible. Individuals with disabilities that may require special accommodations are requested to contact the Board Administrator at 210.233.3859 for assistance.

6. **A Resolution amending Resolution No. 06-280, as amended by Resolution No. 07-436, by adopting revised Mission and Vision Statements for the San Antonio Water System. (ROBERT R. PUENTE, PRESIDENT/CEO)**
7. **President/Chief Executive Officer's Report. Presentation of and deliberation on the following items:**
  - A. **San Antonio Water System's Mission Statement, Vision Statement.**
  - B. **2009 Capital Improvements Program Budget.**

## **CONSENT AGENDA ITEMS**

Items 8 – 53

### **ITEMS CONCERNING THE PURCHASE OF EQUIPMENT, MATERIALS AND SUPPLIES**

8. **A Resolution accepting recommendations regarding the contracting for certain services, equipment, materials, and supplies, and authorizing the acceptance of bids as follows: (DOUG EVANSON - VICK GARMON)**
  - A. **Award of Contracts for the Purchase of Materials, Equipment and Services.**
    - (SBE) 1. **Acceptance of the bid of Peerless Equipment, Inc. to provide: Submersible Pumping Equipment for the Oliver Ranch and BSR Well Fields, Bid No. 09-9064, for a total of \$50,679.00. (This contract will be utilized for the purchase of submersible pumping equipment for the Oliver Ranch and BSR Well Fields.)**
    2. **Acceptance of the bid of Metro Ford Truck, to provide: Three (3) each - 13,500 GVWR (minimum)16' cut-away van with installed circuit TV inspection system mounted, complete, per specifications, Bid No. 09-9060, for a total of \$618,609.00. (These units are part of the vehicle equipment replacement program and will be assigned to various SAWS locations.)**
  - B. **Award of Annual Service and Supply Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.**
    - (MBE) 1. **Acceptance of the bid of Mobius Partners, Inc., to provide: HP Quality Center, Quick Test Professional Hardware/Software and Implementation Service (State of Texas Contract), Bid No. 09-9069, for a total of \$104,716.82. (This contract will be utilized to provide a script testing process which captures, verifies, and replays user interactions automatically and helps testers quickly identify and report on application effects while providing advanced functionality for tester collaboration. This contract will be effective Date of Award (December 1, 2009) through December 31, 2010.)**
    2. **Acceptance of the bid of DPC Industries, Inc., to provide: Liquid Chlorine, Bid No. 09-0338, for a total of \$71,387.25. (This contract will be utilized for the furnishing and delivery of liquid chlorine (99.5 percent pure by volume) for use in the treatment of potable water and wastewater for the San Antonio Water System. Initial award period is**

for one year. Pricing is firm for three (3) months, with price revisions, upward or downward, every three (3) months thereafter for initial one (1) year period. Price revisions will be based upon price index, or industrial standard for base pricing. Documentation must be provided to support requested price adjustment. This contract will be effective January 1, 2010 through December 31, 2010.)

3. Acceptance of the bid of DXI Industries, Inc., to provide: Liquid Chlorine, Bid No. 09-0338, for a total of \$904,452.00. (This contract will be utilized for the furnishing and delivery of liquid chlorine (99.5 percent pure by volume) for use in the treatment of potable water and wastewater for the San Antonio Water System. Initial award period is for one year. Pricing is firm for three (3) months, with price revisions, upward or downward, every three (3) months thereafter for initial one (1) year period. Price revisions will be based upon price index, or industrial standard for base pricing. Documentation must be provided to support requested price adjustment. This contract will be effective January 1, 2010 through December 31, 2010.)

4. Acceptance of the bid of AOC Welding Supply, to provide: Sulfur Dioxide, Bid No. 09-0183, for a total of \$334,800.00. (Sulfur Dioxide will be utilized to de-chlorinate plant effluent as required by permit at the Water Recycling Centers. Initial award period is for one year. Pricing is firm for three (3) months, with price revisions, upward or downward, every three (3) months thereafter for initial one (1) year period. Price revisions will be based upon price index or industrial standard for base pricing. Documentation must be provided to support requested price adjustment. This contract will be effective January 1, 2010 through December 31, 2010.)

5. Acceptance of the bid of Allied/BFI Waste Services of SA, to provide: Garbage Disposal Services, Bid No. 09-0332, for a total of \$127,556.00. (This contract will be utilized to provide hauling, dumping and maintenance services for all the containers (dumpsters) used by the San Antonio Water System at various locations. This contract will be effective January 1, 2010 through December 31, 2010.)

(SBE)

6. Acceptance of the bid of Osburn Materials, Inc., to provide: Sludge Drying Bed Aggregate, Bid No. 05-0180, for a total of \$170,000.00. (Purchase of delivery of #1 fine aggregate for use at the Dos Rios Water Recycling Center, Leon Creek Water Recycling Center belt filter presses. This contract extension will be effective January 1, 2010 through December 31, 2010.)

C. Authorization to Utilize the City of San Antonio's Competitive Bidding Process for Annual Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.

No items for this Meeting.

- D. Authorization to Utilize the City of San Antonio's Competitive Bidding Process for Biennial Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.

No items for this Meeting.

- E. Award of Biennial Service and Supply Contracts. Estimated annual purchases are based on unit prices bid. Actual totals may vary from estimate.

No items for this Meeting.

## CAPITAL IMPROVEMENT CONTRACTS

### PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY

#### Developer Customer Contracts

9. A Resolution approving Utility Service Agreements to provide water and/or wastewater service to the tracts listed below which are not located over the Edwards Aquifer Recharge or Contributing Zone and are not within the 5-mile Awareness Zone of Camp Bullis. (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer Name	Acreage	Water EDU's	WW EDU's	Board Reason	Water CCN	WW CCN
1	Quiet Creek	Blackland Farms 1604, Ltd.	215.38	613	0	AC/OVR	Inside	S.A.R.A.
<b>Totals</b>			<u>215.38</u>	<u>613</u>	<u>0</u>			
<b>Year-to-Date Totals (January - December 2009)</b>			<u>1,335.38</u>	<u>3,657</u>	<u>1,738</u>			

10. A Resolution approving Utility Service Agreements for water and/or wastewater services which are located over the Edwards Aquifer Recharge or Contributing Zone, are located within the 5-Mile Awareness Zone of Camp Bullis and meet all of these criteria: tracts are less than 2-acres, require less than 50 Equivalent Dwelling Units, and require less than 1/4-mile of main extension. (KELLEY NEUMANN – SAM MILLS)

