

ELECTRONIC PACKET

April 26, 2021 Commission Meeting

RELEASED: Monday, April 19, 2021



Milwaukee Metropolitan Sewerage District

260 West Seeboth
Street
Milwaukee, WI
53204

Meeting Agenda

Commission

Dan Devine, Chair

Eugene Manzanet, Vice Chair

*Dan Bukiewicz, Tim Carpenter, LaTonya Johnson,
Bryan L. Kennedy, Ph.D., Chantia Lewis, Kris Martinsek,
Jeff Stone, John Swan, III, Corey Zetts*

Monday, April 26, 2021

1:00 PM

Teams Online Meeting/Conference Call

NOTICE IS HEREBY GIVEN, pursuant to Section 19.84, Wisconsin Statutes, that the Milwaukee Metropolitan Sewerage District's Commission will hold its regularly scheduled public meeting on Monday, April 26, 2021, at 1:00 p.m. via Teams online meeting. The weblink to access this meeting is <https://tinyurl.com/tyv9tzsz>; telephone dial-in is available through 414.909.9127, access code 769 858 373#.

PURSUANT TO SECTION 19.85(1)(g), Wisconsin Statutes, the Commission reserves the right to go into Closed Session on any item on the public portion of the agenda to confer with Legal Counsel when it appears the matter may involve the District in litigation. If the Commission does convene in such a Closed Session, it is contemplated that the Commission will again, before adjourning the meeting, reconvene at the same place in Open Session at which time the Commission may act upon any item(s) considered in the Closed Session and upon any unfinished items from the regular agenda.

CALL TO ORDER

RECORD ROLL

Approval of Proceedings of Regular Commission Meeting held March 22, 2021

NEW BUSINESS

- | | |
|------------------|--|
| 21-004-1 | Operations and Maintenance Report for March 2021 - Pat Obenauf & Scott Royer |
| 19 21-060-4 | A Resolution Authorizing and Providing for the Sale and Issuance of \$46,000,000 General Obligation Sewerage System Bonds, Series 2021A (Green Bonds - Climate Bond Certified), Levying Taxes for the Payment Thereof, and all Other Related Details |
- Requires a 2/3 Affirmative Vote of the Commission for Adoption*

OPERATIONS COMMITTEE MEETING REPORT

- 1 21-042-4 Contracts for Bar Screen Repair and Replacement Parts at the Jones Island Water Reclamation Facility, Project J06075
- 2 21-043-4 Reject Bids for Contract J04061C01, Programmable Logic Control 5 Upgrade in the Dewatering and Drying Facility
- 3 21-044-4 Change Order Request, Contract J04072D01, Engineering Services – Milorganite® Fertilizer Transport and Silo Storage Equipment Replacement, and Restore the Executive Director's Original Delegated Authority
- 4 21-045-4 Change Order Request, Purchase Order No. 11178, Material Capital Repair or Replacement No. 1311, Jones Island Water Reclamation Facility Dewatering and Drying Milorganite® Transporters 1-4 Repairs, and Executive Director's Change Order Authority
- 5 21-046-4 Change Order Request, Contract J04074E01, Preliminary Engineering – Milorganite® Fertilizer Packaging Facility, and Restore the Executive Director's Original Delegated Authority
- 6 21-047-4 Award of Contract J06075C09, North Utility Pump Station Traveling Water Screens Replacement at Jones Island Water Reclamation Facility
- 7 21-048-4 Reject Bids for Contract J06075C11, Dilution & Mixing Tanks 1 & 2 Rehabilitation at Jones Island Water Reclamation Facility
- 8 21-049-4 Award of Contract S02008C05, Front Secondary Clarifier Improvements at South Shore Water Reclamation Facility, and Approve Changes in Total Project Cost
- 9 21-050-4 Change Order Request, Contract W98002C22, 2020-2021 Watercourse Maintenance Contract - Northeast Area
- 10 21-051-4 Change Order Request, Contract W98002C24, 2020-2021 Watercourse Maintenance Contract - Southeast Area
- 11 21-052-4 Award of Contract M03108P02, Planning Services - Impact of Water Levels on District Conveyance System Assets
- 12 21-053-4 Change Order Request, Contract M10004E02, District Engineering Services for the Private Property Infiltration and Inflow Reduction Program

