



Board of Light, Gas and Water Commissioners

220 S. Main Street
Memphis, TN 38103

Board Meeting

www.mlgw.com

~ Preliminary Agenda ~

Wednesday, October 20, 2021

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 October 6, 2021.

CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE: Dana Jeanes

Receipt of Certified Copies of City Council Resolutions, Items 25 through 36, dated October 5, 2021.

PRESENTATIONS:

United Way Campaign Update - Chantal Lairy/Taurus Bradford

GENERAL STATEMENTS FROM THE PUBLIC:

PRESIDENT'S BRIEFING:

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

(President's Briefing Continued on Page 6)

CONSENT AGENDA
(Items 1 through 25)

CHIEF CUSTOMER OFFICER

1. Resolution approving Change No. 12 to Contract No. 11070, Utility Meter Data Application with Automated Energy, Incorporated (AEI), in the funded amount of \$250,000.00. (This change is to extend the current contract for an additional two-year term for the period covering January 1, 2022 through December 31, 2023. In addition, this change is to expand the current scope to add optional presentment, analysis, and notifications for water meter interval data now that smart water meters are deployed.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

CHIEF INFORMATION OFFICER

2. Resolution approving Change No. 6 to Contract No. 10813, Hewlett Packard Combined Support Agreement, with Hewlett Packard, Incorporated, in the funded amount of \$1,509,236.72. (This change is to renew annual software maintenance, licenses, and support services for the period December 1, 2021 through November 30, 2026. Maintenance and support of this Hewlett-Packard

hardware and software can only be provided by Hewlett Packard.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

CHIEF PEOPLE OFFICER

(None)

COMMUNITY & EXTERNAL AFFAIRS

3. Resolution approving Change No. 1 to Contract No. 12333, High Speed Color Production Digital Printing Press with Konica Minolta Business Solutions USA, Incorporated, in the funded amount of \$147,513.60. (This change is to renew purchase order 7003484 under Contract No. 12333 for an additional two-year term for the period covering December 6, 2021 through December 5, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
4. Resolution approving Change No. 1 to Contract No. 12334, High Speed Black and White Production Digital Printing Press with Konica Minolta Business Solutions USA, Incorporated, in the funded amount of \$260,137.92. (This change is to renew purchase order 7014995 under Contract No. 12334 for an additional two-year term for the period covering December 18, 2021 through December 17, 2023.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
5. Resolution awarding a twenty-four-month purchase order to Three Point Graphics, Inc., for the purchase of utility bill paper in the estimated amount of \$239,493.88. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

DESIGN CONSTRUCTION & DELIVERY

6. Resolution approving Change No. 4 to Contract No. 11945, Weld Testing and Inspection Services with AIT, LLC in the funded not-to-exceed amount of \$15,000.00. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering January 1, 2022 through December 31, 2022, with no increase in rates from the previous year.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
7. Resolution approving Change No. 4 to Contract No. 11976, Large Directional Drilling with Alliance Utilities, Incorporated in the estimated funded amount of \$1,900,000.00. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering January 1, 2022 through December 31, 2022 in the amount of \$2,877,880.00, of which \$1,773,286.00 will be absorbed in the current contract value, based on estimated quantities, with no increase in rates from the previous year. In addition, MLGW is requesting contingency funds in the amount of \$795,406.00 for any unplanned emergencies that could occur involving MLGW Division Gas Transmission/Distribution Systems, Electrical Grids and Water Distribution lines.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

ENGINEERING & OPERATIONS

8. Resolution awarding a purchase order to Brighter Days and Nites, Inc., for branch feeder monitor metering equipment in the amount of \$129,751.30. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
9. Resolution awarding a purchase order to Electrical Power Products for a duplex switchboard, in the amount of \$278,955.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
10. Resolution approving the ratification of Purchase Order Number 7022357 to add additional funds in the amount of \$35,268.85 to Elgin Power Solutions for a mobile substation system. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
11. Resolution approving a twenty-four-month extension of Purchase Order Number 7010790 to Barnhart Crane and Rigging Company for the rental of cranes with lift capacities ranging from 100-600 tons. (Randy Orsby)
12. Resolution approving Change No. 1 to Contract No. 12191, Professional Engineering Services for Gas Engineering and Operations with Mid-South Engineering Consultants, LLC, in the funded amount of \$100,000.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering December 30, 2021 through December 29, 2022 in the funded amount of \$100,000.00, based on agreed upon rates.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
13. Resolution approving Change No. 1 to Contract No. 12119, Professional Engineering Services for Gas Engineering and Operations with Fisher & Arnold, Inc., in the funded amount of \$100,000.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering January 4, 2022 through January 3, 2023, based on agreed upon rates.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
14. Resolution approving Change No. 1 to Contract No. 12190, Professional Engineering Services for Gas Engineering and Operations with CHI Engineering, in the funded amount of \$100,000.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering December 23, 2021 through December 22, 2022 in the funded amount of \$100,000.00, based on agreed upon rates.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
15. Resolution approving Change No. 1 to Contract No. 12189, Professional Engineering Services for Gas Engineering and Operations with Allen & Hoshall, Inc., with no increase in the contract value. (This change is to renew the current contract for the first of four annual renewal terms for the period covering December 15, 2021 through December 15, 2022, based on agreed upon rates, with no increase in the contract value.) (Randy Orsby)