No.	Tract Name	Developer Name	Acreage	Water EDU's	WW EDU's	Board Reason	Water CCN	WW CCN
1	Fixed Income Securities I	Phoenix Commercial Construction	3.50	8	0	5-Mile Awareness Zone	Inside	Applied for
2	Northwoods Unit 13	Northwoods Alliance, LLC	2.036	19	6	5-Mile Awareness Zone	Inside	Inside
3	Pineapple School	Immersion Learning Centers, LLP	1.093	16	16	5-Mile Awareness Zone	Inside	Inside
4	Woodland Manor Unit 3	Dr. Juan Carlos Garza, M.D.	0.73	5	1	5-Mile Awareness Zone	Inside	Inside

<b>Totals</b>		<u><b>7,359</b></u>	<u><b>48</b></u>	<u><b>23</b></u>		
<b>Year-to-Date Totals ( January - December 2009)</b>		<u><b>2,030</b></u>	<u><b>5,848</b></u>	<u><b>5,188</b></u>		

**EDU/Acreage Comparison Totals  
2009 - 2008**

<b>EDU/Acreage Comparison Totals 2009 - 2008 (Year to Date - All Categories)</b>	<b>Total Acreage</b>	<b>Total Water EDU's</b>	<b>Total WW EDU's</b>
<b>Total ( January - December 2009)</b>	<b>6,231</b>	<b>9,916</b>	<b>19,493</b>
<b>Total ( January -December 2008)</b>	<b>14,863</b>	<b>38,664</b>	<b>65,867</b>

These totals include the Verano Development that had 2,659 acres, 909 W EDU's and 21,558 WW EDU's approved in a Utility Service Agreement in February 2008. In August 2009, that Utility Service Agreement was replaced with another which approved 2,523.47 acres, 342 water EDU's, and 12,483 WW EDU's. Both amounts are reflected in these totals.

11. A Resolution approving Change Order No. 2 in the amount of \$33,826.02 to the construction contract with SACC, Inc., in connection with the Cielo Vista 24-Inch Oversize (12-Inch Required) On-Site Water Main Project; amending Resolution No. 08-277 by approving additional funds in the amount of \$25,369.52 from the System's 2009 Capital Improvements Plan Oversize Project Fund; authorizing the President/Chief Executive Officer to execute Change Order No. 2 resulting in an increase of the project cost of \$33,826.02 for the additional project work in connection with Cielo Vista 24-Inch Oversize (12-Inch Required) On-Site Water Main Project. Total expenditures are: \$33,826.02 for a revised contract amount of: \$869,177.72. (KELLEY NEUMANN – SAM MILLS)
  
12. A Resolution approving Change Order No. 2 in the amount of \$29,263.51 to the construction contract with Silverado Brothers Construction Co., in connection with the Lazy M Ranch Subdivision 24-Inch Oversize Approach Main (12-Inch Required) Project; amending Resolution No. 08-365 by approving additional funds in the amount of \$21,947.63 from the System's 2009 Capital Improvements Plan Oversize Project Fund; authorizing the President/Chief Executive Officer to execute Change Order No. 2 resulting in an increase of the project cost of \$29,263.51 for the additional project work in connection with Lazy M Ranch Subdivision 24-Inch Oversize Approach Main (12-Inch Required) Project. Total expenditures are: \$29,263.51 for a revised contract amount of: \$916,991.06. (KELLEY NEUMANN – SAM MILLS)
  
13. A Resolution approving Final Recapitulation Change Order No. 3 in the increased amount of \$29,725.12 to the construction contract with Lupe Rubio Construction Company, Inc., in connection with the Sonoma Verde 16-Inch and 24-Inch Oversize (12-Inch Required) Approach Water Mains Project; amending Resolution No. 07-100 by approving additional funds in the amount of \$3,197.93 from the System's 2009 Capital Improvements Plan Oversize Project Fund; authorizing the President/Chief Executive Officer to execute the Final Recapitulation Change Order No. 3 and to close the contract. Total expenditures are: \$29,725.12 for a revised contract amount of: \$979,564.66. (KELLEY NEUMANN – SAM MILLS)

14. A Resolution approving Final Recapitulation Change Order No. 4 in the decreased amount of \$26,558.01 to the construction contract with Cash Construction Co., Ltd., in connection with the Bloomfield Hills 30-Inch Oversize Border and 30-Inch Oversize Approach Water Main Project; authorizing the return of funds in the amount of \$22,308.73 and the construction contingency of \$35,526.83 for a total amount of \$57,835.56 to the Project Fund; authorizing the President/Chief Executive Officer to execute the Final Recapitulation Change Order No. 4 and to close the contract. Total decreased amount is: \$57,835.56 for a revised contract amount of: \$2,094,812.38. (KELLEY NEUMANN – SAM MILLS)

**Production, Transmission and Treatment Improvements**

15. A Resolution accepting the bid of Pepper-Lawson Construction, LP, in the amount of \$998,000.45 for the construction of the Dos Rios Water Recycling Center Digester Gas Transfer Utilities Project; awarding a construction contract in the amount of \$998,000.45 to Pepper-Lawson Construction, LP, for the project work; authorizing the expenditure of funds in an amount not to exceed \$998,000.45 for the project work; authorizing construction contingency expenses in an amount not to exceed \$19,960.00 in connection with the project work; authorizing total expenditures in an amount not to exceed \$1,017,960.45 from the System's Project Fund for the project work and construction contingency expenses; authorizing the President/Chief Executive Officer to execute a contract with Pepper-Lawson Construction, LP, and to pay Pepper-Lawson Construction, LP, the amount of \$998,000.45 for the project work. Total expenditures are: \$1,017,960.45. (KELLEY NEUMANN – ASHOK KAJI)
16. A Resolution accepting the bid of 5D Drilling & Pump Service, dba Davenport Drilling, in the amount of \$92,989.00 for the Rehabilitation of Oliver Ranch Wells #5 and #9 and BSR Well #2 Project; awarding a construction contract in the amount of \$92,989.00 to 5D Drilling & Pump Service, dba Davenport Drilling, for the project work; authorizing the expenditure of funds in an amount not to exceed \$92,989.00 for the project work; authorizing construction contingency expenses in an amount not to exceed \$4,649.45 in connection with the project work; authorizing total expenditures in an amount not to exceed \$97,638.45 from the System Fund for the project work and construction contingency expenses; authorizing the President/Chief Executive Officer or his authorized representative to execute a contract with 5D Drilling & Pump Service, dba Davenport Drilling and to pay 5D Drilling & Pump Service, dba Davenport Drilling the amount of \$92,989.00 for the project work. Total expenditures are: \$97,638.45. (STEVE CLOUSE – PHIL COOK)
17. A Resolution amending Resolution No. 09-333 by authorizing the additional amount of \$360.00 for the Central Watershed Sewer Relief Line, C01 Project Construction Contract to Don Kelly Construction, Inc.; correcting the award amount to \$9,977,399.00; authorizing the expenditure of an additional \$360.00 from the Project Fund; authorizing the President/Chief Executive Officer to pay Don Kelly Construction, Inc., the corrected amount of \$9,977,399.00. Total expenditures are: \$360.00 for a revised contract amount of: \$9,977,399.00. (KELLEY NEUMANN – FRANCES PLOCEK)
18. A Resolution accepting the bid of Pipelayers, Inc., in the amount of \$876,818.20 for the Crown Meadows Lift Station 124 Elimination Project Construction Contract; awarding a construction contract to Pipelayers, Inc., in the amount of \$876,818.20 for the project work; approving the expenditure of funds in an amount not to exceed \$876,818.20 for the project work; approving construction contingency expenses in an amount not to exceed \$43,800.00; authorizing the President/Chief Executive Officer to