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

- 13 21-054-4 Agreement between the Milwaukee Metropolitan Sewerage District and the City of Wauwatosa Regarding the Western Milwaukee Phase 2B Project W20028

- 14 21-055-4 Approval of National Fish and Wildlife Foundation Wisconsin Green Infrastructure Funder Collaboration Change Order Two, Contract G98013P01
- 15 21-056-4 Approve Change in Total Project Cost for Project C98060, Sanitary Sewer Overflow Elimination Study, Amend Total Project Cost for Project M99001, Allowance for Cost and Schedule Changes, and Restore Change Authority to the Executive Director
- 16 21-057-4 Authorizing the Transfer of Funds in the 2020 Operations and Maintenance Budget and the Transfer of Funds in the 2020 Capital Budget
Requires a 2/3 Affirmative Vote of the Commission for Adoption

ORGANIZATION & ADMINISTRATION

- 21-003-1 EXECUTIVE DIRECTOR'S REPORT
- A. Monthly Reports
 - B. Staff Recognition (Kevin Shafer)
 - C. Private Property Infiltration and Inflow Emergency Declaration Update (Kevin Shafer)
 - D. Testing Wastewater for COVID-19 (Sandra McLellan)
 - E. Veolia Year in Review (Scott Royer)

CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(c), Wisconsin Statutes, the Commission will go into Closed Session for considering employment compensation and performance evaluation data of public employees over whom the Commission has jurisdiction.

- CS1 21-061-4 Executive Director 2021 Performance Measures

PURSUANT TO SECTION 19.84, the Commission may reconvene in Open Session to continue discussion of items listed on the public agenda; and may reconvene in Closed Session again thereafter to further discuss any items not completed during the Closed Session and may thereafter reconvene in Open Session to further discuss the Open and Closed Session items. Any items taken up in Closed Session may subsequently be taken up in Open Session.

ADJOURNMENT

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request these services, contact the Office of the Commission at 414.225.2264, (FAX) 414.277.6360 or write to Office of the Commission, 260 W. Seeboth Street, Milwaukee, Wisconsin, 53204-1446.



Anna Kettlewell, Commission Secretary
Milwaukee Metropolitan Sewerage District



Milwaukee Metropolitan Sewerage District

260 West
Seebach Street
Milwaukee, WI
53204

Meeting Minutes Commission

Dan Devine, Chair
Eugene Manzanet, Vice Chair
Dan Bukiewicz, Tim Carpenter, LaTonya Johnson,
Bryan L. Kennedy, Ph.D., Chantia Lewis, Kris Martinsek,
Jeff Stone, John Swan, III, Corey Zetts

Monday, March 22, 2021

9:00 AM

Teams Online Meeting/Conference Call

CALL TO ORDER

Commission Chair Commissioner Devine called the meeting to order at 9:00 a.m.

RECORD ROLL

Present 11 - Dan Bukiewicz, Tim Carpenter, Dan Devine, LaTonya Johnson, Bryan L. Kennedy Ph.D., Chantia Lewis, Eugene Manzanet, Kris Martinsek, Jeff Stone, John Swan III, and Corey Zetts

Commissioner Manzanet arrived at 9:03 a.m. during the Operations and Maintenance Report.

Commissioner Johnson arrived at 9:17 a.m. during the Operations and Maintenance Report.

Approval of Proceedings of Regular Commission Meeting held February 22, 2021

A motion was made by Commissioner Martinsek, seconded by Commissioner Zetts. The motion carried.

NEW BUSINESS

21-004-1

Operations and Maintenance Report for February 2021 - Pat Obenauf & Scott Royer

The Commission received a PowerPoint presentation from Patrick Obenauf, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, with comments by Kevin L. Shafer, P.E., Executive Director.

