



~ Preliminary Agenda ~

Wednesday, April 20, 2022

8:30 AM

Board Room

INFORMATION FOR THE BENEFIT OF THE PUBLIC:

Public Notice: Regular board meetings are held the first and third Wednesdays of the month at MLGW's Administration Building unless otherwise noted in the public notice filing and website. The proposed agenda will be posted in the public section of the ground floor lobby of the Administration Building and on MLGW's website at least 48 hours before the Board meets. You may access the proposed Board agenda and all available documents related to the items linked from the agenda on the Internet at: www.mlgw.com. Large agreements, items related to Homeland Security or items received too late to post may not be viewable. You may view those documents in the Public Records Office prior to or after the Board meeting. By Board action, agenda items may be added, deleted or held for later consideration at a later board meeting.

Consent Agenda: Items shown under the Consent Agenda consists of items considered to be routine and non-controversial upon which the documentation provided to the Board is adequate to give sufficient information for approval without inquiry or discussion during the Board meeting. The use of the Consent Agenda is designed to minimize the time required for the handling of routine matters in order to permit additional time to be spent on more significant matters. The Chairman will call for approval on the Consent Agenda as a whole and the vote will be treated as a separate vote on each item. At the request of a Board member, the Chairman may move any item on the Consent Agenda to the Regular Agenda.

Regular Agenda: Item(s) to be individually considered for Board action.

Filed Items: The Board may be provided information which does not require Board approval or Board discussion but which is noted for the official record as having been supplied to the Board.

Resolutions: Generally, there are two types of resolutions subject to approval by the MLGW Board of Commissioners. Internal Board Resolutions are within the full authority of the Board and considered final upon the acceptance of the minutes of that board action. External Board Resolutions are subject to the approval of the City Council and are not considered final until the City Council accepts the minutes of their approval for such.

ADA: As a covered entity under Title II of the Americans with Disabilities Act, MLGW does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. To ensure availability, such request should be made 72 hours in advance by contacting Linda Ford at (901) 528-4323 during business hours.

To Officially Communicate to the Board: Any individual member or group of the general public desiring to address the Board orally on items of interest to the public that are within the subject matter jurisdiction of the Board, shall complete an **MLGW Board Speaker Card** to make such desire known to the Board Secretary. Such request to be heard should be marked with the date of the meeting; the agenda item number; if the comments are in support, opposition, or general as they relate to the item; the speaker's name and address; and if the speaker is representing someone else as a paid consultant. Paid lobbyists must complete the required disclosure of their client's name, phone number, and address. Statements shall not exceed three minutes unless additional time is granted by the Board Chair. When recognized, please proceed forward to the podium and state your name and address. The board and staff will not answer questions that are asked in this forum but written questions or a written statement may be provided to the Board Secretary for entry into the official record. If any Board member receives approval of the Board Chairman, that Board Member may address questions to the person providing the public statement.

CALL TO ORDER AND OPENING REMARKS:

Chairman Graves

PLEDGE OF ALLEGIANCE:

Chairman Graves

ROLL CALL:

Dana Jeanes

APPROVALS:

Approve Minutes of the Meeting of April 8, 2022.

CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE:

Dana Jeanes

Receipt of Certified Copies of City Council Resolutions dated April 5, 2022, items 17 through 26.

PRESENTATIONS:

Recognition of Serving on the MLGW Board - Mitch Graves

- Steve Wishnia
- Carlee McCullough
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PRESIDENT'S BRIEFING:

1. Review of Consent Agenda - J. T. Young

(President's Briefing Continued on Page 6)

CONSENT AGENDA

CHIEF CUSTOMER OFFICER

1. Resolution approving the rejection of bids received up to 4 o'clock p.m., Tuesday, November 16, 2021 for water meters. (Randy Orsby)

CHIEF INFORMATION OFFICER

2. Resolution approving Change No. 2 to Contract No. 12267, MicroFocus Software with Thomas Consultants, Inc., (Formerly Purchase Order# 7017597), in the funded amount of \$576,494.14. (This change is to ratify and renew annual software maintenance, support services, and licenses for an 18-month term for the period covering January 1, 2022 through June 30, 2023; which reflects a 0.84% decrease in rates from the previous term.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL).
3. Resolution approving Change No. 2 to Contract No. 12069, ArcFM Viewer Replacement with SSP Innovations, in the funded amount of \$37,500.00. (This change is to revise the five-year maintenance schedule from the period of November 1, 2020 through October 31, 2025 to a seven year maintenance period of November 1, 2020 through October 31, 2027. The cost associated with the seven year maintenance caused the contract value to increase in the amount of \$37,500.00 due to adding two additional years of software maintenance and support.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

CHIEF PEOPLE OFFICER

4. Resolution approving Change No. 2 to Contract No. 12043, Property & Boiler Insurance with FM Global, based on approved rates, not-to-exceed \$2,297,766.00. (This change is to renew the current contract for the third of four annual renewal terms covering the period June 1, 2022 through May 31, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

COMMUNITY & EXTERNAL AFFAIRS

(None)

DESIGN CONSTRUCTION & DELIVERY

(None)