execute a construction contract with Pipelayers, Inc., and to pay Pipelayers, Inc., an amount not to exceed \$920,618.20 for the project work and related construction contingencies. Located in Council District 6. Total expenditures are: \$920,618.20. (KELLEY NEUMANN – FRANCES PLOCEK)

19. A Resolution amending Resolution No. 09-220 by ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 1 in the amount of \$27,055.43 and Change Order No. 2 in the amount of \$59,438.30 and approving Change Order No. 1 and Change Order No. 2 in connection with the Old Salado Creek Siphon Replacement Project; approving the expenditure of additional funds in an amount not to exceed \$86,493.73 payable to Laughlin-Thyssen, Inc., for Change Order No. 1 and Change Order No. 2; approving an additional amount not to exceed \$86,493.73 be made available from the System's Project Fund for Change Order No. 1 and Change Order No. 2; authorizing the President/Chief Executive Officer to pay to Laughlin-Thyssen, Inc., an additional amount not to exceed \$86,493.73 for the additional project work associated with Order No. 1 and Change Order No. 2. Total expenditures are: \$86,493.73 for a revised contract amount of: \$7,061,182.31. (KELLEY NEUMANN – FRANCES PLOCEK)

#### Professional Services Contracts

20. A Resolution accepting the proposal of and awarding a professional services contract to MBI/CEC Joint Venture, in an amount not to exceed \$969,642.20 in connection with the Hot Wells Sanitary Sewer Main Replacement Project; approving the expenditure of funds in an amount not to exceed \$969,642.20 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with MBI/CEC Joint Venture, and to pay MBI/CEC Joint Venture, an amount not to exceed \$500,000.00 for the project engineering work. Total expenditures are: \$969,642.20. (KELLEY NEUMANN – FRANCES PLOCEK)

- (WBE) 21. A Resolution accepting the proposal of and awarding a professional services contract to Coyle Engineering, Inc., in an amount not to exceed \$163,660.00 in connection with the Far West Sewer Relief Main (FW-01) Project; approving the expenditure of funds in an amount not to exceed \$163,660.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Coyle Engineering, Inc., and to pay Coyle Engineering, Inc., an amount not to exceed \$163,660.00 for the project engineering work. Located in Council Districts 4 and 6. Total expenditures are: \$163,660.00. (KELLEY NEUMANN – FRANCES PLOCEK)

22. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Contract Amendment No. 4 in the amount of \$46,572.00 in connection with the Central Watershed Sewer Relief Line C-01 Project; amending Resolution No. 06-185, as amended by Resolution No. 07-359, as amended by Resolution No. 08-407, and as amended by Resolution No. 09-143 by approving additional expenditures in an amount not to exceed \$46,572.00 for additional engineering services by Claunch & Miller, Inc., in connection with the Central Watershed Sewer Relief Line C-01 Project; approving that an amount not to exceed \$46,572.00 be made available and expended from the System's Project Fund for the wastewater related additional engineering services; authorizing the President/Chief Executive Officer to execute contract Amendment No. 4 and to pay Claunch & Miller, Inc., an additional amount not to exceed \$46,572.00 for additional engineering services in connection with the

project. Total expenditures are: \$46,572.00 for a revised contract amount of: \$46,572.00. (KELLEY NEUMANN – FRANCES PLOCEK)

## REPLACEMENT AND ADJUSTMENT PROJECTS

### Governmental Relocations and Replacements

23. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving Change Order No. 3 in the amount of \$27,655.00 in connection with the Nacogdoches Road: IH 410 to Danbury Road Project; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an additional amount not to exceed \$27,655.00 for the additional project work. Located in Council District 2. Total expenditures are: \$27,655.00 for a revised contract amount of \$1,046,770.65. (KELLEY NEUMANN – CINDY KOVACIC)
24. A Resolution approving the expenditure of funds in the amount of \$202,277.58 for the replacement and adjustment of water and sewer facilities by the City of San Antonio in connection with the Green Street Phase I: Nogalitos to IH-35 Project; approving an amount not to exceed \$30,341.64 for construction contingency expenses related to the project work; approving an amount not to exceed \$232,619.22 be made available and expended from the System's Project Fund for the project work and related construction contingency expenses; authorizing the President/Chief Executive Officer to pay to the City of San Antonio an amount not to exceed \$232,619.22 for the project work and related construction contingency expenses. Located in Council District 8. Total expenditures are: \$232,619.22. (KELLEY NEUMANN – CINDY KOVACIC)
25. A Resolution approving the expenditure of funds in the amount of \$889,417.03 for the replacement and adjustment of water facilities by Bexar County in connection with the Foster Road Phase II: Binz-Engleman to FM 78 Project; approving construction contingency expenses related to the project work in an amount not to exceed \$88,941.70; approving an amount not to exceed \$978,358.73 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute an Interlocal Agreement and to pay in advance to Bexar County an amount not to exceed \$889,417.03 for the project work. Total expenditures are: \$978,358.73. (KELLEY NEUMANN – CINDY KOVACIC)
26. A Resolution approving Change Order No. 2 in the decreased amount of \$79,925.18 for a total amount of \$79,925.18, in connection with the F.M. 1535 (N.W. Military Highway): Braesview Drive to Huebner Road Project. Total decreased amount is: \$79,925.18 for a revised contract amount of:\$3,311,754.53. (KELLEY NEUMANN – DAVID MAXWELL)