Commissioner Manzanet arrived at 9:03 a.m. during this report.

Commissioner Johnson arrived at 9:17 a.m. during this report.

OPERATIONS COMMITTEE MEETING REPORT

Items 1-2 and 4-9 were taken as a block.

- 1 21-025-3 Award of Contract J01013C01, Preliminary Treatment Electrical Upgrade at Jones Island Water Reclamation Facility, Approve Changes in Total Project Cost, and Restore the Executive Director's Original Delegated Authority, Contract J01013D01
- A motion was made by Commissioner Swan, seconded by Commissioner Carpenter, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:
- Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts
- No: 0
- 2 21-026-3 Award of Contract J04038C01, Jones Island Water Reclamation Facility Waste Heat Isolation and Flow Control Valve Replacement, and Approve Changes in Total Project Cost
- A motion was made by Commissioner Swan, seconded by Commissioner Carpenter, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:
- Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts
- No: 0
- 3 21-027-3 Award of Contract J04061C01, Programmable Logic Control 5 Upgrade in the Dewatering and Drying Facility, and Approve Changes in Total Project Cost
- Pulled from agenda and filed.
- 4 21-028-3 Contract S01013D01, Engineering Services - South Shore Water Reclamation Facility Primary Clarification Upgrade
- A motion was made by Commissioner Swan, seconded by Commissioner Carpenter, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:
- Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts
- No: 0

- 5 21-029-3 Change Order Request, Contract TS-2667, General On-Call Engineering Services - Water Reclamation Facilities, Restore the Executive Director's Original Delegated Authority, and Approve Changes in Total Project Cost, Project S02017
- A motion was made by Commissioner Swan, seconded by Commissioner Carpenter, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:
- Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts
- No: 0
- 6 21-030-3 Contract C05055D01, Engineering Services - North 35th Street and West Roosevelt Drive Improvements Project
- A motion was made by Commissioner Swan, seconded by Commissioner Carpenter, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:
- Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts
- No: 0
- 7 21-031-3 Contract TS-2682, On-Call Construction Services for Sewer Repair and Rehabilitation Projects
- A motion was made by Commissioner Swan, seconded by Commissioner Carpenter, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:
- Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts
- No: 0
- 8 21-032-3 Contract TS-2683, On-Call Levee System Engineering and Accreditation Services, Project W20033
- A motion was made by Commissioner Swan, seconded by Commissioner Carpenter, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:
- Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts

No: 0

- 9 21-033-3 Approval of Funding Agreement M10005WE01 Under Project M10005, 2021 City of West Allis Private Property Infiltration and Inflow Reduction Project

A motion was made by Commissioner Swan, seconded by Commissioner Carpenter, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:

Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts

No: 0

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

Items 10-16 were taken as a block.

- 10 21-034-3 Agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for Kletzsch Dam Repair and Fish Passage Installation and Assume the Inter-Fluve, Inc., Contract from Milwaukee County

A motion was made by Commissioner Stone, seconded by Commissioner Lewis, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:

Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts

No: 0

- 11 21-035-3 Settlement of Ferric Chloride Dispute with Veolia Water Milwaukee, LLC

A motion was made by Commissioner Stone, seconded by Commissioner Lewis, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:

Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts

No: 0

- 12 21-036-3** **Project Partnership Agreement with the United States Army Corps of Engineers for the Kinnickinnic River Reach 3, Project W40007**
- A motion was made by Commissioner Stone, seconded by Commissioner Lewis, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:**
- Yes:** 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts
- No:** 0
-
- 13 21-037-3** **Agreement between the Milwaukee Metropolitan Sewerage District and Milwaukee County for the Kinnickinnic River Reach 3, Project W40007**
- A motion was made by Commissioner Stone, seconded by Commissioner Lewis, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:**
- Yes:** 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts
- No:** 0
-
- 14 21-038-3** **Declaration of Excess Lands and Authorization to Transfer One Greenseams® Purchased Property and to Place a Greenseams® Conservation Easement over Two Properties Owned by Milwaukee Area Land Conservancy**
- A motion was made by Commissioner Stone, seconded by Commissioner Lewis, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:**
- Yes:** 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts
- No:** 0
-
- 15 21-039-3** **Award of Contract G98002P10, Bioretention Basins and Turf Naturalization**
- A motion was made by Commissioner Stone, seconded by Commissioner Lewis, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:**
- Yes:** 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts

No: 0

16 21-040-3

Authorizing the Executive Director to Submit the Water Infrastructure Finance and Innovation Act of 2014 Application and Associated Fee

A motion was made by Commissioner Stone, seconded by Commissioner Lewis, that this resolution be adopted by a roll call vote. The motion carried by the following roll call vote:

Yes: 11 - Commissioner Bukiewicz, Commissioner Carpenter, Commissioner Devine, Commissioner Johnson, Commissioner Kennedy Ph.D., Commissioner Lewis, Commissioner Manzanet, Commissioner Martinsek, Commissioner Stone, Commissioner Swan III and Commissioner Zetts

No: 0

ORGANIZATION & ADMINISTRATION

21-003-1

EXECUTIVE DIRECTOR'S REPORT

- A. Monthly Reports
- B. Staff Recognition (Kevin Shafer)
- C. Veolia Year in Review (Scott Royer)
- D. Annual Performance Report (Mickie Pearsall)
- E. Private Property Infiltration and Inflow Emergency Declaration Update (Kevin Shafer)
- F. Stormwater Tree Project Award (Kevin Shafer)

G. Overview of Workforce Development Programs (Pete Coffaro)

A. No report.

B. No report.

C. This report was deferred to a future Commission meeting.

D. The Commission received a PowerPoint presentation from Mickie Pearsall, Director of Finance and Human Resources, and Christine Durkin, Management and Budget Analyst.

E. The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director.

F. The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director.

G. The Commission received a PowerPoint presentation from Peter Coffaro, Deputy Director of Community Outreach and Business Engagement, and Lisa Sasso, Senior Project Planner.

Commissioner Martinsek asked about apprenticeship exit interviews and feedback mechanisms for the apprenticeship experience.

CLOSED SESSION

It was moved by Commissioner Devine, seconded by Commissioner Stone, to convene into closed session at 10:01 a.m. The motion carried by a unanimous roll call vote.

CS1 21-041-3**Executive Director Annual Performance Review**

Heard in closed session

ADJOURNMENT

The Commission adjourned from closed session at 10:58 a.m.

A handwritten signature in cursive script, appearing to read "Anna Kettlewell", written over a horizontal line.

**Anna Kettlewell, Commission Secretary
Milwaukee Metropolitan Sewerage District**

COMMISSION MEETING

April 26, 2021

**OPERATIONS AND MAINTENANCE REPORT FOR MARCH 2021 – PAT OBENAUF
& SCOTT ROYER**

21-004-01

**PowerPoint presentation from Patrick Obenauf, Manager of Contract Compliance,
and Scott Royer, General Manager, Veolia Water Milwaukee, LLC**

COMMISSION FILE NO: 21-060-4 **DATE INTRODUCED:** April 26, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Commission

RELATING TO: A Resolution Authorizing and Providing for the Sale and Issuance of \$46,000,000 General Obligation Sewerage System Bonds, Series 2021A (Green Bonds – Climate Bond Certified), Levying Taxes for the Payment Thereof, and all Other Related Details

SUMMARY:

The Commission is requested to award the sale of \$46,000,000 of the District's General Obligation Sewerage System Bonds, Series 2021A (Green Bonds – Climate Bond Certified) (Bonds), to the bidder providing the lowest true interest cost. The proceeds of the Bonds will be used to finance portions of the District's Capital Budget for the years 2020, 2021, and 2022 that are not funded with State of Wisconsin Clean Water Fund Program loan proceeds.

