



**GREATER TEXOMA UTILITY AUTHORITY
BOARD MEETING
JUNE 19, 2023**

**GTUA BOARD ROOM
5100 AIRPORT DRIVE
DENISON, TEXAS 75020**



**NOTICE OF PUBLIC MEETING
OF THE BOARD OF DIRECTORS OF THE
GREATER TEXOMA UTILITY AUTHORITY
GTUA BOARD ROOM
5100 AIRPORT DRIVE
DENISON, TEXAS 75020
Monday, June 19, 2023, 12:00 p.m.**

Notice is hereby given that a meeting of the Board of Directors of the Greater Texoma Utility Authority will be held on the 19th day of June, 2023, at 12:00 p.m. in the Administrative Offices of the Greater Texoma Utility Authority, 5100 Airport Drive, Denison TX, 75020, at which time the following items may be discussed, considered and acted upon, including the expenditure of funds:

Agenda:

- I. Call to Order.
- II. Pledge of Allegiance.
- III. Consent Agenda
 - * Items marked with an asterisk (*) are considered routine by the Board of Directors and will be enacted in one motion without discussion unless a Board Member or a Citizen requests a specific item to be discussed and voted on separately.
- IV. * Consider and act upon approval of Minutes May 15, 2023, Meeting.
- V. * Consider and act upon approval of accrued liabilities for May 2023.
- VI. Citizens to be Heard.
- VII. Consider and act upon authorizing the Award of Contract for CGMA Bloomdale Pump Station Phase 2 Improvements Contract A.
- VIII. Consider and act upon Change Order No. 2 to the contract with Garney Companies, Inc. for the City of Sherman Major Infrastructure Improvements Project.
- IX. Consider and act upon Change Order No. 1 and No. 2 to the contract with BELT Construction of Texas, LLC for the City of Princeton Water Main CIP Projects 6, 8, and 17.
- X. Consider and act upon the Authority's Policy on Minimum Insurance and Bonding Requirements for Construction Projects.
- XI. Discussion and possible action on Board Appointments from Home-Rule Cities.
- XII. Discussion and possible action on July Meeting Date.

XIII. Receive General Manager's Report: The General Manager will update the Board on operational and other activities of the Authority.

XIV. Adjourn.

¹The Board may vote and/or act upon each of the items listed in this agenda.

²At any time during the meeting or work session and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Greater Texoma Utility Authority Board may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gifts (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

³PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING, AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT VELMA STARKS AT (903) 786-4433 TWO (2) WORKING DAYS PRIOR TO THE MEETING, SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

AGENDA ITEM IV

**MINUTES OF THE BOARD OF DIRECTORS' MEETING
GREATER TEXOMA UTILITY AUTHORITY**

MONDAY, MAY 15, 2023

**AT THE ADMINISTRATIVE OFFICES
5100 AIRPORT DRIVE
DENISON TX 75020**

Members Present: Brad Morgan, Ken Brawley, Scott Blackerby, Matt Brown, Robert Hallberg, and Donald Johnson

Members Absent: Stanley Thomas

Staff: Paul Sigle, Nichole Sims Murphy, Tasha Hamilton, Lisa Cranfill, Debi Atkins, and Velma Starks

General Counsel: Mike Wynne, Wynne and Smith

Bond Counsel: Kristen Savant, Norton Rose Fulbright US LLP

Visitors: Jim Cross, City of Sherman
Lance Klement, Garver
V.T. Madhavan
Alan David, Plummer
Clint Philpott, City of Sherman
Robby Hefton, City of Sherman
Tom Pruitt, City of Sherman
Mary Lawrence, City of Sherman

I. Call to Order

Board President Brad Morgan called the meeting to order at 12:00 p.m.

II. Pledge of Allegiance

Board President Brad Morgan led the group in the Pledge of Allegiance.

III. Consent Agenda

Items marked with an asterisk () are considered routine by the Board of Directors and are enacted in one motion without discussion unless a Board Member or a Citizen requests a specific item to be discussed and voted on separately.

IV. * Consider and act upon approval of Minutes of April 17, 2023, Meeting.

V. * Consider and act upon approval of accrued liabilities for April 2023.

Board Member Scott Blackerby made the motion to approve the Consent Agenda as presented. Board Member Ken Brawley seconded the motion. Motion passed unanimously.

VI. Citizens to be Heard.

No citizens wished to be heard.

VII. Receive Quarterly Investment Report.

Debi Atkins, Finance Officer, reviewed the Quarterly Investment Report with the Board.

VIII. Consider all matters incident and related to the issuance, sale and delivery of “Greater Texoma Utility Authority Contract Revenue Bonds, Series 2023-A (City of Sherman Project)”, including the adoption of a resolution authorizing the issuance of such bonds, establishing parameters for the sale and issuance of such bonds and delegating certain matters to authorized officials of the Authority.

General Manager Paul Sigle provided background information for the Board. Robby Hefton, City of Sherman, provided details for the Board regarding construction of a new industrial wastewater plant, and upgrades to the existing water treatment plant. To ensure debt coverage, industrial wastewater rates will increase. Discussion was held. Kristen Savant, Norton Rose Fulbright US LLP explained the bond issuance which will be Open Market. Discussion was held. Board Member Scott Blackerby made the motion to adopt a resolution authorizing the issuance of bonds, establish parameters for the sale and issuance of bonds and delegating certain matters to authorized officials of the authority. Board Member Robert Hallberg seconded the motion. Motion passed unanimously.

IX.. Consider all matters incident and related to declaring expectation to reimburse expenditures with proceeds of future debt, including the adoption of a resolution pertaining thereto.

General Manager Paul Sigle provided background information for the Board. The resolution allows GTUA to reimburse the city of Sherman with proceeds from the future bond issuance set to close on July 11, 2023. Kristen Savant, Norton Rose Fulbright US LLP provided details. Board Member Matt Brown made the motion to adopt the resolution. Board Member Scott Blackerby seconded the motion. Motion passed unanimously.

X. Consider all matters incident and related to the issuance and sale of “Greater Texoma Utility Authority Contract Revenue Bonds, Series 2023A (City of Whitewright Project)”, including the adoption of a resolution approving the issuance of such bonds.

General Manager Paul Sigle provided background information for Items X, XI and XII at this time. The total amount sought for this project from the TWDB is \$7,145,000. The funding for this project includes three (3) separate components due to the City qualifying for loan forgiveness in addition to a portion of the loan being offered at 0% interest. The three (3) portions are 1) Series 2023A which offers a 0% interest rate for 30 years; 2) Series 2023B which offers 2.68% interest rate for 30 years; and 3) Principal Forgiveness which is not required to be paid back. Board Member Matt Brown made the motion to approve the resolution contingent on Whitewright approving same. Board Member Ken Brawley seconded the motion. Motion passed unanimously.

- XI. Consider all matters incident and related to the issuance and sale of “Greater Texoma Utility Authority Contract Revenue Bonds, Series 2023B (City of Whitewright Project)”, including the adoption of a resolution approving the issuance of such bonds.

Board Member Matt Brown made the motion to adopt the resolution contingent on Whitewright approving same. Board Member Robert Hallberg seconded the motion. Motion passed unanimously.

- XII. Consider all matters incident and related to the Principal Forgiveness Agreement between the Texas Water Development Board and the Greater Texoma Utility Authority in connection with the City of Whitewright Project, including the adoption of a resolution and an Escrow Agreement relating thereto.

Board Member Matt Brown made the motion to adopt the resolution contingent on Whitewright approving same. Board Member Donald Johnston seconded the motion. Motion passed unanimously.

- XIII. Consider and act upon authorization for General Manager to advertise for bids for City of Whitewright Wastewater System Improvements Project.

General Manager Paul Sigle reminded the Board that in the past the Board has customarily authorized the General Manager to proceed with advertising projects as soon as the engineering plans and specifications are complete to improve the efficiency of the process of completing the project. Board Member Donald Johnston made the motion to authorize the General Manager to advertise for bids on any projects that are to be funded by the City of Whitewright Bonds. Board Member Scott Blackerby seconded the motion. Motion passed unanimously.

- XIV. Consider all matters incident and related to the Greater Texoma Utility Authority Contract Revenue Bonds, Series 2023 (Gober Municipal Utility District Project), including the adoption of a resolution approving the execution of a Contract of Indemnification with Gober Municipal Utility District and approving the execution of a Financing Agreement with the Texas Water Development Board in connection therewith.

General Manager Paul Sigle provided background information for the Board. The TWDB requires Financing Agreements for its DFund Program. These agreements commit the Authority to the funding prior to the TWDB going to market to fund the entire DFund program. If the Authority does not end up pursuing the funding, then there are liquidated damage clauses that kick in and require a penalty payment. The TWDB does not want to issue debt for entities that are not planning to borrow it. The Contract of Indemnification would be executed between Gober MUD and the Authority. The primary goal of that contract is to make Gober MUD liable for the liquidated damages should they decide not to go forward with the Bonds. Board Member Scott Blackerby made the motion to authorize the execution of the Contract of Indemnification and the Financing Agreement contingent upon the Gober MUD’s approving and executing the Contract of Indemnification. Board Member Matt Brown seconded the motion. Motion passed unanimously.

- XV. Consider all matters incident and related to the Greater Texoma Utility Authority Contract Revenue Bonds, Series 2023 (White Shed Water Supply Corporation Project), including the adoption of a resolution approving the execution of a Contract of Indemnification with White Shed Water Supply Corporation and approving the execution of a Financing Agreement with the Texas Water Development Board in connection therewith.

General Manager Paul Sigle provided information that White Shed Water Supply Corporation Project is a taxable entity and therefore does not need to execute a Contract of Indemnification or a Financing Agreement. No action is to be taken on this item.

- XVI. Consider and act upon the Guaranteed Maximum Price Two (GMP 2.00) for Garney Companies, Inc. for the City of Sherman 36-inch West Sherman Water Main Project.

General Manager Paul Sigle provided information for the Board. Garney has worked with selected contractors before without any issues. The GMP 2.00 for Garney is \$8,846,863.41 for a total contract amount of \$10,818,351.61. Board Member Ken Brawley made the motion to approve the GMP 2.00 for Garney contingent on the City of Sherman's approval. Board Member Scott Blackerby seconded the motion. Motion passed unanimously.

- XVII. Consider and act upon Change Order No. 1 to the contract with Garney Companies, Inc. for the City of Sherman 36-inch West Sherman Water Main Project.