16. Resolution approving Change No. 3 to Contract No. 12034, Environmental Abatement Services with Northwest Contracting Services, Incorporated, in the funded amount of \$4,500,000.00. (This change is to renew the current contract for the third of four annual renewal terms covering the period January 1, 2022 through December 31, 2022, with no increase in rates from the previous term. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
17. Resolution approving Change No. 3 to Contract No. 12062, Environmental Abatement Services with General Construction Services, Incorporated in the estimated funded amount of \$750,000.00. (This change is to renew the current contract for the third of four annual renewal terms covering the period January 1, 2022 through December 31, 2022, with no increase in rates from the previous term.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
18. Resolution awarding a purchase order to ABB Enterprise Software, Inc. for Tropos mesh routers network equipment in the amount of \$800,005.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
19. Resolution awarding Contract No. 12276, Mobile Radio Replacement to Selex ES, Inc, a Leonardo Company, in the funded amount of \$6,887,318.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

PRESIDENT

(None)

SVP, CFO & CAO, FINANCE

(None)

SVP, CHIEF OPERATING OFFICER

(None)

SHARED SERVICES

20. Resolution awarding a purchase order to Power Connections, d/b/a G & W Electric Company, for three-phase pole mount vacuum reclosers in the amount of \$6,020,200.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
21. Resolution approving Change No. 1 to Contract No. 11878, PDU/UPS Netters Liebert Maintenance with Vertiv Services, Inc. (formerly Emerson Network Power, Inc.) in the funded amount of \$5,000.00. (This change is to extend the current contract for three months for the period covering January 1, 2022 through March 31, 2022. This extension is needed to allow time to execute a new contract.) (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

VP & GENERAL COUNSEL

22. Resolution approving an hourly amended rate schedule for to the law firm of McCarter & English to be employed on an "as needed basis" for legal matters uniquely related to the utility industry as follows: Partners - \$550 and Associates from \$395 to \$490. (Cheryl Patterson) (REQUIRES CITY COUNCIL APPROVAL)

23. Resolution approving an amended hourly rate schedule for the law firm of Thompson Coburn LLP for legal services uniquely related to the utility industry as follows: Partner - \$610; Counsel - \$603; and Associates - \$351. (Cheryl Patterson) (REQUIRES CITY COUNCIL APPROVAL)
24. Resolution approving a litigation settlement and authority to pay \$85,000.00. (Cheryl Patterson) (REQUIRES CITY COUNCIL APPROVAL) **(SAME DAY MINUTES REQUESTED)**
25. Resolution approving the report of the Customer Appeal Committee for the period February 28, 2020 through September 30, 2021. (Cheryl Patterson)

REGULAR AGENDA

(Item 26)

26. Resolution approving the Budgets for the Electric, Gas and Water Divisions for the 2022 operating expenses and capital expenditures. (J. T. Young) (REQUIRES CITY COUNCIL APPROVAL)

PRESIDENT'S BRIEFING (Continued):

- 2) Key Focus Area: "Elevating Our Image and Public Perception" - Gale Carson
- 3) HR Policy #21-04 - Termination of Employment - Jackie Jones
- 4) HR Policy #21-14 - Sponsorship of Non-U.S. Citizens - Jackie Jones
- 5) HR Policy #21-19 - Residency Policy - Jackie Jones
- 6) HR Policy #22-22 - Time Off for Death in Family - Jackie Jones
- 7) HR Policy #23-06 - Inclement Weather - Jackie Jones
- 8) HR Policy #23-15 - Standard of Business Conduct - Jackie Jones
- 9) Other - J. T. Young

COMMITTEE REPORTS:

(None)

ADDITIONAL MEETINGS ON OCTOBER 20, 2021

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

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