### Professional Services Contracts

- (WBE ) 27. A Resolution accepting the proposal of and awarding a professional services contract to Greg Gomez, Inc., dba GGI Engineers, in an amount not to exceed \$750,000.00 for the 2009 Engineering Design Services – Replacements and Improvements, Contract II; approving the expenditure of funds in an amount not to exceed \$375,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$375,000.00 from the System's Project Fund for the water project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Greg Gomez, Inc., dba GGI Engineers, and to pay Greg Gomez, Inc., dba GGI Engineers, an amount not

to exceed \$750,000.00 for the project engineering work. Total expenditures are: \$750,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)

28. A Resolution accepting the proposal of and awarding a professional services contract to Costello, Inc., in an amount not to exceed \$375,000.00 for the 2009 Engineering Design Services – Replacements and Improvements, Contract IV; approving the expenditure of funds in an amount not to exceed \$200,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$175,000.00 from the System's Project Fund for the water project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with Costello, Inc., and to pay Costello, Inc., an amount not to exceed \$375,000.00 for the project engineering work. Total expenditures are: \$375,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)

- (MBE ) 29. A Resolution accepting the proposal of and awarding a professional services contract to CP&Y, in an amount not to exceed \$375,000.00 for the 2009 Engineering Design Services – Replacements and Improvements, Contract V; approving the expenditure of funds in an amount not to exceed \$200,000.00 from the System's Project Fund for the sewer project engineering work; approving the expenditure of funds in an amount not to exceed \$175,000.00 from the System's Project Fund for the water project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with CP&Y, and to pay CP&Y, an amount not to exceed \$375,000.00 for the project engineering work. Total expenditures are: \$375,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)

30. A Resolution accepting the proposal of and awarding a surveying contract to Ford Engineering, Inc., in an amount not to exceed \$400,000.00 in connection with the 2009 Replacements & Improvements Surveying Services Contract; approving the expenditure of funds in an amount not to exceed \$400,000.00 from the System's Project Fund for the professional surveying work; authorizing the President/Chief Executive Officer to execute a surveying contract with Ford Engineering, Inc., and to pay Ford Engineering, Inc., an amount not to exceed \$400,000.00 for the professional work. Total expenditures are: \$400,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)

### MISCELLANEOUS PROJECTS

31. A Resolution ratifying the actions of the Senior Vice President of Strategic Resources in approving the award of a construction contract in the amount of \$495,370.00 to Pipelayers Inc., in connection with the US Hwy 281 Emergency Sewer Replacement Project; approving the expenditure of funds in an amount not to exceed \$495,370.00 payable to Pipelayers Inc., for US Hwy 281 Emergency Sewer Replacement Project; approving an additional amount not to exceed \$30,000.00 be made available from the System's Project Fund for the additional sewer construction contingency expenses; authorizing the President/Chief Executive Officer to pay to Pipelayers Inc., an amount not to exceed \$525,370.00 for the project work associated with US Hwy 281 Emergency Sewer Replacement Project. Total expenditures are: \$525,370.00. (KELLEY NEUMANN – FRANCES PLOCEK)
32. A Resolution determining that the Competitive Sealed Proposals Procurement Method provided under Section 271.116 of the Texas Local Government Code provides the best value for the Jefferson, Westover, and Hall Elevated Storage Tanks Demolition Project;

authorizing the President/Chief Executive Officer to utilize the Competitive Sealed Proposals Procurement Method in connection with the project.  
(KELLEY NEUMANN – ASHOK KAJI)

33. A Resolution approving the second one-year contract renewal option with Ace Pipe Cleaning, Inc., in an amount not to exceed \$500,000.00 in connection with the Large Diameter Sanitary Sewer Cleaning and Inspection Contract Project; approving the expenditure of funds in an amount not to exceed \$500,000.00 from the System's Project Fund for the one-year contract renewal in connection with the project work; authorizing the President/Chief Executive Officer or his designated representative to execute a one-year contract renewal with Ace Pipe Cleaning, Inc., and to pay Ace Pipe Cleaning, Inc., an amount not to exceed \$500,000.00 for the project work. Total expenditures are: \$500,000.00. (VAL RUIZ – JEFF BROWN)

## WATER RESOURCES PROJECTS

### Professional Services

34. A Resolution amending Resolution No. 07-151, as previously amended by Resolution Nos. 08-214 and 09-223, to provide for additional professional services to the existing professional services contract with Carollo Engineers, P.C., in an amount not to exceed \$530,998.00 in connection with the Brackish Groundwater Desalination Membrane Pilot Testing Project; approving additional expenditures in an amount not to exceed \$530,998.00; approving the expenditure of funds in an amount not to exceed \$530,998.00 from the System's Project Fund for additional professional services; authorizing the President/Chief Executive Officer or his designee to execute an Amendment to the existing professional services contract with Carollo Engineers, P.C., and to pay Carollo Engineers, P.C., an additional amount not to exceed \$530,998.00 for additional professional services. Total expenditures are: \$530,998.00 for a revised contract amount of: \$2,190,164.00. (CHARLES AHRENS – ESTHER HARRAH)
35. A Resolution awarding a professional services contract to LBG-Guyton Associates in an amount not to exceed \$150,000.00 for the Water Resources Engineering Consultant 2010 Contract for a period of one-year; approving the expenditure of funds in an amount not to exceed \$150,000.00 from the System's Project Fund for professional engineering services for the period beginning January 1, 2010 through December 31, 2010; authorizing the President/Chief Executive Officer or his designee to execute a professional services contract with LBG-Guyton Associates and to pay LBG-Guyton Associates a total amount not to exceed \$150,000.00 for the professional engineering services for a one-year period beginning January 1, 2010 through December 31, 2010. Total expenditures are: \$150,000.00. (CHARLES AHRENS – ESTHER HARRAH)
36. A Resolution accepting the bid of Peerless Equipment, Ltd., in the amount of \$704,600.00 for the installation of Pivot Irrigation Systems on the Franklin, Pratt and Watkins Farms (north and south); awarding the construction contract to Peerless Equipment, Ltd., for the project work; approving the expenditure of funds in the amount of \$704,600.00 for the project work; approving construction contingency expenses in an amount not to exceed \$35,230.00 in connection with the project work; approving total expenditures in an amount not to exceed \$739,830.00 from the System's Project Fund for project work, and related construction contingencies; authorizing the President/Chief Executive Officer or his designee to execute a contract

with Peerless Equipment, Ltd., and to pay Peerless Equipment, Ltd., the amount of \$704,600.00 for the project work. Total expenditures are: \$739,830.00.  
(CHARLES AHRENS – ESTHER HARRAH)