General Manager Paul Sigle provided background information for the Board. Due to a change in new demand from large manufacturing plants, the date when the new water main must be substantially completed can be delayed by about 229 days. Change Order No. 1 changes the substantial completion date and final completion date to February 14, 2025, and April 15, 2025, respectively. Board Member Scott Blackerby made the motion to approve Change Order No. 1 contingent on the City of Sherman's approval. Board Member Matt Brown seconded the motion. Motion passed unanimously.

- XVIII. Consider and act upon Change Order No. 1 to the contract with THI Water Well for the City of Whitewright Proposed Well No. 5 Project.

General Manager Paul Sigle provided background information for the Board. During drilling of the new well, the borehole for the new well came in contact with the gravel pack of the existing well. The City and THI planned to cap the existing well, and allow Red River GCD to use the existing well as a monitoring well. Due to this issue, the existing well will need to be plugged. Change Order No. 1 consists of abandoning the existing well on site instead of capping for an increased contract price of \$29,500 resulting in a new contract price of \$1,528,288.00. Board Member Ken Brawley made the motion to approve Change Order No. 1 contingent on the approval of the City of Whitewright. Board Member Donald Johnston seconded the motion. Motion passed unanimously.

- XIX. Consider and act upon Change Order No. 3 to the contract with Underwood, Inc. for the City of Whitewright Waterline Project.

General Manager Paul Sigle provided background information for the Board. Change Order No. 3 increases the substantial completion date and final completion date to June 4, 2023, and July 3, 2023, respectively. Board Member Matt Brown made the motion to approve Change Order No. 3

contingent upon the approval of the City of Whitewright. Board Member Robert Hallberg seconded the motion. Motion passed unanimously.

XX. Consider and act upon Change Order No. 3 Correction to the contract with Red River Construction Co. for the City of Kaufman WWTP Improvements Project.

General Manager Paul Sigle provided background information for the Board. The Authority approved Change Order No. 3 at the April Board of Directors meeting for an increase of \$20,855.26 to the contract price. Due to listing the incorrect amount for the increase, the Authority will need to approve the correct increase in the contract price of \$22,490.12. Change Order No. 3 would result in a new contract amount of \$3,091,977.51. The City of Kaufman will also have to directly fund the costs of this change order as there are no additional bond funds available. Any action would be contingent upon the Authority receiving additional funds from the City to cover the additional costs of the change order. Board Member Ken Brawley made the motion to approve the corrected Change Order No. 3 contingent upon the Authority receiving the additional funds from the City of Kaufman. Board Member Scott Blackerby seconded the motion. Motion passed unanimously.

XXI. Consider and act upon Change Order No. 2 to the contract with Associated Construction Partners, Ltd., for the City of Princeton Forest Grove Pump Station Improvements Project.

General Manager Paul Sigle provided background information for the Board. The engineers for the project discovered that the original specified SCADA Pack would be obsolete within the next two years. RLC, the contractor who is installing the SCADA system, recommends a PLC that is compatible with the current SCADA system used by the City. Additionally, the existing Wonderware HMI software doesn't have the significant capacity to meet the needs of the SCADA system. RLC is proposing replacing the Wonderware HMI software with VT SCADA software. Change Order No. 2 will increase the contract price by \$84,612.44 resulting in a revised contract amount of \$13,318,927.44. Board Member Scott Blackerby made the motion to approve Change Order No. 2. Board Member Donald Johnston seconded the motion. Motion passed unanimously.

XXII. Consider and act upon a Resolution by the Board of Directors of the Greater Texoma Utility Authority accepting the contract with Associated Construction Partners, Ltd. for the City of Princeton Forest Grove Pump Station Improvements Project as complete.

General Manager Paul Sigle provided background information for the Board. The City of Princeton and the project engineers have reviewed the project and have accepted the project as completed on April 24th. Board Member Donald Johnston made the motion to accept the contract as complete. Board Member Ken Brawley seconded the motion. Motion passed unanimously.

XXIII. Receive General Manager's Report: The General Manager will update the Board on operational and other activities of the Authority.

- City of Denison is appointing new board member.
- Follow up on CGMA Anna letter regarding easement issues.
- TWDB funding workshop was held.

XXIV Adjourn

Board Member Scott Blackerby made the motion to adjourn. Board Member Ken Brawley seconded the motion. Board President Brad Morgan declared the meeting adjourned at 12:52 p.m.

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Recording Secretary

Secretary-Treasurer

AGENDA ITEM V

RESOLUTION NO. _____

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE
GREATER TEXOMA UTILITY AUTHORITY AUTHORIZING
PAYMENT OF ACCRUED LIABILITIES FOR THE MONTH OF MAY

The following liabilities are hereby presented for payment:

| | CURRENT | PRIOR MONTH | PRIOR YEAR |
|---|-----------|-------------|------------|
| GENERAL: | | | |
| <u>Fuel and Reimbursements for Mileage</u> | | | |
| Nichole Sims-Murphy (Reimbursement for mileage) | 229.36 | | |
| Paul Sigle (Fuel) | 91.39 | | |
| Stacy Packrick (Reimbursement for mileage) | 13.20 | | |
| Velma Starks (Reimbursement for mileage) | 27.42 | | |
| Valero Fleet Plus (Fuel - operations vehicles) | 1,573.09 | | |
| <u>Insurance</u> | | | |
| Paul Sigle (Personal Auto) | 95.70 | | |
| TWCA Risk Management (Workers' compensation insurance) | 411.00 | | |
| <u>Leases/Rental Fees</u> | | | |
| North Texas Regional Airport (Lease - administrative offices) | 2,456.72 | | |
| <u>Legal Fees</u> | | | |
| Wynne & Smith, LLC (Agenda, Board Meeting, April) | 525.00 | | |
| <u>Maintenance Agreements</u> | | | |
| Novatech (Konica-Minolta copier) | 763.88 | | |
| <u>Meetings and Conferences</u> | | | |
| American Express - TWCA Summer Conference, Canyon of the Eagles Leadership, TAGD, | 569.64 | | |
| Debi Atkins (Finance meeting, water, tea and cookies) | 65.28 | | |
| Feast on This (BOD Lunches) | 233.00 | | |
| Red River Valley Association (25th Annual Regional Water Resource Conference registration for 6/1/23) | 100.00 | | |
| <u>Miscellaneous</u> | | | |
| American Express (Admin Day Lunch at Hucks) | 128.74 | | |
| Valley View Consulting (Investing fees, Jan-Mar 2023) | 14,233.43 | | |
| <u>Postage</u> | | | |
| Velma Starks (Contracts / BOD meeting packets) | 6.20 | | |
| <u>Professional Services</u> | | | |
| Final Details (Cleaning Service) | 585.00 | | |
| <u>Repair & Maintenance - Building & Equipment</u> | | | |
| Diamond Computers (NSM, Custom built computer Intel I7 (upgrade), Quad Core with Asus motherboard, 16 Gig Ram, 500 Gig SSD drive, Windows 10 Pro (11 Pro Capable) | 1,263.95 | | |
| <u>Repair & Maintenance - Administrative and Operations Vehicles</u> | | | |
| Auto Works (Patched tire on 2022 Ford Ranger) | 21.45 | | |
| Whistle Stop (Oil changes, filter changes, truck washes for 2019 Ford F150 and 2022 Ford Ranger) | 212.85 | | |
| <u>Supplies</u> | | | |
| Advantage Office Supplies (General Office Supplies) | 211.69 | | |
| American Express (General Office Supplies, Zoom, GoDaddy Renewals) | 208.67 | | |
| Bank of Texas Visa (General Office Supplies, misc. janitorial supplies, Adobe Acrobat) | 122.91 | | |
| Hillierby Printing (Business Cards for SP Assistant Project Coordinator) | 39.00 | | |
| Home Depot (Shop towels, paper towels, and trash bags) | 530.87 | | |
| Office Depot (General Office Supplies, copier paper) | 199.95 | | |
| USA Bluebook (Buffer Pouches) | 205.94 | | |
| <u>Training</u> | | | |
| Aramark (New shirts for W.E.) | 165.40 | | |
| Bank of Texas Visa (DA Training for Professional Investments) | 120.00 | | |
| <u>Uniforms</u> | | | |
| Bank of Texas Visa - (Uniform shirts for DT) | 170.52 | | |
| <u>Utilities</u> | | | |
| Dave Tomlinson (Reimbursement for cell phone expenses) | 25.00 | | |
| Nichole Sims-Murphy (Reimbursement for cell phone expenses) | 25.00 | | |
| Paul Sigle (Reimbursement for cell phone expense & internet change) | 8.34 | | |
| Richard McCool (Reimbursement for cell phone expense) | 25.00 | | |
| Steve White (Reimbursement for cell phone expenses) | 25.00 | | |
| Wayne Eller (Reimbursement for cell phone expenses) | 25.00 | | |
| ATMOS Energy (Gas) | 107.34 | | |

| | CURRENT | PRIOR MONTH | PRIOR YEAR |
|---|---------------------|---------------------|---------------------|
| AT&T Mobility (Cell Phones) | 81.41 | | |
| City of Denison (Water) | 228.35 | | |
| City of Sherman (Trash services) | 85.00 | | |
| Shell Energy (Electric) | 345.53 | | |
| Sparklight (Internet) | 131.44 | | |
| Zully Inc.(phone lines - local & long distance) | 170.05 | | |
| TOTAL: | \$ 26,863.71 | \$ 13,394.34 | \$ 22,702.86 |

| SOLID WASTE: | | | |
|---|--------------------|------------------|------------------|
| <u>Equipment</u> | | | |
| Double J. Equipment (Dozer Repair. Service calls 4/25/23 & 4/28/23. Rebuilt starter.) | 1,760.61 | | |
| <u>Supplies</u> | | | |
| Tractor Supply Company (Tractor parts) | 292.74 | | |
| <u>Utilities</u> | | | |
| Grayson-Collin Electric | 140.85 | | |
| Starr Water Supply | 69.35 | | |
| TOTAL: | \$ 2,263.55 | \$ 357.65 | \$ 230.23 |

