



**AGENDA FOR A REGULAR BOARD OF DIRECTORS' MEETING
SCHEDULED WEDNESDAY, December 11, 2024, at 11:30 a.m.
BWWB TRAINING ROOM**

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 the October 9, 2024, Regular Board of Directors' Meeting.

REPORTS OF COMMITTEES

- Engineering and Maintenance Committee Meeting – Wednesday, December 11, 2024; immediately following the Regular Board of Directors' Meeting
- Regular Board of Directors' Meeting – Wednesday, December 18, 2024, 11:30 a.m.

REPORTS OF OFFICERS

- A. Chair
 - Request Board **to hear** Employee Association highlights/update; Derrick Maye, Akhi King
- B. Directors
- C. General Manager/Assistant General Managers

UNFINISHED BUSINESS

- None

SPEAKERS

NEW BUSINESS

2. Request Board **to approve** payments of invoices to the following:
 - 2.1 Fine Geddie & Associates, LLC for professional services rendered November 2024 in the amount of \$15,000.00.
 - 2.2 The Jones Group, LLC for professional services rendered November 2024 in the amount of \$15,000.00.
 - 2.3 General Ronald L. Burgess for professional services rendered October 18, 2024 through November 17, 2024 in the amount of \$26,345.46.
 - 2.4 Kelvin W. Howard, LLC for professional services rendered November 2024 in the amount of \$29,806.50.

- 2.5 Direct Communications for professional services rendered December 2024 in the amount of \$33,000.00.
- 2.6 ARCADIS U.S., Inc. for the following:
- 2.6.1 ARCADIS U.S., Inc. for professional services rendered September 2024 in the amount of \$389,011.23.
- 2.6.2 ARCADIS U.S., Inc. for professional services rendered October 2024 in the amount of \$427,221.66.
3. Request Board **to approve** the following items; and **to authorize** the Interim General Manager and/or Interim Assistant General Manager to execute applicable documentation, as recommended by the Engineering and Maintenance Committee:
- 3.1 **To approve expenditures** with the following:
- 3.1.1 Pro Logic ITS for the installation of Emergency Lights on eight (8) new single-axle dump trucks, at an estimated out-of-pocket cost to the Board of \$39,347.84. [NOTE: HUB participation 0%. This expenditure is exempt from bidding under the Alabama Competitive Bid Law because the items and services fall under State of Alabama Bid Contract #MA 230000004214.]
NO OF BIDS: 0 MINORITY VENDOR BID: No ✓ or Yes NEW VENDOR: No ✓ or Yes
- 3.1.2 Capital Tractor, Inc., for the purchase of four (4) new Diesel Utility Terrain Vehicles (UTV) for Lake Purdy, Inland Dam, Cahaba Pump Station, and Mulberry Pump Station, at an estimated out-of-pocket cost to the Board of \$88,127.56. [NOTE: HUB participation 0%. Expenditure is exempt from bidding under the Alabama Competitive Bid Law because items and services fall under State of Alabama Bid Contract #MA 230000004045.]
NO OF BIDS: 0 MINORITY VENDOR BID: No ✓ or Yes NEW VENDOR: No ✓ or Yes
- 3.1.3 Tractor and Equipment Company for the purchase of one (1) Komatsu WA270-8 Wheel Loader for use by the Distribution Department, at an estimated out-of-pocket cost to the Board of \$200,800.00. HUB participation 0%. [NOTE: This expenditure is exempt from bidding under the Alabama Competitive Bid Law because the items and services fall under the Sourcwell cooperative purchase, contract #011723-KOM.]
NO OF BIDS: 0 MINORITY VENDOR BID: No ✓ or Yes NEW VENDOR: No ✓ or Yes
- 3.1.4 Tractor and Equipment Company for the purchase of two (2) Komatsu PC88MR-11 Excavators to be used by the Distribution Construction Department at an estimated out-of-pocket cost to the Board of \$237,218.00. [NOTE: HUB participation 0%. This expenditure is exempt from bidding under the Alabama Competitive Bid Law because the items and services fall under the Sourcwell cooperative purchase, contract #011723-KOM.]
NO OF BIDS: 0 MINORITY VENDOR BID: No ✓ or Yes NEW VENDOR: No ✓ or Yes
- 3.1.5 Various Vendors, for Tires (Bridgestone), effective June 8, 2024, through June 7, 2025, at an estimated out-of-pocket cost to the Board of \$550,000.00, pursuant to the State of Alabama Contract #MA 230000004059. [NOTE: The expenditure is exempt from bidding under the Alabama Competitive Bid Law

because it is a purchase from the State of Alabama Master Agreement contract.]