37. A Resolution approving an Agreement with the City of San Antonio, for the installation of an Onsite Groundwater Reclamation System for the purpose of converting the existing HemisFair Fountain Complex from potable water use within HemisFair Plaza in an amount not to exceed \$250,000.00; authorizing the expenditure of an amount not to exceed \$250,000.00 from the System Fund for the installation of an Onsite Groundwater Reclamation System for the purpose of converting the existing HemisFair Fountain Complex at HemisFair Plaza; authorizing the President/Chief Executive Officer or his designee to execute the Agreement with the City of San Antonio, and to pay the City of San Antonio, an amount not to exceed \$250,000.00 for the installation of an Onsite Groundwater Reclamation System for the purpose of converting the existing HemisFair Fountain Complex from potable water use within HemisFair. Total expenditures are: \$212,389.00.  
(CHARLES AHRENS – KAREN GUZ)

## WATER RESOURCES ITEMS

38. A Resolution approving an Agreement with the Alliance for Water Efficiency and authorizing a one-time payment in an amount not to exceed \$70,000.00 for the San Antonio Water System's participation as a study site in the Alliance for Water Efficiency's New Residential End Use Study; authorizing an amount not to exceed \$70,000.00 to be made available and expended from the System Fund for the San Antonio Water System's participation in the residential end use study; authorizing the President/Chief Executive Officer or his designee to execute an Agreement with the Alliance for Water Efficiency and pay an amount not to exceed \$70,000.00 to the Alliance for Water Efficiency for the San Antonio Water System's participation as a study site in the new Residential End Use Study. Total expenditures are: \$70,000.00.  
(CHARLES AHRENS – KAREN GUZ)
39. A Resolution authorizing the President/Chief Executive Officer or his designee to negotiate and execute a Contract Amendment to the Joint Funding Agreement between the San Antonio Water System and the United States Geological Survey for the period of October 1, 2009 to December 31, 2009, in an amount not to exceed \$21,674.60, resulting in a total amount not to exceed \$665,891.60 for the 2009 - 2010 Joint Funding Agreement; authorizing the expenditure of funds for Fiscal Year 2009 and 2010 from the System Fund to pay for obligations incurred pursuant to the Amendment to the Joint Funding Agreement; authorizing the President/Chief Executive Officer or his designee to negotiate and execute the Amendment to the Joint Funding Agreement with the United States Geological Survey and to pay an amount not to exceed \$21,674.60 to the United States Geological Survey pursuant to the Amendment to the Joint Funding Agreement. Total expenditures are: \$21,674.60, resulting in a total amount of \$665,891.60. (CHARLES AHRENS – DARREN THOMPSON)

## EASEMENTS AND REAL PROPERTY

40. A Resolution approving the Purchase Agreement in the amount of \$263,200.00 with Cook Memorial Trusts for the purchase by the City of San Antonio, acting by and through the San Antonio Water System of a 47.841 acre tract being out of Abstract No. 3, County Block 4005, Jose Antonio De La Garza Mexican Grant dated April 15, 1824, and out of Abstract No. 15, County Block 4005, Ferando Rodriquez Mexican Grant dated December 10, 1833 being out of the remaining portion of a deed recorded in

volume 5397, page 50 deed and plat records of Bexar County, Texas, which is located along the easterly side of Pleasanton Road approximately 3 miles south of Interstate Loop 410 in the City of San Antonio, for the purpose of providing the maintenance and repair of the Mitchell Lake Dam Maintenance Project; authorizing the acquisition of the property in accordance with the terms of the Purchase Agreement and the expenditure of funds from the System's Project Fund in a total amount not to exceed \$266,700.00 for the acquisition of the property and associated closing costs; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to effectuate the acquisition of the property and to pay the amount not to exceed \$266,700.00 to Alamo Title Insurance Company for the acquisition of the property and associated closing costs. Total expenditures are: \$266,700.00.  
(MIKE BRINKMANN – BRUCE HABY)

41. A Resolution accepting the bid of Thomas B. Black III, in the amount of \$7,000.00 and authorizing the President/Chief Executive Officer to execute a Purchase Agreement with Thomas B. Black III for the sale of the 4.156 acres, more or less, out of the Chris A. Yoacum Survey Number 39, Abstract 823, County Block 4191, Bexar County, Texas, located near the intersection of Fest Road and State Highway 16 South, in the southwest quadrant of Bexar County, Texas; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to complete the sale of the property and perform all the duties and obligations of the seller in the Purchase Agreement; authorizing the deduction of funds from the sales price in an amount not to exceed \$1,000.00 for the associated closing costs related to the sale of the property. Total purchase price: \$7,000.00 to the System.. (MIKE BRINKMANN – BRUCE HABY)
42. A Resolution accepting the bid of Boy Scouts of America, Alamo Area Council, Inc., in the amount of \$85,000.00 and authorizing the President/Chief Executive Officer or his designated representative to execute the Purchase Agreement with Boy Scouts of America, Alamo Area Council, Inc., for the sale of the 6.608 acres more or less , out of the Chris A. Yoacum Survey Number 39, Abstract 823, County Block 4191, Bexar County, Texas; located near the intersection of Fest Road and State Highway 16 South, in the southwest quadrant of Bexar County, Texas; authorizing the President/Chief Executive Officer or his designated representative to execute all documents necessary to complete the sale of the property and perform all the duties and obligations of the seller in the Purchase Agreement; authorizing the deduction of funds from the sales price in an amount not to exceed \$1,000.00 for the associated closing costs related to the sale of the property. Total purchase price: \$85,000.00 to the System.  
(MIKE BRINKMANN – BRUCE HABY)

## **FINANCIAL SERVICES ITEMS**

43. A Resolution approving an Interlocal Agreement between the San Antonio Water System and the City of Olmos Park, Texas, for sewer billing services; authorizing the President/Chief Executive Officer or his designated representative to execute the Interlocal Agreement. (DOUG EVANSON – MARY BAILEY)
44. A Resolution prescribing authority to sign for withdrawals from depository fund accounts; prescribing authority for withdrawals of documents from safekeeping, and appointing representatives with full authority to execute collateral transactions in accordance with contracts for general depository services and investment services as approved by actions of the Board of Trustees and that all prior instructions and Resolutions be and are hereby rescinded. (DOUG EVANSON)