| WASTEWATER: | | | |
|--|------------------------|----------------------|----------------------|
| <u>Construction Contracts</u> | | | |
| Archer Western (Pottsboro 2019 - WWTP Expansion & Rehab for .65 MGD flow rate. Pay App #1) | 1,415,116.20 | | |
| Archer Western (Sherman 2022 - WTP Expansion Pkg #1, Pay App #3) | 191,893.16 | | |
| Lynn Vessels (Sherman 2021 - Northwest Lift Station Pay App #11, project 55% complete) | 103,810.83 | | |
| Piazza Construction (Sherman 2020 - Sherman WWTP Building & Remodel Pay App #10 FINAL) | 63,356.06 | | |
| Red River Const. (Kaufman 2019 - WWTP Improvements Pay App #19) | 3,802.50 | | |
| Sherman 2020 - Post Oak WWTP Aeration Basin & other secondary treatment improvements #23) | 113,382.96 | | |
| <u>Engineering Fees</u> | | | |
| Antero Group (Bells 2022 - Wastewater Engineering, TCEQ approval, TWDB review, Electrical design configuration.) | 13,557.92 | | |
| Antero Group (Bells 2022 - Bells Wastewater Engineering Personnel expenses dated 5/8/23) | 4,602.56 | | |
| Binkley & Barfield (Sherman 2021 - South Side Sanitary Sewer Replacement for engineering services for April 2023) | 1,050.00 | | |
| D&S Engineering (Sherman 2019 - NW Sewer and Lift Station Geo Tech testing for April 2023) | 2,168.38 | | |
| Freeman-Milligan (Sherman 2019 - WWTP Ops Bldg addition and remodel. 100% construction complete) | 1,627.50 | | |
| Freese & Nichols (Sherman 2022 - Shepherd 2.0 MG elevated Storage Tank for services through 4/28/23) | 21,318.37 | | |
| Freese & Nichols (Sherman 2022 - 36" Northwest & Southwest Transmission Pipeline engineering services through 4/28/2023) | 270,485.62 | | |
| Freese & Nichols (Sherman 2021 - Wastewater Master Plan services through 3/31/23 Basic services 98% complete) | 41,682.04 | | |
| Freese & Nichols (Sherman 2021 - Wastewater Master Plan services through 4/30/23 Basic services 100% complete) | 9,320.00 | | |
| Mead & Hunt (Sherman 2020 - Post Oak Equalization Basin Improvements for April 2023) | 586.62 | | |
| Pape-Dawson (Sherman 2023 - Partial payment for WTP Concentrate Discharge & Outfall Design for 3/31/23) | 29,243.00 | | |
| Plummer (Sherman 2022 - WW Treatment & Water reuse Master Plan services through 4/28/23) | 112,590.57 | | |
| Plummer (Sherman 2022 - WWTP Electrical Switchgear Design for electrical generator services through 4/28/2023) | 34,253.60 | | |
| Plummer (Pottsboro 2019 - WWTP Construction Phase 29% complete through 4/28/23) | 13,782.00 | | |
| Plummer (Pottsboro 2019 - WWTP PH2 RPR Services through 4/28/23) | 6,440.00 | | |
| <u>Miscellaneous</u> | | | |
| BLX (Gunter 2018 - Interim Arbitrage Rebate Report for period ending 3/27/23) | 500.00 | | |
| BLX (Krum 2012 - Investment review for period ending 10/2/22) | 250.00 | | |
| <u>Paying Agent Fees</u> | | | |
| Bank of Texas Trust (Whitewright 2015 - GTUAWHITE15 4/1/23) | 300.00 | | |
| Bank of Texas Trust (Ector 2017 - GTUAECTOR17 4/1/23) | 300.00 | | |
| TOTAL: | \$ 2,455,419.89 | \$ 507,531.70 | \$ 856,033.21 |

| WATER: | | | |
|--|--------------|--|--|
| <u>Advertising</u> | | | |
| Column (CGMA - Ad in Herald Democrat for Bloomdale Pump Station PH 2 bids. Run dates 5/14/23-5/21/23) | 148.83 | | |
| Column (CGMA - Ad in McKinney Courier-Gazette for Bloomdale Pump Station PH2 bids. Run dates 5/14/23-5/21/23) | 725.64 | | |
| Column (CGMA - Ad for Bloomdale P.S. PH2 bids for part B 500K gal. storage tank. Run Dates 6/4/23-6/11/23 for Herald Democrat) | 331.36 | | |
| Column (CGMA - Ad for Bloomdale P.S. PH2 bids for part B 500K gal. storage tank. Run Dates 6/4/23-6/11/23 for McKinney Gazette) | 589.97 | | |
| Column (Sherman 2022 - Adv for bids for Garney Co. on the W. Water Main Bid Pkg 3 for Large Diameter Pipe Material. Run dates: 5/28/23-6/4/23 in the McKinney Courier Gazette) | 250.81 | | |
| Column (Sherman 2022 - Ad for bids for Garney Co. on the W. Water Main Bid Pkg 3 for Large Diameter Pipe Material. Run dates: 5/31/23-6/4/23 in the Herald Democrat) | 43.56 | | |
| <u>Construction Costs</u> | | | |
| A&B Construction (LK Kiowa 2021 - PH4 Water Main Replacements Pay App #1) | 1,083,214.07 | | |
| City of Bells (Bells 2022 - Water meter project. Software installation and meters) | 171,994.28 | | |
| City of Bells (Bells 2022 - Water meter project. Billing interface, cable install, hardware) | 3,000.00 | | |
| City of Bells (Bells 2022 - Meter box changeout) | 18,007.40 | | |
| City of Bells (Bells 2022 - AMI meter boxes 20 units shipped) | 637.40 | | |
| City of Howe (Howe 2002 - To close out account) | 105,957.85 | | |
| City of Sherman (Sherman 2023 - Reimbursement for Pipeline Crossing application date 4/21/23) | 2,067.00 | | |
| Ferguson Waterworks (Sherman 2023 - materials for 36" Northwest & Southwest Transmission Pipeline Batch ID 58716) | 18,826.20 | | |
| Ferguson Waterworks (Sherman 2023 - materials for 36" Northwest & Southwest Transmission Pipeline Batch ID 58965D) | 9,716.00 | | |
| Ferguson Waterworks (Sherman 2023 - materials for 36" Northwest & Southwest Transmission Pipeline Batch ID 58813) | 1,890.37 | | |