Approval of the attached award resolution will enable the District to finance projects and other expenditures over a 20-year period. The size of this Bond issue was approved by the Commission in an initial resolution (21-011-01) adopted on January 25, 2021.

The award resolution levies an irrevocable, direct annual tax to pay debt service on the Bonds.

A two-thirds affirmative vote of the Commission is required for approval.

ATTACHMENTS: **BACKGROUND** ☒ **KEY ISSUES** ☒ **RESOLUTION** ☒

FISCAL NOTE ☐ **S/W/MBE** ☐ **OTHER** ☒ Award Resolution

CO_Sale_Issuance_GO_Bonds_legislation_file.docx
03-24-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

BACKGROUND

A Resolution Authorizing and Providing for the Sale and Issuance of \$46,000,000 General Obligation Sewerage System Bonds, Series 2021A (Green Bonds – Climate Bond Certified), Levying Taxes for the Payment Thereof, and all Other Related Details

At its January 25, 2021, meeting, the Commission approved an initial resolution which authorized general obligation bonds and/or general obligation promissory notes to be issued, in one or more series, in an aggregate principal amount of not to exceed \$46,000,000 for the purpose of financing portions of the District's capital budget for the years 2020, 2021, and 2022. The initial resolution also authorized District officials to prepare necessary documents for the sale of the Bonds, to accept bids for the Bonds; to pay the costs of issuance of the Bonds including, but not limited to, bond counsel fees, financial advisory fees, printing fees, and rating agency fees; and to perform all services necessary to complete the sale.

In December 2014, the Commission approved the selection of the team of Foley & Lardner LLP and MWH Law Group LLP (previously Gonzalez Saggio & Harlan LLP) to serve as District co-bond counsel. In February 2015, the Commission approved the selection of Robert W. Baird & Co. to serve as financial advisor.

In addition, the District has engaged Kestrel Verifiers to verify that the Bonds conform with the Climate Bonds Standard and to supply an assurance report to say that the Bonds meet the Climate Bonds Standard's requirements. The Climate Bonds Standard Board provides confirmation of all Climate Bond Certifications. Certification signals the low carbon integrity of the Bonds and is important for investors looking for climate related investments. Most issuers of Certified Climate Bonds find that the range of investors interested in their Bonds is much broader. The Climate Bonds Standard allows Certification of the Bonds prior to issuance, enabling the District to use the Climate Bonds Certification Mark in the offering documents. After the Bonds have been issued and allocation of the Bond proceeds has begun, the District must confirm the Certification by obtaining another assurance (the Post-Issuance) report and providing that to the Climate Bonds Standard Board. If the Climate Bond Certification is confirmed for the Bonds, then the name of the Bonds will reflect the designation as Climate Bond Certified or Green Bonds.

The attached resolution is the award resolution. This resolution establishes the terms of the Bonds, awards the Bonds to the bidder providing the lowest true interest cost, and levies an irrevocable tax to pay debt service on the Bonds.

Both the initial resolution and award resolution have been drafted by bond counsel.

KEY ISSUES

A Resolution Authorizing and Providing for the Sale and Issuance of \$46,000,000 General Obligation Sewerage System Bonds, Series 2021A (Green Bonds – Climate Bond Certified), Levying Taxes for the Payment Thereof, and all Other Related Details

In addition to reimbursements and capital costs financed with State of Wisconsin Clean Water Fund Program loan proceeds, the District needs to issue approximately \$46 million in debt to finance portions of its capital needs in years 2020, 2021, and 2022.

Tax levy collections in the amount of \$0.84 million have been reserved for 2021 debt service payments on the new Bonds. This debt service amount was based on the issuance of \$46 million in Bonds at an interest rate of 3.65% with six months of interest to be paid in 2021.

Following the issuance of the Bonds on or about April 26, 2021, outstanding general obligation debt of the District will be approximately \$810 million, which represents 1.23% of the District's taxable property value. Commission policy is to maintain outstanding debt within 2.5% of taxable property value. State statutes limit District debt to no more than 5% of equalized value.