## HUMAN RESOURCES ITEMS

45. A Resolution amending Resolution No. 08-430 by authorizing additional funds in an amount not to exceed \$300,000.00 from November 1, 2009, through December 31, 2009, payable to various temporary employment agencies to provide employment services; authorizing expenditures in an amount not to exceed \$300,000.00 from the System Fund for employment services for the period of November 1, 2009, through December 31, 2009; authorizing the President/Chief Executive Officer to amend Resolution No. 08-430 by authorizing additional funds in an amount not to exceed \$300,000.00 payable to various temporary employment agencies for the period from November 1, 2009, through December 31, 2009 for employment services. Total expenditures are: \$300,000.00 for a revised contract amount of: \$1,535,840.00. (JERRY BAILEY)
46. A Resolution approving the second of a three year contract with various temporary employment agencies in an amount not to exceed \$635,910.00 for employment services; authorizing expenditures in an amount not to exceed \$635,910.00 for employment services for the period of January 1, 2010 through December 31, 2010 from the System Fund; authorizing the President/Chief Executive Officer to execute the second of a three year contract with various temporary employment agencies and to pay various temporary employment agencies an amount not to exceed \$635,910.00 for the period of January 1, 2010 through December 31, 2010 for employment services. Total expenditures are: \$635,910.00. (JERRY BAILEY)
47. A Resolution accepting the Best Value Bids of Texas Rural Water Association to provide Texas Commission on Environmental Quality Approved Water and Wastewater and Other Related Skills Training Services in a total amount not to exceed \$120,000.00 per year; awarding one-year contracts with options for three one-year extensions to Texas Rural Water Association, Pro-Ops, Inc., and Texas Engineering Extension Services to provide Texas Commission on Environmental Quality Approved Water and Wastewater and Other Related Skills Training Services; approving an amount not to exceed \$120,000.00 be available from the System Fund for Fiscal Year 2010 for these training services and that future years' expenditures shall be authorized to be made pursuant to and contingent upon the appropriations made in the annual budgets approved by the Board with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly-appointed designee to execute one-year service contracts with three one-year extension options with Texas Rural Water Association and to pay Texas Rural Water Association for such services in a total amount not to exceed \$120,000.00 per year and for Texas Commission on Environmental Quality -Approved Water and Wastewater and Other Related Skills Training Services. Total expenditures are: \$120,000.00 per year. (JERRY BAILEY – DOUG PARTAIN)
48. A Resolution accepting the Competitive Sealed Bid of Operitel Corporation to license and provide its LearnFlex Learning Management System – Learning Content Management System and Related Software Services in a total amount not to exceed \$191,280.00 for five years and approximately \$15,288.00 per year thereafter; awarding a five-year contract with options for three one-year extensions to Operitel Corporation to license and provide its LearnFlex Learning Management System – Learning Content Management System and Related Software Services; approving the first-year expense of one-time dollars in the amount of \$114,840.00 and the annual service fee of \$15,288.00 for a total first-year cost of \$130,128.00; and that future years' expenditures shall be authorized to be made pursuant to and contingent upon the appropriations made in the annual budgets approved by the Board with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly-appointed designee to

execute a five-year service contract with three one-year extension options with Operitel Corporation and to pay Operitel Corporation for such services in a total amount not to exceed \$191,280.00 over five years and approximately \$15,288.00 per year thereafter to license and provide its LearnFlex Learning Management System – Learning Content Management System and Related Software Services. Total expenditures are: \$191,280.00 for five years and approximately \$15,288.00 per year thereafter.  
(JERRY BAILEY – DOUG PARTAIN)

49. A Resolution accepting the competitive sealed bid of Governmentjobs.com, Inc., to License and Provide Applicant Tracking System Software Services in a total amount not to exceed \$113,674.00 for five years; awarding a five-year contract to Governmentjobs.com, Inc., to license and provide Applicant Tracking System Software Services; approving an amount not to exceed \$45,000.00 be available from the System Fund for Fiscal Year 2010 for these software services and that future years' expenditures shall be authorized to be made pursuant to and contingent upon the appropriations made in the annual budgets approved by the Board with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly-appointed designee to execute a five-year service contract with Governmentjobs.com, Inc., and to pay Governmentjobs.com, Inc., for such services in a total amount not to exceed \$113,674.00 over five years and \$113,674.00 to license and provide applicant tracking system software services. Total expenditures are: \$113,674.00 for five years.  
(JERRY BAILEY – DOUG PARTAIN)
50. A Resolution accepting the competitive sealed bid of Halogen Software, Inc., to license and provide Performance Management System Software Services in a total amount not to exceed \$276,466.00 and \$52,571.00 per year thereafter; awarding a five-year contract with options for three one-year extensions to Halogen Software, Inc., to license and provide performance management system software services; approving an amount not to exceed \$66,182.00 be available from the System Fund for Fiscal Year 2010 for these software services and that future years' expenditures shall be authorized to be made pursuant to and contingent upon the appropriations made in the annual budgets approved by the Board with a line item for such expenditures; authorizing the President/Chief Executive Officer or his duly-appointed designee to execute a five-year service contract with three one-year extension options with Halogen Software, Inc., and to pay Halogen Software, Inc., for such services in a total amount not to exceed \$276,466.00 over five years and \$52,571.00 per year thereafter to license and provide performance management system software services. Total expenditures are: \$276,466.00 for five years with options for three one-year extensions, and \$52,571.00 per year thereafter. (JERRY BAILEY – NEIRA WHITE)

## MISCELLANEOUS ITEMS

- (WBE) 51. A Resolution accepting the proposals of and awarding contracts to Atrium Real Estate Services, Dugger, Canaday, Grafe, Inc., Eckmann Groll, Inc., and the M C Glen Company dba Integra Realty Resources-San Antonio to provide real estate appraisal services in connection with various Capital Improvement Projects for an amount not to exceed \$800,000.00 for a three-year period with the option of two, one-year renewals; authorizing total expenditures in an amount not to exceed \$800,000.00 from the Project Fund for the three-year period and the two, one-year renewals, if exercised with the expenditure of funds in all subsequent years after 2009 pursuant to and contingent upon the Board's approval of the budgets of those years with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative to negotiate and execute contracts with the appraisal companies and to pay the appraisal companies an amount not to exceed \$800,000.00

to provide the project work for the contract term and to exercise the two, one-year renewal options if it is in the best interest of the System. Total expenditures are: \$800,000.00. (MIKE BRINKMANN – BRUCE HABY)