| | CURRENT | PRIOR MONTH | PRIOR YEAR |
|--|--------------|-------------|------------|
| Landmark (Princeton 2022 - 2.5 MG Elevated Storage Tank. Pay App #11) | 130,260.20 | | |
| Landmark (Princeton 2022 - 2.5 MG Elevated Storage Tank. Pay App #12) | 439,151.39 | | |
| MVA (Van Alstyne 2015 - Wtr Distribution Sys. Well Site #1 Disinfection Improvements Pay App #2) | 297,578.00 | | |
| NTMWD (Sherman 2022 - LK Texoma P.S. Improv. PH1 Additional engineering services w/ CDM Smith for final design & Construction Phase services) | 82,126.00 | | |
| THI Water Well (Whitewright 2019 - Well No. 5 Pay App #1) | 215,685.00 | | |
| Underwood (Whitewright 2019 - Water line improvement project Pay App #10) | 7,313.96 | | |
| Winsupply (Bells 2022 - AMI Project - 8 ea HD Dual Meter Boxes and 20 ea Zen Box & Lids) | 7,996.44 | | |
| Winsupply (Bells 2022 - Water Meter Project, Flange, Interfaces, Hardware, Software installation) | 3,765.00 | | |
| <u>Engineering Fees</u> | | | |
| City of Princeton (Princeton 2018 - Forest Grove Pump Station. Const. Phase services through Jan 2023) | 525.00 | | |
| City of Sherman (Sherman 2021 - Reimbursement for WTP Vulnerability Assessment Security Upgrade) | 1,355.99 | | |
| CobbFendley (LK Kiowa 2021 - Water Main replacement PH4 for period ending 3/12/23) | 707.20 | | |
| CobbFendley (LK Kiowa 2021 - Water Main replacement PH4 for period ending 1/8/23) | 15,410.00 | | |
| CobbFendley (LK Kiowa 2021 - Water Main replacement PH4 for period ending 9/11/2022) | 5,390.00 | | |
| Freeman-Millican (CGMA - Bloomdale Pump Station - General engineering services for Phase 2 for 5/13/23) | 24,146.00 | | |
| Freese & Nichols (Sherman 2022 - Shepherd 2.0 MG elevated Storage Tank for services through 4/28/23) | 21,318.37 | | |
| Freese & Nichols (Sherman 2022 - 36" Northwest & Southwest Transmission Pipeline engineering services through 4/28/2023) | 270,485.62 | | |
| Freese & Nichols (Sherman 2023 - Lead & Copper Rule Revision for PH2 for services through 4/30/23) | 7,826.93 | | |
| Freese & Nichols (Sherman 2021 - Water Master plan basic services 97% completed. For services through 4/30/23) | 7,498.81 | | |
| Garver (Sherman 2022 - WTP Expansion engineering services through 4/28/23) | 3,327,739.36 | | |
| Great Plains (LK Kiowa 2021 - Water Line project professional services for March 2023) | 16,710.00 | | |
| KSA Engineering (Whitewright 2019 - April 2022-March 2023 Water System Improvements) | 150,148.36 | | |
| Parkhill (Sherman 2021 - Sherman emergency power generation for April 2023 engineering services) | 1,259.71 | | |
| Spiars Engineering (Sherman 2023 - Hickory Hill Public Improvements 30% split. Proj 23-020) | 6,000.00 | | |
| <u>Groundwater</u> | | | |
| American Express (NTGCD - GoDaddy renewals, Canyon of the Eagle Leadership, TWCA, TAGD) | 994.44 | | |
| American Express (RRGCD - Canyon of the Eagles Leadership, TWCA, TAGD) | 659.64 | | |
| AT & T Mobility (NTGCD - W. Parkman - cell phone) | 74.39 | | |
| Allen Burks (NTGCD - cell phone reimbursement) | 12.50 | | |
| Allen Burks (RRGCD - cell phone reimbursement) | 12.50 | | |
| Bank of Texas Visa (NTGCD - BOD Chick-Fil-A, Snake / Insect bite kits) | 306.38 | | |
| Bank of Texas Visa (RRGCD - Bay At the Lake, Grayson County Posting, Snake / Insect bite kit) | 254.96 | | |
| Debi Atkins (RRGCD - BOD tea and water) | 19.20 | | |
| Kenneth Elliott (NTGCD - cell phone reimbursement) | 12.50 | | |
| Kenneth Elliott (RRGCD - cell phone reimbursement) | 12.50 | | |
| Paul Sigle (NTGCD - cell phone reimbursement) | 8.33 | | |
| Paul Sigle (RRGCD - cell phone reimbursement) | 8.33 | | |
| Valero Fleet Plus (NTGCD - Fuel) | 112.22 | | |
| Valero Fleet Plus (RRGCD - Fuel) | 116.34 | | |
| Velma Starks (NTGCD - mileage reimbursement) | 30.42 | | |
| Velma Starks (RRGCD - mileage reimbursement) | 33.82 | | |
| Zully, Inc. (NTGCD - 800 line, local & long distance) | 170.04 | | |
| Zully, Inc. (RRGCD - 800 line, local & long distance) | 170.04 | | |
| <u>Legal</u> | | | |
| Lloyd Gosselink Rochelle & Townsend (Lake Texoma 2010 - legal services for contract issues re: City of Gunter Water Supply Services and Mustang) | 1,705.00 | | |
| Wynne & Smith (Bells 2022 - contract, insurance and bonding informaiton.) | 843.75 | | |
| Wynne & Smith (CGMA - Teleconference with Anna City Attorney) | 350.00 | | |
| Wynne & Smith (CGMA - City of Anna Development Corp - telepone conference regarding easement issue) | 37.50 | | |
| <u>Paying Agent Fees</u> | | | |
| Bank of Texas Trust (Whitewright 2004 GRETEUTIL043 4/1/23) | 125.00 | | |
| Bank of Texas Trust (Whitewright 2019 GTUAWHITE19A 4/1/23) | 300.00 | | |
| Bank of Texas Trust (Ector 2013 - GRTEXOMA 2013 4/1/23) | 225.00 | | |
| <u>CGMA Equipment</u> | | | |
| American Express (CGMA - Zimmer Kubota Tractor rental) | 4,437.51 | | |
| Stewart & Stevenson (CGMA - Bloomdale emergency generator lease from 3/27/23-4/23/23 & 4/24/23-5/21/23) | 12,978.00 | | |
| USA Bluebook (CGMA - 3 sampling stations & 1 Flagshooter Paint and Flag Gun) | 2,734.00 | | |
| USA Bluebook (CGMA - 3 sampling stations) | 2,493.54 | | |
| <u>CGMA Repair & Maintenance</u> | | | |
| Berntsen International (CGMA - Car vinyl decals) | 1,191.48 | | |
| Environmental Monitoring Lab (CGMA - Bacteriological Analysis for Howe Pump Station for April 2023) | 24.00 | | |
| Environmental Monitoring Lab (CGMA - Bacteriological Analysis for Howe Pump Station for 5/16/23) | 24.00 | | |
| Murley Plumbing (CGMA - Repaired multiple sites along CGMA locations for vavles, pump stations, Vaults, sewage pumps. Installed new lines, sample spigots, etc.) | 49,347.53 | | |
| Pump Solutions (CGMA - Bloomdale P.S. service call to fix abnormal vibration on Pump 2 motor) | 567.00 | | |
| Texas Excavation Safety System, Inc. (CGMA - Message Fees, April) | 142.50 | | |
| <u>Supplies</u> | | | |
| Bank of Texas Visa (Dewalt Flex batteries and Ferry Boat dual Battery charger, Snake / Insect bite kit.) | 873.84 | | |
| Home Depot (CGMA - Materials for Bloomdale Sidewalk) | 90.39 | | |
| Lowe's (CGMA - Tblt 165 Ft LDM camera, Measuring wheel, 300 ft fiberglass tape) | 604.65 | | |
| Matheson Tri Gas (CGMA - 1 Cylinder of Nitrogen) | 29.66 | | |
| Office Depot (McAfee antivirus for Bloomdale computer) | 219.94 | | |
| Uline (CGMA - Yellow, White, Red, outdoor reflective tape and shop towels) | 2,541.02 | | |
| United Ag & Turf (CGMA - 5 each 14" pole saw chains) | 146.14 | | |
| USA Bluebook (CGMA - various supplies, water tests kits, gloves, 811 decal, Danger signs etc.) | 1,751.15 | | |
| USA Bluebook (CGMA - Triview Flex Blue, 2 hayward Sodium Hpochlorite Z ball Valve 2 threads etc.) | 1,731.38 | | |
| <u>CGMA Utilities</u> | | | |

| | CURRENT | PRIOR MONTH | PRIOR YEAR |
|---|------------------------|------------------------|------------------------|
| A1 Little John (CGMA - Bloomdale P.S. - Portable toilet rental from January & February, June) | 391.40 | | |
| AT & T Mobility (CGMA - Emergency back up lines) | 112.46 | | |
| AT & T U-Verse (CGMA - Bloomdale Pump Station, Internet) | 53.76 | | |
| North Texas Municipal Water District (Water Usage April & May) | 702,292.00 | | |
| Waste Connections(CGMA - Bloomdale Pump Station trash service, May) | 194.44 | | |
| Shell Energy (Bloomdale Pump Station, April - May) | 30,990.41 | | |
| TOTAL: | \$ 7,280,355.08 | \$ 2,257,022.80 | \$ 1,156,191.86 |

GRAND TOTAL: \$ 9,764,902.23 \$ 2,778,306.49 \$ 2,037,015.24

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GREATER TEXOMA UTILITY AUTHORITY THAT the Secretary-Treasurer is hereby authorized to make payments in the amounts listed above.

On motion of _____ and

seconded by _____, the foregoing

Resolution was passed and approved on this, the _____ day of _____, _____ by the following vote:

AYE:
NAY:

At a regular meeting of the Board of Directors of the Greater Texoma Utility Authority.

President

ATTEST:

Secretary/Treasurer

AGENDA ITEM VII



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

DATE: June 13, 2023

SUBJECT: AGENDA ITEM NO. VII

PREPARED AND SUBMITTED BY: Paul M. Sigle, General Manager

CONSIDER AND ACT UPON AUTHORIZING THE AWARD OF CONTRACT FOR CGMA BLOOMDALE PUMP STATION PHASE 2 IMPROVEMENTS CONTRACT A.

ISSUE

Consider and act upon authorizing the Award of Contract for CGMA Bloomdale Pump Station Phase 2 Improvements Contract A.

BACKGROUND

The Authority along with the CGMA Cities, are planning a construction project to expand the delivery capacity of the CGMA water system. The work will focus at the pump station site and consist of the following components, 1) add a 4th pump and motor, VFDs, soft starters, 2) Add 2 additional stages to the three (3) existing pumps, 3) additional ground storage tank, 4) SCADA upgrades, 5) Backup Generator, 6) piping and pressure relief additions, 7) all associated electrical, plumbing and earthwork 8) and appurtenances.

The Authority selected Texas Water Development Board's State Water Implementation Fund for Texas (SWIFT) to fund the project. The Authority received \$7,525,000 in Bonds at an interest rate of 3.981%.

CONSIDERATIONS

The Bloomdale Pump Station Phase 2 Improvements Project is separated into two contracts. Contract A consist of purchasing and installing the 4th pump, motor and VFD, rehabbing the existing 3 pumps and adding addition stages, new VFDs for the existing pump and motors, new SCADA system, backup generator, and the foundation for the 500,000-gallon storage tank. Contract B will only include the 500,000-gallon storage tank.

The Authority opened bids on June 8 for Contract A and the Authority received one bid from Red River Construction Company with a base bid of \$5,385,800. An additive alternate in the amount of \$41,000 for five-year extended warranties for the VFDs and generator was included in the bid. Construction time for the project is 730 days, and the long completion time is due to the prolonged delivery of 70 weeks for the generator. Contract B is scheduled to be bid on June 29th.

The CGMA Board approved GTUA's intention to award the contract to Red River Construction Company on June 12th.

STAFF RECOMMENDATIONS

The Authority Staff recommends that the Board of Directors authorize the General Manager to award the contract to Red River Construction Company for the Blomedale Pump Station Phase 2 Improvements Project Contract A in the amount of \$5,426,800.

ATTACHMENTS

Engineer Recommendation of Award

RICHARD A. DORMIER, P.E.
MARK HILL, P.E.
VICTOR ACUY, P.E.
JOHN D. GATTIS, A.I.A.
MICHAEL K. STACEY, P.E.

June 9, 2023

Mr. Paul Sigle, P.E.
GTUA General Manager
5100 Airport Dr, Denison, TX 75020

Re: Recommendation of Award
Project A - Bloomdale Pump Station Improvements

Dear Mr. Sigle:

Enclosed is the Bid Tabulation for the above-referenced project. Only one (1) Contractor submitted bids for the project, which was opened on June 8, 2023. The low bid was submitted by Red River Construction Company of Wylie, Texas, with a bid amount of \$5,385,800. Construction time was 730 calendar days. The bid amount was about 7.7 percent above the estimate. The low bidder was bidding a long completion time due to Kohler's prolonged generator delivery of 70 weeks.

The Contractor's proposal, bid bond, financial statement, qualification statement and Pump Solution, Inc. guaranteed price proposal for 90 days are attached. Pump Solutions, Inc. is the vendor for the existing Simflo pumps and the only supplier for guaranteed parts and repairs for these pumps. It is also to the Owner advantage to install the 4th Simflo pump identical the existing pumps. Paul Sigle worked with the Texas Water Development Board (TWDB) for there approval of a single source for the 4th pump and existing pump rehabilitation.

Both GTUA and Freeman Millican are familiar with Red River Construction. This was the original pump station Contractor of the initial phase that was constructed in 2006/2007. GTUA has Red River Construction on multiple projects in North Texas. We have also reviewed the financial information Red River Construction Inc. provided and see no issues. We recommend awarding the project with two (2) additive alternates. Two additive alternates are for the extended five (5) year warranty for the generator and four (4) VFDs. We recommend awarding the alternates because the generator and VFDs are crucial equipment at the pump station that must be kept fully operational and maintained.

A rebid of the Project would not be recommended because it is unclear if we would have more bidders. Ten (10) General Contractors picked up the plans and could have bid on this project, but they decided not to. Based on the results of our review and the fact that the low bidder is an experienced and reputable Contractor, we recommend awarding this project to Red River Construction in the amount of \$5,385,800 plus additive alternates in the amount of \$41,000 for a total of \$5,426,800.00. Sincerely,

FREEMAN - MILLICAN, INC.



