

**Minutes Of
Engineering And Maintenance Committee Meeting
Of The Water Works Board
Of The City Of Birmingham
May 19, 2020**

An Engineering and Maintenance Committee Meeting of The Water Works Board of the City of Birmingham was held Tuesday, May 19, 2020, at 9:00 a.m., at the Birmingham Water Works Board, 3600 First Avenue North – via electronic equipment, to discuss engineering and maintenance issues.

The following Committee members were present via roll call: Brenda J. Dickerson (Chair), Brett A. King and George Munchus. Other Board Members present who do not serve on the Committee were: Tommy Joe Alexander, Lucien Blankenship, William "Butch" Burbage, Jr., Deborah Clark, and William R. Muhammad.

The meeting was also attended by: Michael Johnson, General Manager; Derrick Murphy, Assistant General Manager of Engineering & Maintenance; Jeffrey Thompson, Assistant General Manager of Operations & Technical Services; Iris Fisher, Assistant General Manager of Finance & Administration; Grace Amison, Executive Assistant to the Board of Directors; Tammy Wilson, Executive Assistant to Derrick Murphy and Jeffrey Thompson; Marsha Hammonds, System Support Supervisor; Doug Stockham, System Development Manager; Rick Jackson, Public Relations Manager; Mark Parnell, Parnell Thompson, LLC; Howard Richards, S'quad Consulting Associates.

Committee Chairman, Brenda J. Dickerson called the meeting to order at 9:02 a.m. Inasmuch as all Committee members were present when the meeting was called to order, a quorum was in attendance. AGM Derrick Murphy opened the meeting with prayer.

Next, Director Dickerson requested that the presentation referenced in Item 5 be addressed last, just before new business.

Following, Item 1 was addressed, which was a request to approve minutes from October 15, November 12 and December 10, 2019. On a motion duly made and seconded, the Committee unanimously approved the minutes.

Next, Item 2 was addressed, which was a request for the Committee to exercise its right to extend a contract with CJ Pressure Cleaning, Inc. From June 2018 to March 2019, data shows that \$504,000.00 was spent on pressure washing and from March 2019 to present, data shows that \$492,000.00 has been spent on pressure washing with CJ Pressure Cleaning, Inc., according to AGM Murphy. Director Blankenship asked if the Board could utilize multiple vendors in the future on bids and he inquired about the cost per project on pressure washing. AGM Murphy responded that there are models where the areas could be divided into quadrants and separate vendors could perform the work. Director Blankenship stated they could talk about it off-line. GM Johnson responded that CJ

Pressure Cleaning won the bid at .10 per square foot. On a motion duly made and seconded the Committee unanimously agreed to move the item to the Board.

Following, Item 3 was addressed, which was a request for the Committee to recommend to the Board to take bids on annual landscaping restoration throughout the limits of the Birmingham Water Works Board's (BWVB) distribution system. Director Blankenship again asked about how to award contracts like this to more vendors. Director Burbage stated BWVB must comply with bid laws and the state bid laws do not allow multiple vendors to have the same contract. Director Blankenship stated the Board may need some training on it and Director Dickerson agreed. Director Blankenship stated his intent was not to circumvent the bid laws. Director Munchus stated he thought the bid laws allow for some flexibility. On a motion duly made and seconded, the Committee unanimously agreed to move the item to the Board.

Next, Item 4 was addressed, which was a request for the Committee to recommend to the Board to take bids on BWVB standard patch paving and longitudinal/transverse paving replacement to be used within the limits of the Distribution and System Development departments. Some discussion occurred regarding Black Diamond Paving and whether it is a minority owed business. AGM Murphy clarified that it is a woman-owned company. On a motion duly made and seconded, the Committee unanimously agreed to move the item to the Board.