- (WBE) 52. A Resolution approving the second year of the three year contract with Federal Court Reporters of San Antonio in an amount not to exceed \$45,000.00 to provide meeting transcription services for the System's Board Meetings from January 1, 2010 through December 31, 2010; approving expenditures from the System Fund in an amount not to exceed \$45,000.00 for the meeting transcription services to be provided in Fiscal Year 2010; authorizing the President/Chief Executive Officer or his designated representative to execute the second year of the three year contract with Federal Court Reporters of San Antonio to provide such services from January 1, 2010 through December 31, 2010 and to pay an amount not to exceed \$45,000.00 to Federal Court Reporters of San Antonio for such services. Total expenditures are: \$45,000.00. (TIM DARILEK)
53. A Resolution exercising the options to extend the term of the contract with Aramark Services, Inc., to provide cafeteria, vending and related services for an amount not to exceed \$140,000.00 per year for each year of the three year extended contract term extending through December 31, 2012; authorizing expenditures of an amount not to exceed \$140,000.00 from the System Fund for Fiscal Year 2010, and that the subsequent years expenditures are pursuant to and contingent upon Board approval of the subsequent years budget with a line item for such expenditures; authorizing the President/Chief Executive Officer or his designated representative to execute all documents required to exercise the options to extend the term of the contract with Aramark Services, Inc., and to pay Aramark Services, Inc., a total amount not to exceed \$140,000.00 per year for each year of the three year extended contract term to provide cafeteria, vending and related services for a three-year period. Total expenditures are: \$420,000.00. (MIKE BRINKMANN – KELLY CREEKMORE)

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

### **MISCELLANEOUS ITEMS**

54. A Resolution authorizing the President/Chief Executive Officer or his designee to exercise the first option to extend the term of the existing contract with Taylor West Advertising for advertising, media planning and marketing services and programs for the period from January 1, 2010 through December 31, 2010 in an amount not to exceed \$800,000.00; authorizing that expenditures in an amount not to exceed \$800,000.00 for Fiscal Year 2010 are to be expended from the System Fund; authorizing the President/Chief Executive Officer or his designee to pay Taylor West Advertising an amount not to exceed \$800,000.00 to perform advertising, media planning and marketing services for the period from January 1, 2010 through December 31, 2010. Total expenditures are: \$800,000.00. (GREG FLORES)
55. A Resolution accepting the recommendation of Marsh USA Inc., for commercial insurance coverage for the twelve month period commencing January 1, 2010; authorizing expenditures in an amount not to exceed \$1,186,340.00 for such insurance from the System Fund; authorizing the President/Chief Executive Officer or his designee to execute through Marsh USA Inc., all necessary documents and to pay Marsh USA Inc., an amount not to exceed \$1,186,340.00 for the cost for such insurance coverage. Total expenditures are: \$1,186,340.00. (DOUG EVANSON)

## **FINANCIAL SERVICES ITEMS**

56. A Resolution adopting revisions to the Investment Policy of the San Antonio Water System pursuant to the guidelines established in the City of San Antonio's Ordinance No. 75686 and the provisions of the Public Funds Investment Act; declaring that the revisions to the System's Investment Policy conform to the requirements of the Public Funds Investment Act. (DOUG EVANSON)

## **INTERNAL AUDIT ITEMS**

57. A Resolution approving the Annual Internal Audit Plan for 2010; further directing that the Internal Audit Department implement the Plan. (DORA ANN VERDE)

## **WATER RESOURCES ITEMS**

58. A Resolution authorizing the President/Chief Executive Officer or his designee to contribute Calendar Year 2010 Administrative Funding on behalf of the San Antonio Water System as a member of the Collective Edwards Aquifer Recovery Implementation Program by and through the Texas Agrilife Extension of the Texas A&M University System; approving expenditures of funds from the Water Supply Fee Revenues of the Project Fund to maintain San Antonio Water System's Administrative Contribution; approving expenditures of an amount of \$25,000.00 for San Antonio Water System's Calendar Year 2010 Administrative Contribution and an additional \$75,000.00 to fund one-half of a Springflow Optimization Study. Total expenditures are: \$100,000.00. (CHARLES AHRENS – CALVIN FINCH)

## **CAPITAL IMPROVEMENT CONTRACTS**

### **PROJECTS INVOLVING IMPROVEMENTS, EXTENSIONS AND ADDITIONAL CAPACITY**

#### **Production, Transmission and Treatment Improvements**

59. A Resolution accepting the bid of Pepper-Lawson Construction, LP, in the amount of \$19,191,000.00 for the construction of the Dos Rios and Leon Creek Water Recycling Centers Tertiary Filters Project; awarding a construction contract in the amount of \$19,191,000.00 to Pepper-Lawson Construction, LP for the project work; authorizing the expenditure of funds in an amount not to exceed \$19,191,000.00 for the project work; authorizing construction contingency expenses in an amount not to exceed \$384,000.00 in connection with the project work; authorizing total expenditures in an amount not to exceed \$19,575,000.00 from the System's Project Fund for the project work and construction contingency expenses; authorizing the President/Chief Executive Officer to execute a contract with Pepper-Lawson Construction, LP, and to pay Pepper-Lawson Construction, LP, the amount of \$19,191,000.00 for the project work. Total expenditures are: \$19,575,000. (KELLEY NEUMANN – ASHOK KAJI)
60. A Resolution accepting the bid of S.J. Louis Construction of Texas, Ltd., in the amount of \$12,614,554.03 for the construction of the Medio Creek Water Recycling Center Recycled Water Pump Station and Line Project; awarding a construction contract in the amount of \$12,614,554.03 to S.J. Louis Construction of Texas, Ltd., for the project work; authorizing the expenditure of funds in the amount of \$12,614,554.03 for the project work; authorizing construction contingency expenses in an amount not to exceed \$252,000.00 in connection with the project work; authorizing total expenditures of funds in an amount not to exceed \$12,866,554.03 from the System's Project Fund for the

project work and construction contingency expenses; authorizing the President/Chief Executive Officer to execute a contract with S.J. Louis Construction of Texas, Ltd., and to pay S.J. Louis Construction of Texas, Ltd., the amount of \$12,614,554.03 for the project work. Total expenditures are: \$12,866,554.03.

(KELLEY NEUMANN – ASHOK KAJI)

- (SBE) 61. A Resolution accepting the bid of Shannon-Monk, Inc., in the amount of \$4,909,000.00 for the construction of the Culebra Pump Station Project; awarding a construction contract in the amount of \$4,909,000.00 to Shannon-Monk, Inc., for the project work; authorizing construction contingency expenses in an amount not to exceed \$98,000.00 in connection with the project work; authorizing total expenditures in an amount not to exceed \$5,007,000.00 from the System's Project Fund for the project work and construction contingency expenses; authorizing the President/Chief Executive Officer to execute a contract with Shannon-Monk, Inc., and to pay Shannon-Monk, Inc., the amount of \$4,909,000.00 for the project work. Total expenditures are: \$5,007,000.00.