BID TABULATION

| OWNER: Greater Texoma Utility Authority | | | | Contractor | Red River Construction, Inc. |
|---|--|----------|------|----------------|------------------------------|
| PROJECT: Project A: Bloomdale Pump Station Improvements FMI Project Number 21029 | | | | Address | 2804 Capital Street |
| ENGINEER: FREEMAN-MILLICAN, INC. | | | | City, State | Wylie, TX 75098 |
| BID DATE: June 8, 2023 at 2:00 p.m. | | | | Phone | 972-578-0127 |
| ITEM NO. | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | TOTAL AMOUNT |
| P.1 | Construct new 500,000 gallon Ground Storage Reservoir foundation, Concrete ringwall, buried piping and valves under the reservoir | 1 | LS | \$250,000.00 | \$250,000.00 |
| P.2 | Purchasing a new and complete Vertical Turbine pump with 450 HP inverter duty-rated motor per guaranteed price from Simflo to GTUA, dated 5/31/2023 | 1 | EA | \$206,830.00 | \$206,830.00 |
| P.3 | Installation of a new vertical turbine pump and inverter duty-rated motor at the site, including Contractor's overhead and profit on Proposal Item P.2 | 1 | EA | \$62,000.00 | \$62,000.00 |
| P.4 | Install new piping and valves as shown on the plans, including a hot tap on the 30-inch water transmission line and new 30-inch butterfly valve | 1 | LS | \$1,629,478.50 | \$1,629,478.50 |
| P.5 | Service of the existing vertical turbine pumps including completely new 6-stage bowl assembly and two-year warranty and pump transport and startup | 3 | EA | \$88,483.50 | \$265,450.50 |
| P.6 | Removal and re-installation of the serviced pumps Including Contractor's overhead and profit on Proposal Item P.5 | 3 | EA | \$10,000.00 | \$30,000.00 |
| P.7 | Service of the existing vertical turbine pump motor with standard 2-year warranty and transport of the motor from/to site by Pump Solutions Inc. and startup | 2 | EA | \$24,449.00 | \$48,898.00 |
| P.8 | Removal and re-installation of the serviced motor Including Contractor's overhead and profit on Proposal Item P.7 | 2 | EA | \$4,000.00 | \$8,000.00 |
| P.9 | Install all electrical and control wiring as shown on the Plans | 1 | LS | \$450,000.00 | \$450,000.00 |
| P.10 | Furnish and Install 1,000 kW emergency diesel generator | 1 | LS | \$930,000.00 | \$930,000.00 |
| P.11 | Furnish and Instal 450 HP Variable Frequency Drives with filters | 1 | LS | \$750,000.00 | \$750,000.00 |
| P.12 | Provide an upgrade of the existing SCADA system at Bloomdale Pump Station and I Delivery Points | 1 | LS | \$550,000.00 | \$550,000.00 |
| P.13 | Furnish and install a new video surveillance system at Bloomdale Pump Station and Delivery Points | 1 | LS | \$89,000.00 | \$89,000.00 |
| P.14 | Furnish and install a new stainless steel extension stem on the existing 24-inch butterfly valve on the 15 ft. deep suction line of Pump 3 | 1 | LS | \$35,600.00 | \$35,600.00 |
| P.15 | Furnish and install a new 24-inch butterfly valve on the 15 ft. deep suction line of Pump 3 | 1 | LS | \$37,000.00 | \$37,000.00 |
| P.16 | Design and implement stormwater pollution and prevention plan SWP3 | 1 | LS | \$8,200.00 | \$8,200.00 |
| P.17 | Trench Safety | 170 | LF | \$50.00 | \$8,500.00 |
| P.18 | Painting inspection of the interior of all four pump cans including written report. Inspection to be completed in two trips | 1 | LS | \$10,000.00 | \$10,000.00 |
| P.19 | Sand blasting and painting of the 30-inch diameter pump can interior per specifications | 4 | EA | \$2,500.00 | \$10,000.00 |
| P.20 | Performing a new pump witness test at the factory including lodging and travel cost for the Owner's representative | 1 | EA | \$6,843.00 | \$6,843.00 |
| Base Bid Total (P.1-P.20) | | | | | \$5,385,800.00 |
| Additive Alternates | | | | | |
| A1.1 | Provide five (5) year extended warranty for the generator and load bank | 1 | LS | \$6,000.00 | \$6,000.00 |
| A1.2 | Provide five (5) year extended warranty for all VFDS | 1 | LS | \$35,000.00 | \$35,000.00 |
| Deductive Alternates | | | | | |
| PDA.1 | For Reducing new GSR supply line "B" from 30" to 24", 30" butterfly valve to 24" | 1 | LS | \$12,300.00 | \$12,300.00 |
| PDA.2 | For Reducing new GSR supply line "C" from 30" to 24", 30"x18" tee to 24"x18" tee | 1 | LS | \$24,800.00 | \$24,800.00 |

NOTICE OF AWARD

To: Red River Construction Co.
2804 Capital Street
Wylie, TX 75098

PROJECT Description: GTUA/CGMA Project "A" Bloomdale Pump Station Improvements

The OWNER has considered the BID submitted by you for the above-described WORK in response to its Advertisement dated May 13th, May 14th, May 20th, and May 21st.

You are hereby notified that the Board of Directors voted to authorize your BASE BID and it has been accepted for items in the amount of **\$5,426,800.00**.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 12th day of June 2023.

Greater Texoma Utility Authority
Owner

By: _____

Title: General Manager

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged.

by Red River Construction Co.,

this the _____ day of _____, 2023

By: _____

Title: _____

AGENDA ITEM VIII



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

DATE: June 14, 2023

SUBJECT: AGENDA ITEM NO. VIII

PREPARED AND SUBMITTED BY: Paul M. Sigle, General Manager

CONSIDER AND ACT UPON CHANGE ORDER NO. 2 TO THE CONTRACT WITH GARNEY COMPANIES, INC. FOR THE CITY OF SHERMAN MAJOR INFRASTRUCTURE IMPROVEMENTS PROJECT.

ISSUE

Consider and act upon Change Order No. 2 to the contract with Garney Companies, Inc. for the City of Sherman Major Infrastructure Improvements Project.

BACKGROUND

The City of Sherman is executing a major infrastructure improvements program to meet the fast-growing needs of the city including industrial, commercial, and residential users. The city needs to complete certain key infrastructure projects to meet the planned industrial expansion needs of significant industrial users before 2025. At this time, this includes water treatment plant expansion, pump station, transmission pipeline, elevated storage tank, and wastewater treatment plant expansion.

GTUA and the City of Sherman selected Garney as Construction Manager At Risk (CMAR) for the installation of a new 36-inch diameter water main from the water treatment plant, through the western portion of the City, and down to the southern portion of the City.

Due to a change in new demand from large manufacturing plants, the date when the new water main must be substantially completed can be delayed by about 229 days. Change Order No. 1 changes the substantial completion date and final completion date to February 14, 2025, and April 15, 2025, respectively.

CONSIDERATIONS

Pape-Dawson, the City of Sherman's Project Manager for the City's Major Infrastructure Improvements Project, has recommended adding the Water Treatment Plant Concentrate Discharge Project to Garney Construction's scope of work. The Water Treatment Plant Concentrate Discharge System is a pipeline that will discharge the concentrate from the City's Water Treatment Plant into a tributary of Lake Texoma. Change Order No. 2 will add \$278,000 to the contract pre-construction services fees.

STAFF RECOMMENDATIONS

The Authority Staff recommends authorizing the approval of Change Order No. 1 to the contract with Garney Companies, Inc. for the City of Sherman Major Infrastructure Improvements Project. This item is contingent on the City of Sherman's approval.

ATTACHMENTS

Change Order No. 2

| | |
|---|------------------------------|
| Project: <u>36" W. Sherman Water Main</u> | Project Number: _____ |
| Owner: <u>GTUA- City of Sherman</u> | _____ |
| Contractor: <u>Garney Companies -CMAR</u> | _____ |
| Engineer: <u>Pape-Dawson Consulting Engineers, LLC</u> | _____ |

Contract Amendment No.: 2 **Effective Date of the Contract:** 02/16/2023

Make the following modifications to the Contract Documents:

Addition of the "Sherman Water Treatment Plant Concentrate Discharge System" project to the CMAR's scope of work. The Substantial Completion date and Final Completion date for this project will be determined at a future date. This amendment is to incorporate the Pre-Construction services and Procurement fees in the contract price. All other conditions and terms in the original contract remain the same. Attached is the RFP received from Garney Companies.

This Contract Amendment modifies the Contract Documents. Should this amendment include any change in compensation, the compensation in this Contract Amendment is the full, complete, and final compensation for all costs the Contractor may incur as a result of or relating to this change whether said costs are known, unknown, foreseen, or unforeseen at this time, including without limitation, any cost for delay, extended overhead, ripple or impact cost, or any other effect on changed or unchanged Work as a result of this Contract Modification. The changes in Contract Times are the complete and final adjustments for direct impacts to the ability of the Contractor to complete the Work within the Contract Times and are the only adjustments to which the Contractor is entitled. Except as modified hereby, the Contract Documents and all of the terms and provisions thereof remain in full force and effect.