Following, Item 6 was addressed, which was a request for the Committee to recommend to the Board to award a bid to Global Construction & Engineering, Inc., for the relocation of BWVB facilities in conflict with ALDOT/Jefferson County Project No. STPBH 7020(601), Patton Chapel Road widening, (Crayrich Drive to Chapel Lane) located in the city of Hoover. There is no cost to the Board. Director Munchus asked AGM Murphy to check on ALDOT's minority program, adding BCIA might be able to help. Director Dickerson asked if Global Construction & Engineering, Inc. was a minority owned business. AGM Murphy responded, yes. GM Johnson stated that ALDOT participates in the minority workshops BWVB facilitates. On a motion duly made and seconded, the Committee unanimously agreed to move the item to the Board.

Next, Items 7, 8 and 9 were addressed together, these were requests for the Committee to recommend to the Board to award bids to REV Construction, Inc. on three different pipeline replacement projects. The first along 33rd Street, 34th Street and Avenue Q located in the Ensley community; the second along Monarch Avenue, Baker Drive, Park Street and Kingsbury Avenue in the city of Birmingham; and a third along Court R located in the Ensley community. Director Dickerson asked why these projects are important. AGM Murphy responded that the pipes in the ground are galvanized steel and they have reached the end of their useful life and need to be replaced due to water pressure quality issues. Director Dickerson asked for a company profile going forward and she had questions about REV Construction, Inc. AGM Murphy explained that REV Construction, Inc. was originally a family female-owned business based in Tuscaloosa, Alabama; however, the sons have taken ownership now. Director Blankenship asked more specifically what these companies are doing in the communities and schools and who they

are employing, adding that he likes to know who he is doing business with. Director Muhammad asked if Tuscaloosa was in our service area. AGM Murphy responded, “no”. It was confirmed that Jones Utility Contracting Company, the next lowest bidder, was based in the City of Birmingham. AGM Murphy stated that local preference for competitive bid purposes is for materials, not for Public Works projects. Attorney Parnell stated that there is no mechanism in the state bid law that would bar a company from being allowed to bid, but BWWB has had integrity issues with some vendors causing them to be deemed non-responsible and has subsequently awarded to the second lowest responsible and responsive bidder in the past. Attorney Parnell encouraged limiting the discussion due to ongoing litigation involving Jones Utility Contracting Company. Director Muhammad stated that Jones Utility Contracting Company could be innocent. Legislation regarding Public Works projects that the lobbyist representing the Board introduced last year was mentioned. Director Clark stated that the Board needs to look at effectiveness when voting on pay for lobbyists. Director Munchus stated that he calls Mr. Greg Jones directly to get updates. Director Dickerson stated that she disagrees, adding that Greg Jones needs to formally report to the Board. GM Johnson stated that Mr. Jones includes a summary with his monthly invoice, but he will ask for more detail. Director Muhammad stated that he does not use Diligent Books, so he has not seen Mr. Jones’ summary. Director Dickerson asked about the work schedule with the same company being awarded all three projects. Doug Stockham explained that two of the three projects will be conducted simultaneously. The time frame was discussed from notice to proceed to breaking ground. Mr. Stockham confirmed that the duration was between five and six months. Some discussion took place on how long it will take to replace all the galvanized pipe in the system, with 8 – 10 years being suggested. Director Blankenship stated he was not comfortable with bulk projects being approved. Director Munchus talked more on the community engagement piece, particularly the schools in the City of Birmingham. Director Munchus stated he did not think it would hurt to delay these bid awards for two more weeks. Director Dickerson stated she would not entertain that. Director Dickerson stated that the water service would be improved by doing this work. Director Clark stated that the Board has a responsibility to benefit the City of Birmingham and its communities. Director Dickerson asked AGM Murphy to provide the number of bids that had been awarded to REV Construction, Inc. in 2018 and 2019; she additionally asked for the bid amounts prior to the next Board meeting. Director Clark asked that the Board’s concerns be addressed going forward and that the Board be informed of what AGM Murphy is planning to place on the agenda a full year in advance. Director King stated that he appreciated AGM Murphy’s work in putting together the Capital Projects that he plans to put before the Board in 2020 and further stated that he has reviewed the information. Director King then stated that he would like to keep the process moving. Director Dickerson stated that going forward the Board could ask if companies have an interest in community involvement. On a motion duly made and seconded, the Committee agreed to move the three items to the Board in a two to one vote. Director Munchus voted no.