NO OF BIDS: 0

MINORITY VENDOR BID: No ✓ or Yes

NEW VENDOR: No ✓ or Yes

- 3.1.6 Petroleum Traders, for Unleaded 89 (Mid-Grade) Gasoline and Low-Sulfur On-Road Diesel, for a period of up to one-year, beginning January 1, 2025, at an estimated out-of-pocket cost to the Board of \$2,815,046.00, contingent upon the State of Alabama renewing its current contract; October 1, 2023, through September 30, 2025, pursuant to the State of Alabama Contract # MA23000004238. [NOTE: Supplier is 100% veteran owned. Proposal is exempt from bidding under the Alabama Competitive Bid Law because it is a purchase from the State of Alabama Master Agreement contract.]

NO OF BIDS: 0

MINORITY VENDOR BID: No or Yes ✓

NEW VENDOR: No ✓ or Yes

3.2 **To approve agreements** with the following:

- 3.2.1 City of Birmingham, for Laboratory Testing Services with the EnviroLab Department to perform testing services for a two-year period, effective January 1, 2025 through December 31, 2026, for the City's Stormwater Testing Program, generating revenue for the Board up to \$89,660.00.

- 3.2.2 Carahsoft Technology Corporation, for Element Four Veeam Data Replication & Cloud Disaster Recovery Service, effective March 28, 2025, through March 27, 2026, at an out-of-pocket cost to the Board of \$83,645.04. [NOTE: HUB participation 0%. This item is exempt from bidding because it is being purchased from the Omnia Cooperative contract agreement R191902.]

NO OF BIDS: 0

MINORITY VENDOR BID: No ✓ or Yes

NEW VENDOR: No ✓ or Yes

- 3.2.3 Utegration, for extended SAP support, effective January 1, 2025, through December 31, 2025, at a total out-of-pocket cost to the Board of \$600,248.00. [NOTE: HUB participation 0%.]

- 3.2.4 Business Systems and Operations (BSO), for extended SAP support, effective January 1, 2025, through December 31, 2025, at a total out-of-pocket cost to the Board of \$611,562.00. [NOTE: HUB participation 100%.]

3.3 **To award bids** to the following:

- 3.3.1 Walter A Wood Supply Company, Inc., **the lowest responsible and responsive bidder**, for estimated quantities of Traffic Cones, at an estimated out-of-pocket cost to the Board of \$42,525.00. [NOTE: HUB participation 0%.]

NO OF BIDS: 2

MINORITY VENDOR BID: No ✓ or Yes

NEW VENDOR: No ✓ or Yes

- 3.3.2 Shimadzu Scientific Instruments, **the lowest responsible and responsive bidder**, for a Total Organic Carbon (TOC) Analyzer, at an estimated out-of-pocket cost to the Board of \$59,137.85. [NOTE: HUB participation 0%. Vendor is a direct supplier.]

NO OF BIDS: 2

MINORITY VENDOR BID: No ✓ or Yes

NEW VENDOR: No or Yes ✓

- 3.3.3 The Clorox Sales Company, **the lowest responsible and responsive bidder**, for estimated quantities of Lead-Free Water Pitchers and Filters for lead service

line replacement, at an estimated out-of-pocket cost to the Board of \$100,640.00. [NOTE: HUB participation 0%. Vendor is a direct supplier.]

NO OF BIDS: 1

MINORITY VENDOR BID: No ✓ or Yes

NEW VENDOR: No ✓ or Yes

3.3.4 Y&S Technologies, Inc., **the lowest responsible and responsive bidder**, for Lenovo Desktops, Laptops and Smart Docs, at an estimated out-of-pocket cost to the Board of \$143,066.50. [NOTE: HUB participation 0%.]