| | |
|---|------------|
| a Original Contract Price | 588,598.00 |
| b Previously Approved Change Order Amounts | 0 |
| c Adjusted Contract Price (a + b) | 588,598.00 |
| d Change Order Amount | 278,000.00 |
| e Revised Contract Price (c + d) | 866,598.00 |
| f Percent Change to Date | % |
| g Change in Days this Contract Amendment | TBD days |

| Completion Dates: | | Original | | Previous | | Current |
|-------------------------------|---|------------|---|------------|---|-----------|
| Substantial Completion | h | 6/30/2024 | i | 6/30/2024 | j | 2/14/2025 |
| Final Completion | k | 12/31/2024 | l | 12/31/2024 | m | 4/15/2025 |

| | |
|---|---|
| <p>Recommended by: Design Engineer</p> <p> _____</p> <p style="text-align: right;">Date: <u>5.15.2023</u></p> <hr/> <p>Approved by: Garney Companies</p> <p> _____</p> <p style="text-align: right;">Date: <u>5/11/23</u></p> <hr/> <p>Approved by: GTUA</p> <p>_____</p> <p>Name _____ Date _____</p> | <p>Recommended by: Program manager</p> <p>_____</p> <p style="text-align: right;">Date: <u>05/15/2023</u></p> <hr/> <p>Approved by: City of Sherman</p> <p>_____</p> <p>Name _____ Date _____</p> |
|---|---|

| | | | |
|--|--|-------------------------------------|--|
| Project: | <u>36-inch West Sherman Water Main</u> | Project Number: | _____ |
| Owner: | <u>GTUA/City of Sherman</u> | | _____ |
| Contractor: | <u>Garney Companies. Inc.</u> | | _____ |
| Engineer: | <u>Pape-Dawson Consulting Engineers, LLC</u> | | _____ |
| Request No.: | <u>1</u> | Description: | <u>Addition of scope to the CMAR contract</u> |
| Specification: | _____ | | |
| Drawing No.: | _____ | Detail Description: | <u>Adding Sherman WTP Concentrate Discharge System to the existing CMAR contract for 36" West Sherman water main</u> |
| Reference Document: | | | |
| <input type="checkbox"/> | Request for Information No.: _____ | <input type="checkbox"/> | Shop Drawing Deviation Request No.: _____ |
| <input type="checkbox"/> | Work Change Directive No.: _____ | <input checked="" type="checkbox"/> | Contract Document: <u>Link to the contract Documents on SP</u> |
| <p><i>The Owner requests that the Contractor prepare a Change Proposal for the changes in the Contract Documents described in this Request for a Change Proposal. The compensation offered for this Change Proposal is to be the full, complete, and final compensation for all costs the Contractor may incur as a result of or relating to this change whether said costs are known, unknown, foreseen, or unforeseen at this time, including without limitation, any cost for delay, extended overhead, ripple or impact cost, or any other effect on changed or unchanged Work as a result of this Contract Amendment. Requested changes in Contract Times are to be the complete and final adjustments for direct impacts to the ability of the Contractor to complete the Work within the Contract Times and are the only adjustments to which the Contractor will be entitled. Authorization to proceed with changes must be approved by the Owner in accordance with the Contract Documents.</i></p> | | | |
| Owner requests a Change Proposal for the following modifications to the Contract Documents: | | | |
| Add Sherman WTP Concentrate Discharge System to Garney's CMAR contract for 36" West Sherman Watermain project as additional scope of work and request to provide pricing for this additional work. | | | |
| Purpose of Change Proposal: | | | |
| To document the extension of the contract scope and ensure that all parties understand and agree to the revised scope, budget and changes to contract milestones. | | | |
| Attachments: | | | |
| Link to access the Contract Documents | | | |
| Status: | | | |
| <input type="checkbox"/> | Change Proposal No.: _____ | Received | <input type="checkbox"/> Cancelled |
| Action Required: | | | |
| <input type="checkbox"/> | Documents Filed | <input type="checkbox"/> | Cancelled |
| Requested by: | _____ | Date: | <u>April 24, 2023</u> |



Pape-Dawson Consulting Engineers, LLC
Attn: VT Madhavan
6105 Tennyson Pkwy, Suite 210
Plano, TX 75024

May 5, 2023

RE: City of Sherman 36-inch West Sherman Water Main – Request for Change Order No. 1, Adding Sherman WTP Concentrate Discharge System

Dear Mr. Madhavan,

Garney Companies, Inc. (Garney). has prepared the below proposal to provide Preconstruction, Procurement CMAR Services required to complete Sherman WTP Concentrate Discharge System as described in Request for Change Proposal No. 1 dated April 24, 2023 for the above referenced project and as discussed.

PRECONSTRUCTION SERVICES FEE: The Lump Sum Amount of \$183,000

PROCUREMENT SERVICE FEE: The Lump Sum Amount of \$95,000

CONSTRUCTION SERVICES FEE (CMAR Fee): 9.5 percent of Cost of Work

GENERAL CONDITIONS: 6.5 percent of Cost of Work

MOBILIZATION ADVANCE: 2 percent of General Conditions

CONTINGENCY FUNDS: 3 percent of Cost of work

Please note the following clarifications:

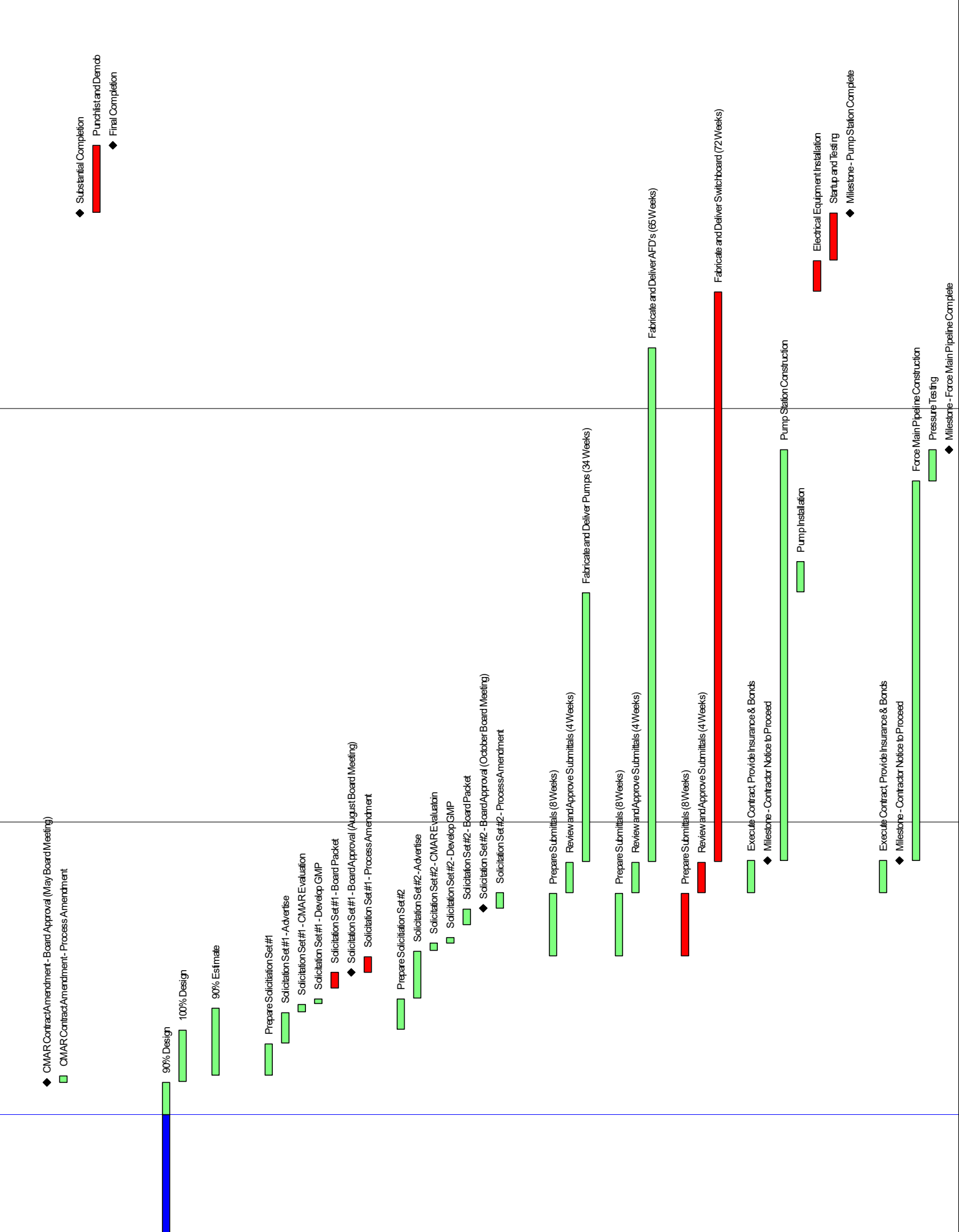
1. Proposal based on Pape-Dawson Preliminary Engineering Report 30% Draft Dated January 2023.
2. Preconstruction costs include performing one estimate based on 90% design.
3. Attached conceptual schedule represents one option of how to procure and deliver this project.
 - a. Garney understands the critical aspect of this project and as such, during preconstruction Garney will work with engineer to evaluate options for improving the schedule.
4. TCEQ Permit to construct, TXDOT highway crossing permit, and Easement acquisitions are by Owner and Engineer.
5. Builders Risk Insurance costs have not been included in the above as this will be a project specific policy based on the total value of this Project and presented as a cost of work item at GMP.

This change request proposal is valid for acceptance until May 25, 2023. Any deviations from the above will require a revised quotation.

Thank you for your consideration. We look forward to working with you on this Project. Please contact me at 419-631-6486 if I can be of assistance or if you have questions concerning the above.

Sincerely,

Patrick Vidonish
Director – Central Plant Operations



AGENDA ITEM IX



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

DATE: June 14, 2023

SUBJECT: AGENDA ITEM NO. IX

PREPARED AND SUBMITTED BY: Paul M. Sigle, General Manager

CONSIDER AND ACT UPON CHANGE ORDER NOS. 1 AND 2 TO THE CONTRACT WITH BELT CONSTRUCTION OF TEXAS, LLC FOR THE CITY OF PRINCETON WATER MAIN CIP PROJECTS 6, 8, AND 17

ISSUE

Consider and act upon Change Order Nos. 1 and 2 to the contract with BELT Construction of Texas, LLC for the City of Princeton Water Main CIP Projects 6, 8, and 17.

BACKGROUND

The City of Princeton requested assistance in obtaining funding for improvements to the City's water system. These improvements include a new elevated storage tank ("EST"), appurtenances, water line to connect the EST to their system, and other water system projects as funds allow. After discussions with the City staff, engineer, Authority's Bond Counsel and the Authority's Financial Advisor, the decision was made to pursue Open Market funds as the interest rates were relatively close to DFund rates, and the project construction could be expedited. The Bond Issuance closed on March 3, 2022.

This water line project included 2,734 linear feet of 24-inch water line, 4,409 linear feet of 20-inch water line, 2,166 linear feet of 16-inch water line, and 106 linear feet of 12-inch water line. This waterline will connect the new Elevated Storage Tank to the City's water system. The City received five bids for this project on June 30, 2022. Belt Construction was the lowest bid at \$3,479,693.00. The Board awarded the contract to Belt Construction at the July 18, 2022, Board meeting.