Following, Item 5 was addressed, which was a presentation and a request to take bids on the FY2020 Capital Improvement Projects. Director Dickerson asked that the Board members review the information presented with no action today. Questions and comments would be addressed in the next Engineering & Maintenance Committee

meeting. A risk-based scoring process was used to identify the eighteen projects. Director Munchus stated that he would like to add a requirement that vendors be involved in the community on these projects. GM Johnson stated this should be a part of the Strategic Planning process. GM Johnson stated that he believed the vendors would see the value in this. Director Dickerson stated that the Board cannot assume that these people know how to deal with black people in the community. Director Munchus said black and white make green. The proposed work for projects at Western Filter Plant, Putnam Filter Plant, Inland Lake Reservoir, various pump stations, tank painting/upgrades, Mulberry Pump Station and the Cahaba Pump Station was described. Director Clark asked about the maintenance issues at a tank in the Five Points West area. AGM Murphy noted that issue was currently being addressed. Director Munchus stated that he mis-spoke earlier and clarified his opinion that ALDOT has not been aggressive with regards to minority participation. ADLOT has a goal of only 8% minority participation. Director Munchus asked the GM Johnson and AGM Murphy to look at what the Governor's Office is doing involving small businesses and specifically with regards to ALDOT and its minority participation. GM Johnson stated Staff would be addressing the Facility Master Plan and questions about America's Water Infrastructure Act (AWIA) as it relates to facilities. Director Blankenship mentioned partnering with Lawson State, Jefferson State and other trade schools to get people trained on work such as tank painting.

Next, under new business, Howard Richards, with S'quad Consulting Associates was recognized. Mr. Richards proposed a joint venture with BWWB regarding a new potential revenue stream for BWWB by engaging ADEM and the Alabama Rural Water Association to support S'quad conducting AWIA-mandated Risk and Resilience Assessments (RRAs) for small to mid-sized utilities. Mr. Richards stated that he had been very active with AWIA, including work in Georgia with ARCADIS U.S., Inc. Mr. Richards said small utilities need this help in Alabama and it is a win for everybody. BWWB will be recognized for its leadership in drinking water sustainability, according to Mr. Richards. This is not just limited to Alabama and the model can be expanded Mr. Richards stated. The delivery of the program was discussed briefly. BWWB will be the sponsor who will engage ADEM and operate in an administrative capacity. Director Blankenship stated he would like to review the terms of the proposal. Director Muhammad talked about the Board's partnership with HomeServe, specifically opening it up to the entire state and including Mississippi and Louisiana. Director Muhammad stated he liked securing revenue without raising rates. Director Clark stated that she is not clear on what Mr. Richards is proposing to provide. Director Alexander concurred. GM Johnson asked Mr. Richards to explain the benefits to the BWWB and whether this is a sponsorship request or a joint venture request. GM Johnson asked Mr. Richards to send a copy of his presentation and a proposal to the Board members and Senior Staff to review. Director Clark asked for clarity before moving this item to the Board. Director Dickerson stated that she expected the Board to have answers to their questions by the time this is brought to the Board next Wednesday. Director Dickerson reminded Mr. Richards that this would all be contingent on him providing the information requested by the Board. On a motion duly made and seconded, the Committee agreed to move the item to the Board with two votes. Director King was not present for the voting. Attorney Parnell clarified that any item not coming out of Committee could be brought up under new business at a Board

Meeting. Director Munchus reminded AGM Murphy to find out what involvement REV Construction, Inc. has had with the Birmingham community.

As there was no further business to be brought before the Committee, the meeting was adjourned at 12:01 p.m.

_____/s/
Michael Johnson
General Manager

_____/s/
Brenda J. Dickerson, Ph.D.
First-Vice Chairwoman/First Vice President

_____/s/
Brett A. King, Esq.
Director

_____/s/
George Munchus
Director