NO OF BIDS: 4

MINORITY VENDOR BID: No ✓ or Yes

NEW VENDOR: No ✓ or Yes

3.3.5 J.J. Morley Enterprises, Inc., **the lowest responsible and responsive bidder**, for the Cahaba Pump Station Intake Structure Repair and Rehabilitation Project, at an estimated out-of-pocket cost to the Board of \$266,627.60 (\$216,627.60 plus the mandatory \$50,000.00 contingency). [NOTE: HUB participation 3.57%. HUB labor and services participation 11.85%.]

NO OF BIDS: 2

MINORITY VENDOR BID: No or Yes ✓

NEW VENDOR: No or Yes ✓

4. Request Board **to adopt** a resolution to hire Janine Smith Law Firm, LLC, to provide legal services as required, effective December 11, 2024, at an hourly rate of \$300.00 per hour; and **to authorize** the Interim General Manager to execute the agreement.
5. Request Board **to terminate** that certain agreement dated January 31, 2024, with Kelvin W. Howard, LLC.
6. Request Board **to approve** a contract renewal with Parnell Thompson, LLC to continue to serve as General Counsel, effective December 11, 2024, at a rate of \$300.00 per hour; and **to authorize** the Interim General Manager to execute the agreement.
7. Request Board **to approve** a new agreement with Birmingham Business Resource Center (BBRC), to assist the Board in establishment of Business Sustainability and Capacity Building (BSCB) and Historically Underutilized Business (HUB) programs, effective December 11, 2024, through December 10, 2025, at a monthly out-of-pocket cost to the Board of \$35,000.00; and **to authorize** the Board Chair to execute the agreement.
8. Request Board **to approve** a settlement in the case styled 22-CV-00838, in the amount of \$75,000.00; and **to authorize** the Board's legal counsel, Brandon Prince, and the Board's Interim General Manager to execute any necessary documentation to effectuate the settlement.
9. Request Board **to rescind** modification to the ARPA Subrecipient Agreement with Jefferson County to increase the previously approved amount of \$2,000,000.00 by an additional \$1,000,000.00 bringing the total amount from Jefferson County to \$3,000,000.00. The total project cost including contractor's bid, material, and Board's labor is \$5,841,493.21; the estimated out of pocket cost to the Board, after Jefferson County's \$3,000,000.00 ARPA funding, will be \$2,841,493.21; and **to authorize** the Interim General Manager and/or Assistant General Manager to execute the agreement. [NOTE: This was for the project awarded to Gillespie Construction, LLC on Sardis Road between Mount Olive Road, and Honeysuckle Way in unincorporated Jefferson County for the installation of approximately 8,730-feet of 12-inch DICL pipe; 120-feet of 8-inch DICL pipe, directional drilling HDPE pipe at Crooked Creek Crossing and related appurtenances; and three (3) water services in unincorporated Jefferson County.]

10. Request Board **to adopt** a resolution establishing a team comprising of the Interim General Manager, the Interim Deputy General Manager, and the Board's legal counsels, Parnell Thompson, LLC, and BHM Law Group, LLC, to assess the advantages of conducting a Disparity Study for the Board and provide guidance on the study's process. The team is directed to complete this evaluation by January 31, 2025.
11. Request Board **to approve** an agreement with Companion Life/ISU for Stop Loss Insurance, at a projected annual cost of \$443,785.20, and AmWins, for a Gene Therapy Program at a projected annual cost of \$38,760.00; for a total projected out-of-pocket cost to the Board of \$482,545.20, effective January 1, 2025, through December 31, 2025; and **to authorize** the Interim General Manager and/or Interim Assistant General Manager to execute the agreement.
12. Request Board **to terminate** agreements with the following recruitment firms as listed on the attached termination letters; and **to authorize** the Interim General Manager and/or Interim Assistant General Manager to execute the necessary documents, as follows:
 - 12.1 Human Capital Services LLC; effective 14-days from today's date of December 11, 2024
 - 12.2 Insight Global; effective 14-days from today's date of December 11, 2024
 - 12.3 Innova Solutions; effective 90-days from today's date of December 11, 2024
 - 12.4 Excelsior Staffing; effective May 31, 2025
13. Request Board **to approve** a Scope of Services with E Source, for the Advanced Metering Infrastructure Project, Phase 2-Project Management Services, at a cost of \$7,955,400.00; and **to authorize** the Interim General Manager and/or Interim Deputy General Manager to execute the agreement. HUB participation 30%.
14. Request Board **to hear** a presentation on changes to Alabama's Public Records Act.

ADJOURNMENT