ENGINEERING & OPERATIONS

5. Resolution approving payment of annual sewer discharge fee for the 2021 filter backwash discharge to City of Memphis in the amount of \$647,416.91. (Nick Newman)
6. Resolution approving Change No. 1 to Contract No. 12245, Well Abandonment with Layne Christensen Company in the funded amount of \$165,720.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering July 6, 2022 through July 5, 2023, which reflects a 10.54% increase from the initial term. The cost increase is due to increases in raw materials, fuel and freight charges from inflation in the past year.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

7. Resolution approving Change No. 4 to Contract No. 12026, Water Production Wells with Layne Christensen Company, with no increase in the contract value. (This change is to renew the contract for the fourth and final renewal term in the amount of \$3,795,084.87 to drill three wells for the period covering June 14, 2022 through June 13, 2023; of which \$3,795,084.87 will be absorbed in the current contract value. In addition, a ratification is being requested to increase the rates by 21.77% for the current term; for the period covering February 18, 2022 through June 13, 2022. The cost increase is due to an increase in raw materials, fuel, and freight charges as a result of inflation. The Contract allows up to seven wells to be drilled per year on an as needed basis. The 2022 rate to drill one well is \$1,265,028.29.) (RANDY ORSBY)
8. Resolution approving Change No. 1 to Contract No. 12187, Pole Inspection with Osmose Utilities Services, Inc. in the funded amount of \$1,900,000.00. (This change is to ratify and renew the current contract for the first of four annual renewal terms for the period covering February 15, 2022 through February. This change includes the following increases: the addition of hourly stand-by crew rates in the estimated amount of \$10,000.00; partial excavation pole cost increased from \$15.69 per pole to \$17.29 per pole; and full excavation pole cost increased from \$37.93 to \$41.80 per pole. The increase for these items is 10.2%. The cost increase is due to material increases, fuel, and labor charges as a result of inflation.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

PRESIDENT

9. Resolution to (i) approve the payment to the City of Memphis of (1) \$1.19 million in street utility cut impact fees for utility cuts made by MLGW during 2020 and 2021, plus (2) up to \$4.7 million dollars in additional utility cut permit fees ("Permit Fees") and other impact fees ("Diminution in Value Fees") under the City Engineer's Procedures for Street Utility Cuts and/or Right of Way Procedures, payable in lump sum payments, installments or per cut electronic payments at the discretion of the SVP, CAO, CFO and Secretary-Treasurer, and (ii) ratify the previous payment of \$729,860.00 in Permit Fees to the City of Memphis by MLGW. (J. T. Young) (REQUIRES CITY COUNCIL APPROVAL)

SVP, CFO & CAO, FINANCE

(None)

SVP, CHIEF OPERATING OFFICER

(None)

SHARED SERVICES

10. Resolution awarding a purchase order to Rush Truck Centers of Tennessee for cab and chassis two-ton; in the amount of \$446,088.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
11. Resolution awarding a purchase order to Engineered Sealing Components for steel poles; in the amount of \$272,987.52. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
12. Resolution approving Change No. 6 to Contract No. 11841, Professional Engineering Services for Central Support Services with CCS Group, Incorporated, with no increase in the contract value. (This change is to ratify and extend the current contract term for the period covering November 17, 2021 through March 11, 2023, based on agreed upon rates.) (Randy Orsby)
13. Resolution approving Change No. 7 to Contract No. 11562 Professional Engineering Services for Central Support Services with Smith Seckman Reid, Incorporated (SSR), in the funded amount of \$150,000.00. (This change is to increase the current contract in the funded amount of \$150,000.00, with no increase in rates, to complete the existing design and construction work for the following projects: 1) Various roof designs; 2) Completion of the Master Plan for the new property at the MLGW North Center; 3) Construction Administration work at the Water Lab Emergency Generator project; 4) The MLGW Administration Garage repair project; and 5) The Special Material Storage Building design. The contract term will remain through June 30, 2022 based on agreed upon rates.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
14. Resolution awarding Contract No. 12350, Portable Fire Extinguisher Inspection/Testing to Grose Fire Protection, Inc., in the funded amount of \$298,646.92. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
15. Resolution awarding a purchase order to Automotive Tool Group for polyvinyl chloride (PVC) conduit; in the amount of \$338,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
16. Resolution awarding a thirty-six (36) month purchase order to WESCO Distribution for underground (URD) fittings; in the amount of \$2,957,666.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

VP & GENERAL COUNSEL

17. Resolution to approve the law firm of Shuttleworth PLLC be employed on an as needed basis at the hourly rates not exceeding \$225.00 for Attorneys and \$100.00 for Nurse Paralegal. (Cheryl Patterson) (REQUIRES CITY COUNCIL APPROVAL)

PRESIDENT'S BRIEFING (Continued):

2. Review of Recommended Policy Changes and Committee Meeting Update - Jackie Jones
 - HR Policy #22-06 - Accommodation for Nursing Mothers
 - HR Policy #22-11 - Family Medical Leave Act
3. Other - J. T. Young

COMMITTEE REPORTS:

(None)

ADDITIONAL MEETINGS ON April 20, 2022

Pension Board Meeting - Immediately Following the BOC Meeting - MLGW Board Room

OPEB Committee Meeting - Immediately Following the Pension Board Meeting - MLGW Board Room