(KELLEY NEUMANN – ASHOK KAJI)

- (SBE) 62. A Resolution rescinding Resolution No. 09-218 that awarded a contract to Key Enterprises, Inc., in connection with the construction of the 24" Transmission Main From Loop 410 to FM 1937 Phase 2 Project; accepting the bid of Wauters Engineering, LLC in the amount of \$1,285,497.34, for the construction of the 24" Transmission Main From Loop 410 to FM 1937 Phase 2 Project; awarding a construction contract in the amount of \$1,285,497.34 to Wauters Engineering, LLC, for the project work; authorizing the expenditure of funds in the amount of \$1,285,497.34 for the project work; authorizing construction contingency expenses in an amount not to exceed \$26,000.00 in connection with the project work; authorizing total expenditures of funds in an amount not to exceed \$1,311,497.34 from the System's Project Fund for the project work and construction contingency expenses; authorizing the President/Chief Executive Officer to execute a contract with Wauters Engineering, LLC, and to pay Wauters Engineering, LLC, the amount of \$1,285,497.34 for the project work. Total expenditures are: \$1,310,497.34. (KELLEY NEUMANN – ASHOK KAJI)

63. A Resolution accepting the bid of Renda Pacific LLC, in the amount of \$9,706,250.00 for the Twin 72 Sewer Main Replacement Project; awarding a contract to Renda Pacific LLC, in the amount of \$9,706,250.00 for the project work; approving the expenditure of funds in the amount of \$9,706,250.00 for the project work; approving construction contingency expenses in an amount not to exceed \$250,000.00 in connection with the project work; approving total expenditures in an amount not to exceed \$9,956,250.00 in connection with project work; approving total expenditures in an amount not to exceed \$9,956,250.00 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with Renda Pacific LLC, and to pay Renda Pacific LLC, the amount of \$9,956,250.00 for the project work and related construction contingencies. Located in Council District 3. Total expenditures are: \$9,956,250.00.

(KELLEY NEUMANN – FRANCES PLOCEK)

64. A Resolution accepting the bid of SER Construction, in the amount of \$3,197,564.60 for the Roosevelt Avenue Sewer Main Rehabilitation Project; awarding a contract to SER Construction, in the amount of \$3,197,564.60 for the project work; approving the expenditure of funds in the amount of \$3,197,564.60 for the project work; approving construction contingency expenses in an amount not to exceed \$80,000.00 in connection with the project work; approving total expenditures in an amount not to exceed \$3,277,564.60 in connection with project work; approving total expenditures

in an amount not to exceed \$3,277,564.60 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with SER Construction, and to pay SER Construction, the amount of \$3,277,564.60 for the project work and related construction contingencies. Total expenditures are: \$3,277,564.60. (KELLEY NEUMANN – FRANCES PLOCEK)

65. A Resolution accepting the bid of TRCU Ltd., in the amount of \$1,398,806.80 for the Probandt Phase II Project construction contract; awarding a construction contract to TRCU Ltd., in the amount of \$1,398,806.80 for the project work; approving the expenditure of funds in an amount not to exceed \$1,398,806.80 for the project work; approving construction contingency expenses in an amount not to exceed \$70,000.00; approving total expenditures in an amount not to exceed \$1,468,806.80 be made available and expended from the System's Project Fund for the project work and related construction contingencies; authorizing the President/Chief Executive Officer to execute a construction contract with TRCU Ltd., and to pay TRCU Ltd., an amount not to exceed \$1,468,806.80 for the project work and related construction contingencies. Located in Council District 3. Total expenditures are: \$1,468,806.80. (KELLEY NEUMANN – FRANCES PLOCEK)

#### Professional Services Contracts

- (MBE) 66. A Resolution accepting the proposal of and awarding a professional services contract to CAS Consulting & Services, Inc., in an amount not to exceed \$1,300,000.00 in connection with the Western Extension B Project; approving the expenditure of funds in an amount not to exceed \$1,300,000.00 from the System's Project Fund for the project engineering work; authorizing the President/Chief Executive Officer to execute a professional services contract with CAS Consulting & Services, Inc., and to pay CAS Consulting & Services, Inc., an amount not to exceed \$1,300,000.00 for the project engineering work. Located in Council District 8. Total expenditures are: \$1,300,000.00. (KELLEY NEUMANN – FRANCES PLOCEK)

#### 67. BRIEFING SESSION.

- A. Briefing and deliberation regarding the schedules of the 2010 Board Meetings and Policy and Planning Meetings. (TIM DARILEK – LISA MIRELES)

#### 68. Inquiries.

69. The Regular Session of the December 1, 2009, Regular Board Meeting is hereby recessed to hold an Executive Session and discuss the matters listed below pursuant to Sections 551.071, 551.072, 551.073, and 551.074 of the Texas Open Meetings Act.

#### 70. EXECUTIVE SESSION.

- A. Consultation with attorneys and deliberation regarding the appointment, employment, reassignment, duties, discipline, or dismissal of a public officer or employee. (FRANK STENGER-CASTRO – BILL CROW)
- B. Consultation with attorneys and deliberation regarding Cause No. 2008-CI-18206, *Jose A. Perez v. San Antonio Water System*, In the 131<sup>st</sup> Judicial District Court, Bexar County, Texas. (FRANK STENGER-CASTRO - BILL CROW)

- C. Consultation with attorneys regarding pending contested case proceedings before the Gonzales County Underground Water Conservation District in regards to Applications of the San Antonio Water System for Permits to Produce and Transport Groundwater From the Carrizo Aquifer in Gonzales County, Texas. (FRANK STENGER-CASTRO – STEVE KOSUB)**
- D. Consultation with attorneys and deliberation regarding legal issues related to the Definitive Agreement between the San Antonio Water System and the Lower Colorado River Authority. (FRANK STENGER-CASTRO - STEVE KOSUB)**
- E. Consultation with attorneys and deliberation regarding potential litigation relating to matters in connection with wastewater permit compliance issues. (FRANK STENGER-CASTRO – JOHN REYNOLDS)**
- F. Consultation with attorneys and deliberation regarding legal issues related to certain Certificate of Convenience and Necessity (CCN) boundary issues, including, potential Texas Commission of Environmental Quality petitions. (FRANK STENGER-CASTRO – KEITH MARTIN)**
- G. Consultation with attorneys for the San Antonio Water System and its Board of Trustees, and consideration of matters in which the duty of the attorney to the San Antonio Water System and its Board of Trustees under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act. (FRANK STENGER-CASTRO)**

- 71. The Regular Session of the Regular Board Meeting of December 1, 2009, is hereby reconvened.**
- 72. Adjournment. THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES MEETING OF DECEMBER 1, 2009, IS HEREBY ADJOURNED.**