CONSIDERATIONS

Change Order No. 1 is the extended bore about 20 feet and moving a fire hydrant about 5 feet. The change is due to a monument sign located on the path of the 24" water line. This change order increases the contract price by \$54,156.44, resulting in a total contract price of \$3,533,849.44.

Change Order No. 2 is to increase paving repair footage to replace concrete to existing joints and the addition of a sidewalk. The limit of saw cutting for pavement removal, as designed, was close to existing pavement joints in some instances. It made more sense to remove the concrete back to an existing joint instead of having two joints in close proximity to themselves. A maintenance issue would have been created had the City not have the contractor remove the concrete to the joint. Change Order No. 2 increase the contract price by \$76,978.25.

STAFF RECOMMENDATIONS

The Authority Staff recommends approving Change Order No. 1 and No. 2 for a total increase of \$131,1358.69, resulting in a total contract price of \$3,3,610,827.69.

ATTACHMENTS

Change Order No. 1
Change Order No. 2

ORIGINAL 20" BFV COST



ACT
PIPE & SUPPLY
 ACT PIPE AND SUPPLY, INC.
 2585 NE 28TH STREET
 FORT WORTH, TX 76111
 817-831-1663
 Fax 817-831-1953



Invoice

| | |
|--|----------------|
| INVOICE DATE | INVOICE NUMBER |
| 11/21/2022 | S100837960.031 |
| REMIT TO: ACT PIPE AND SUPPLY, INC. PO BOX 301282 DALLAS, TX 75303-1282 | |
| PAGE NO. | |
| 1 of 2 | |

BILL TO:

SHIP TO:

BELT CONSTRUCTION OF TEXAS
 P. O. BOX 867
 TEXARKANA, TX 75504

FOREST GROVE WATER MAIN CIP
 96 SOUTH FOREST GROVE
 PRINCETON, TX 75407

| CUSTOMER NUMBER | | CUSTOMER PO NUMBER | | JOB NAME / RELEASE NUMBER | | SALESPERSON | |
|-----------------|------|--------------------|---|---------------------------|-------------|-------------|--|
| 168398 | | 1-WM-2208P | | | | Mat Sanders | |
| WRITER | | SHIP VIA | | TERMS | | SHIP DATE | |
| Beto Escobedo | | OT OUR TRUCK | | Net Due 30th | | 11/21/2022 | |
| ORDER QTY | | SHIP QTY | | PART# | | DESCRIPTION | |
| UNIT PRICE | | EXT PRICE | | | | | |
| 15ea | 15ea | 19882 | 2016PV 16" EBAA MEGA-LUG ONLY FOR PVC 2016PV | | 225.550/ea | 3383.25 | |
| 2ea | 2ea | 26145 | 22042000D 20" DI COMPACT MJ 22-1/2 BEND C153 DOMESTIC | | 1528.020/ea | 3056.04 | |
| 57ea | 57ea | 20718 | 2020PV 20" EBAA MEGA-LUG ONLY FOR PVC 2020PV | | 346.830/ea | 19769.31 | |
| 2ea | 2ea | 11536 | 503900048 48" X 200' ROLL 8 MIL POLYWRAP | | 145.830/ea | 291.66 | |
| 7ea | 1ea | 26013 | 22032400D 24" DI COMPACT MJ 45 BEND C153 DOMESTIC | | 2085.420/ea | 2085.42 | |
| 36ea | 36ea | 20875 | 2024PV 24" EBAA MEGA-LUG ONLY FOR PVC 2024PV | | 400.280/ea | 14410.08 | |
| 4ea | 4ea | 21068 | 513C12000 20" AWWA MJ BUTTERFLY VALVE W/ NUT OPERATOR MOD#: 201MM-0255-SSLNP4 | | 5571.780/ea | 22287.12 | |
| 4ea | 4ea | 98154 | 2" OP NUT FOR MDT4S2 | | 0.000/ea | 0.00 | |
| 1ea | 1ea | 1252 | 22241606D 16" X 6" DI COMPACT MJ X FLG TEE C153 DOMESTIC | | 1073.140/ea | 1073.14 | |
| 2ea | 2ea | 1311 | 22242412D 24" X 12" DI COMPACT MJ X FLG TEE C153 DOMESTIC | | 3462.880/ea | 6925.76 | |
| 3ea | 3ea | 14955 | 509020340 3" X 4'-0" FLG X PE D.I. PIPE | | 615.000/ea | 1845.00 | |
| 3ea | 3ea | 14923 | 509020310 3" X 1'-0" FLG X PE D.I. PIPE | | 222.500/ea | 667.50 | |
| Subtotal | | | | | | | |
| S&H Charges | | | | | | | |
| Tax | | | | | | | |
| Payments | | | | | | | |
| Amount Due | | | | | | | |

COST FOR ADDED 20" BFV'S



PIPE & SUPPLY
 ACT PIPE AND SUPPLY, INC.
 2585 NE 28TH STREET
 FORT WORTH, TX 76111
 817-831-1663
 Fax 817-831-1953



Invoice

| | |
|--|----------------|
| INVOICE DATE | INVOICE NUMBER |
| 02/01/2023 | S100837960.047 |
| REMIT TO: ACT PIPE AND SUPPLY, INC. PO BOX 301282 DALLAS, TX 75303-1282 | |
| PAGE NO. | |
| 1 of 1 | |

BILL TO:

SHIP TO:

BELT CONSTRUCTION OF TEXAS
 P. O. BOX 867
 TEXARKANA, TX 75504

FOREST GROVE WATER MAIN CIP
 96 SOUTH FOREST GROVE
 PRINCETON, TX 75407

| CUSTOMER NUMBER | | CUSTOMER PO NUMBER | | JOB NAME / RELEASE NUMBER | | SALESPERSON | | |
|-----------------|----------|--------------------|---|---------------------------|--------------|-------------|------------|------------|
| 168398 | | 1-WM-2208P | | | | Mat Sanders | | |
| WRITER | | | SHIP VIA | | TERMS | | SHIP DATE | ORDER DATE |
| Beto Escobedo | | | DIRECT | | Net Due 30th | | 02/01/2023 | 07/26/2022 |
| ORDER QTY | SHIP QTY | PART# | DESCRIPTION | | | UNIT PRICE | EXT PRICE | |
| 1ea | 1ea | 21068 | 513C12000 20" AWWA MJ BUTTERFLY VALVE W/ NUT OPERATOR | | | 8565.000/ea | 8565.00 | |

Invoice is due by 03/30/2023

Past Due invoices may be subject to 1.50% late charge.

| | |
|-------------|---------|
| Subtotal | 8565.00 |
| S&H Charges | 0.00 |
| Tax | 0.00 |
| Payments | 0.00 |
| Amount Due | 8565.00 |

COST FOR ADDED 20" BFV'S



PIPE & SUPPLY
 ACT PIPE AND SUPPLY, INC.
 2585 NE 28TH STREET
 FORT WORTH, TX 76111
 817-831-1663
 Fax 817-831-1953



Invoice

| | |
|--|----------------|
| INVOICE DATE | INVOICE NUMBER |
| 01/04/2023 | S100837960.037 |
| REMIT TO: ACT PIPE AND SUPPLY, INC. PO BOX 301282 DALLAS, TX 75303-1282 | |
| PAGE NO. | |
| 1 of 1 | |

BILL TO:

SHIP TO:

BELT CONSTRUCTION OF TEXAS
 P. O. BOX 867
 TEXARKANA, TX 75504

FOREST GROVE WATER MAIN CIP
 96 SOUTH FOREST GROVE
 PRINCETON, TX 75407

| CUSTOMER NUMBER | | CUSTOMER PO NUMBER | | JOB NAME / RELEASE NUMBER | | SALESPERSON | | |
|-----------------|----------|--------------------|---|---------------------------|--------------|-------------|------------|------------|
| 168398 | | 1-WM-2208P | | | | Mat Sanders | | |
| WRITER | | | SHIP VIA | | TERMS | | SHIP DATE | ORDER DATE |
| Beto Escobedo | | | DIRECT | | Net Due 30th | | 01/04/2023 | 07/26/2022 |
| ORDER QTY | SHIP QTY | PART# | DESCRIPTION | | | UNIT PRICE | EXT PRICE | |
| 2ea | 1ea | 21068 | 513C12000 20" AWWA MJ BUTTERFLY VALVE W/ NUT OPERATOR | | | 8565.000/ea | 8565.00 | |

Invoice is due by 03/02/2023

Past Due invoices may be subject to 1.50% late charge.

| | |
|-------------|---------|
| Subtotal | 8565.00 |
| S&H Charges | 0.00 |
| Tax | 0.00 |
| Payments | 0.00 |
| Amount Due | 8565.00 |

Jason Langford

From: Shawn Fort <SFort@princetontx.us>
Sent: Thursday, December 8, 2022 1:53 PM
To: Jason Langford
Cc: Craig Benckendorf; Nick Haines; Kyle Bass; Alex Norwood
Subject: RE: Monument Sign at 24" Line
Attachments: 20221208081744905.pdf

Jason,

After taking a look at this our recommendation would be to extend the bore to the west easement line of the underground electric line, install the connection for the fire hydrant and install the valve. We need the fire hydrant at the drive entrance if at all possible. It shouldn't be installed in the electric easement.

See the attached redline mark-up.



PRINCETON
TEXAS

Shawn Fort, CFM

Director of Development Services
TSBPE License I-3245
T: 972-736-2416 | M: 575-808-1211
E: sfort@princetontx.us | www.princetontx.gov
2000 E. Princeton Drive, Princeton, TX 75407

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ATTENTION PUBLIC OFFICIALS:
A "REPLY TO ALL" OF THIS E-MAIL COULD LEAD TO VIOLATIONS OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.

From: Jason Langford <jason@beltinc.com>
Sent: Wednesday, December 7, 2022 8:15 AM
To: Shawn Fort <SFort@princetontx.us>
Cc: Craig Benckendorf <craig@beltinc.com>; Nick Haines <nhaines@beltinc.com>; Kyle Bass <Kyle@beltinc.com>; Alex Norwood <alex@beltinc.com>
Subject: Monument Sign at 24" Line

Shawn,

To follow up on our conversation earlier in the week, the North end of the existing monument sign near STA 5+88 (sheet 7) is in the alignment of the pipe and also will conflict with the proposed fire hydrant location. See attached photos. We

propose extending the bore by approx. 20' and shifting the fire hydrant to the West about 5'. Please confirm how you would like us to proceed. We are at that bore now, so timing is critical.

Thanks,

Jason Langford
BELT Construction, Inc.

O : [870-772-7216](tel:870-772-7216)

F : [870-772-7233](tel:870-772-7233)

C : [214-422-0272](tel:214-422-0272)

jason@beltinc.com

<http://beltconstructioninc.com>



AGENDA ITEM X



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

DATE: June 14, 2023

SUBJECT: AGENDA ITEM NO. X

PREPARED AND SUBMITTED BY: Paul M. Sigle, General Manager

CONSIDER AND ACT UPON THE AUTHORITY'S POLICY ON MINIMUM INSURANCE AND BONDING REQUIREMENTS FOR CONSTRUCTION PROJECTS.

ISSUE

Consider and act upon the Authority's Policy on Minimum Insurance and Bonding Requirements for Construction Projects.

BACKGROUND

GTUA's Policy on Minimum Insurance and Bonding Requirements outlines the insurance and bonding requirements for construction projects. With the large projects being undertaken by the City of Sherman for the City's Major Infrastructure Improvement Program, Staff and City's engineers are concerned GTUA's policy isn't adequate for the large projects.

CONSIDERATIONS

The Authority asked for recommended changes to the Policy from the project engineers and the Authority's insurance provider, TWCA Risk Management. For a project larger than \$100 million, the recommendations included increasing the required A.M. Best Insurance Guide rating and adding a \$5 million per occurrence umbrella policy. Other general changes recommended by TWCA Risk Management were included in the draft updated policy.

STAFF RECOMMENDATIONS

The Authority Staff recommends that the Board of Directors approves the recommended changes provided in the attached draft and any changes recommended by the Authority's General Counsel.

ATTACHMENTS

Draft Policy of Minimum Insurance and Bonding Requirements



Minimum Insurance and Bonding Requirements for Construction Projects

GREATER TEXOMA UTILITY AUTHORITY
MINIMUM INSURANCE AND BONDING REQUIREMENTS

A. Purpose

Greater Texoma Utility Authority (GTUA) seeks comprehensive insurance and bonding protection with limits adequate to respond to exposure confronting GTUA, the consulting engineer, and the public entity for which the work is undertaken.

B. Effective Date

These insurance requirements are to be effective beginning September 15, 2003, revised July 19, 2004.

C. Conditions applicable to all policies:

1. Qualifications of insurers: Insurers shall be duly licensed or approved non-admitted carriers and comply with all applicable state insurance laws and requirements of duly constituted insurance regulatory authorities.
2. Insurance company rating: Insurers shall maintain an A.M. Best Insurance Guide rating of at least B+VI, or better. Surplus lines carriers shall maintain an A.M. Best Insurance Guide rating of at least A+VI. For projects larger than \$100 million, the insurers shall maintain an A.M. Best Insurance Guide rating of at least B+X, or better. Surplus lines carriers shall maintain an A.M. Best Insurance Guide rating of at least A+X.
1. Signatories on Certificates of Insurance and Bond Power of Attorney or Attorney-In-Fact: Only agents licensed by the Texas Department of Insurance (TDI) to conduct business in the State of Texas, and appointed by the TDI to the company affording coverage may be a signatory on the Certificate of Insurance and Bond Power of Attorney or Attorney-In-Fact (verification with TDI will be required). In the case of surplus lines carriers or non-admitted carriers only agents licensed as surplus lines agents may sign a Certificate of Insurance on behalf of the surplus lines carrier or non-admitted carrier affording coverage (verification with TDI will be required).
4. Cancellation notice: GTUA shall be given at least 30 days notice by certified mail before the cancellation, or any material change in coverage.
5. Additional insured: With the exception of Workers' Compensation policies, GTUA, the City or other public entity, and engineer shall be named as additional insureds.
6. Waiver of Subrogation: All policies must include a Waiver of Subrogation in favor of GTUA.
7. Certificate holder: GTUA shall be listed as a certificate holder.
8. Deductibles: Deductibles may not exceed \$1,000, unless approved by GTUA.

9. Occurrence policy: Insurers must furnish “occurrence” policies.
10. These requirements are in addition to the requirements adopted by the ~~Texas section of the American Society of Engineers~~ Engineers Joint Contract Documents Committee.
11. GTUA reserves the right to modify these requirements in the event it deems said modifications(s) to be appropriate.

D. Comprehensive General Liability (CGL) (including independent contractor’s liability, completed operations and contract liability)

1. Minimum policy limits (minimum combined single limits (CSL) for bodily injury and property damage)
 - (a) \$1,000,000 per occurrence
 - (b) \$2,000,000 general aggregate
 - (c) \$2,000,000 aggregate for products and completed operations coverage
 - (d) For Construction projects larger than \$100 million,
 - a. \$5,000,000 per occurrence umbrella policy
 - a-b. Endorsement on the General Liability to provide aggregate limits of liability per project.
2. Builders Risk Coverage
 - (a) Must name GTUA as loss payee
 - (b) “All Risk” form (all risks covered unless specifically excluded)
 - (c) ~~“Named Peril” — fire, windstorm, theft — minimum policy limits in an amount sufficient to cover the cost of building the structure~~ The policy must cover building materials in transit and while temporarily stored before installation whether on-site or at a different location,
3. Installation floater
 - (a) As specified by GTUA in an amount sufficient to cover the replacement cost of damaged equipment
 - (b) Include cost of insurance freight (CIF) to insure FOB project site
4. Owner’s and Contractor’s protective liability coverage (OC&P):
 - (a) Minimum policy limits of \$1,000,000
 - ~~(a)~~(b) Must solely name GTUA as the insured
5. Completed operations coverage: To be maintained for a minimum of ~~one (1)~~ two (2) year after final completion and acceptance of work
6. Fire-Legal/Damage to Leased Premises

- (a) Must include Fire-Legal/Damage to Leased Premises coverage
- (b) Minimum policy limits of \$100,000 where work is being performed in connection with an existing facility

- 7. Pollution liability coverage: If a determination is made that exposure warranting such coverage exists.
- 8. XCU: XCU exclusions must be removed from the policy.
- 9. Contractual Liability Insurance: If surplus lines policy, any non-standard exclusions must be attached to Certificate of Insurance.
- 10. Policy exclusions: Certificate of Insurance must identify all policy exclusions (*i.e.*, pollution, punitive damages, subcontractors).
- 11. Railroad Protective Liability: If boring under a rail line or sidetrack.

E. Comprehensive Auto and Truck Liability Insurance - Minimum CLS policy limits for bodily injury and property damage

- 1. ~~\$500,000~~ 1,000,000 per occurrence
- 2. ~~\$1,000,000~~ 2,000,000 aggregate for vehicles with gross weight of 26,000 lbs or more.
- 3. Coverage shall be afforded for hired and non-owned autos.

F. Workers' Compensation

- 1. Authority to do business in Texas: Insurance carrier must be authorized to conduct business in the State of Texas or must obtain a Texas endorsement.
- 2. Policy limits: Maintain minimum statutory policy limits ~~\$100,000/\$100,000/\$500,000~~
- 3. Employer's Liability: ~~Maintain a minimum of \$1,000,000.~~
- 4. Waiver of subrogation: Policy must include a waiver of subrogation in favor of GTUA.
- 5. Certificate holder: GTUA must be listed as a certificate holder.
- 6. Staff leasing agreement:

In the event of a staff leasing agreement:

- (a) Staff leasing company must furnish a Certificate of Insurance.

- (b) Staff leasing company must be licensed.
- (c) Staff services agreement must meet the requirements of Section 91.032 of the Texas Labor Code.
- (d) The contractor must represent in writing that only employees covered under the staff services agreement will work on the project.
- (e) Contractor and staff leasing company must furnish GTUA with 30 days advance written notice of either parties' intent to terminate the staff services agreement.

G. Performance, Payment and Maintenance Bonds:

1. A surety company shall be listed on Treasury Circular 570. In determining whether the surety on the bond holds a certificate of authority from the United States Secretary of the Treasury, a party may conclusively rely on the list of companies holding certificates of authority as acceptable sureties on federal bonds published in the Federal Register by the United States Department of the Treasury covering the date on which the bond was executed.
2. A bond that is made, given, tendered, or filed may be executed only by a surety company that is authorized and admitted to write surety bonds in the State of Texas.
3. The bonds shall be effective for at least one year from the date final payment is made.
4. Signatories on Certificates of Insurance and Bond Power of Attorney or Attorney-In-Fact – Only agents licensed by the Texas Department of Insurance (TDI) to conduct business in the State of Texas, and appointed by TDI to the company affording coverage may be a signatory on the Bond (verification with TDI will be required).
5. Bonding company shall maintain an A.M. Best rating of A+V or better. For projects larger than \$100 million, Bonding company shall maintain an A.M. Best rating of A+IV or better.

AGENDA ITEM XI



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

DATE: June 14, 2023

SUBJECT: AGENDA ITEM NO. IX

PREPARED AND SUBMITTED BY: Paul M. Sigle, General Manager

CONSIDER AND ACT UPON THE AUTHORITY'S POLICY ON MINIMUM INSURANCE AND BONDING REQUIREMENTS FOR CONSTRUCTION PROJECTS.

ISSUE

Consider and act upon the Authority's Policy on Minimum Insurance and Bonding Requirements for Construction Projects.

BACKGROUND

The Authority's enabling legislation outlines the makeup of the Board of Directors, with three directors appointed by the City of Denison, three directors appointed by the City of Sherman, two directors appointed by the home-rule member cities, and one director appointed by members cities other than home-rule municipalities. Until 2022, the City of Gainesville and Anna were the only two member cities that were home-rule municipalities. The City of Van Alstyne is now the third home-rule member city for the Authority. The portion of the enabling legislation that outlines the appointment of directors by home-rule municipalities is included below.

Sec. 8283.102. APPOINTMENT OF DIRECTORS BY HOME-RULE MUNICIPALITIES.

(a) If a home-rule municipality is annexed, the governing body of the municipality shall appoint a director whose term begins January 1 following the annexation.

(b) If more than two home-rule municipalities are annexed, those municipalities are collectively entitled to appoint two directors and shall designate their directors by any method agreed to by those municipalities.

The complete enabling legislation for the Authority can be read here:

<https://statutes.capitol.texas.gov/Docs/SD/htm/SD.8283.htm>

ADJOURN