RESOLUTION

A Resolution Authorizing and Providing for the Sale and Issuance of \$46,000,000 General Obligation Sewerage System Bonds, Series 2021A (Green Bonds – Climate Bond Certified), Levying Taxes for the Payment Thereof, and all Other Related Details

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the attached Award Resolution titled, “A Resolution Authorizing and Providing for the Sale and Issuance of \$46,000,000 General Obligation Sewerage System Bonds, Series 2021A (Green Bonds – Climate Bond Certified), Levying Taxes for the Payment Thereof, and all Other Related Details”, is adopted.

**A Resolution Authorizing and Providing for the Sale and Issuance of
\$46,000,000 General Obligation Sewerage System Bonds, Series 2021A
(Green Bonds - Climate Bond Certified),
Levying Taxes for the Payment Thereof, and all Other Related Details**

RECITALS

The Milwaukee Metropolitan Sewerage Commission (the “**Governing Body**”) of the Milwaukee Metropolitan Sewerage District, Wisconsin (the “**District**”) makes the following findings and determinations:

1. The District needs funds to finance portions of the District’s capital budget for the years 2020, 2021, and 2022 as approved or to be approved by the Governing Body, which includes the acquisition, leasing, planning, design, construction, development, extension, enlargement, renovation, rebuilding, or improvement of land, waters, property, highways, buildings, equipment, or facilities relating to the sewerage system of the District (collectively, the “**Project**”).

2. On January 25, 2021, the Governing Body adopted an initial resolution authorizing the issuance of not to exceed \$46,000,000 in principal amount of general obligation bonds and/or general obligation promissory notes of the District for the purposes of the Project (the “**Initial Resolution**”).

3. The Secretary of the Governing Body caused notice of the sale (the “**Notice to Bidders**”) of \$46,000,000 Milwaukee Metropolitan Sewerage District, Wisconsin General Obligation Sewerage System Bonds, Series 2021A (Green Bonds - Climate Bond Certified) (the “**Obligations**”) to be given to media typically monitored by potential bidders in the manner and form directed by the Initial Resolution. The Notice to Bidders is made of record in these proceedings and the Governing Body ratifies the notice.

4. In accordance with the Notice to Bidders and the bidding terms that were included in the document that was used for offering the Obligations for sale by competitive bid (the “**Notice of Sale**”), written bids for the sale of the Obligations were received and delivered to the Governing Body.

5. The Governing Body considered all the bids it received. The Governing Body decided to accept the bid of _____ (the “**Purchaser**”), or a group that it leads, to purchase the Obligations specified in the Purchaser’s bid. The Purchaser bid the price of \$_____ for the entire issue of Obligations (the “**Purchase Price**”), plus any accrued interest, and specified that the Obligations maturing on October 1 in the years shown below will bear interest at the respective interest rates shown below:

| <u>Year</u> | <u>Amount</u> | <u>Rate</u> | <u>Year</u> | <u>Amount</u> | <u>Rate</u> |
|-------------|---------------|-------------|-------------|---------------|-------------|
| 2022 | \$2,850,000 | .00% | 2032 | \$2,275,000 | .00% |
| 2023 | 1,955,000 | .00 | 2033 | 2,330,000 | .00 |
| 2024 | 1,780,000 | .00 | 2034 | 2,380,000 | .00 |
| 2025 | 1,840,000 | .00 | 2035 | 2,435,000 | .00 |
| 2026 | 1,900,000 | .00 | 2036 | 2,490,000 | .00 |
| 2027 | 1,960,000 | .00 | 2037 | 2,545,000 | .00 |
| 2028 | 2,025,000 | .00 | 2038 | 2,605,000 | .00 |
| 2029 | 2,090,000 | .00 | 2039 | 2,660,000 | .00 |
| 2030 | 2,155,000 | .00 | 2040 | 2,720,000 | .00 |
| 2031 | 2,225,000 | .00 | 2041 | 2,780,000 | .00 |

6. The Purchaser’s bid complies with the terms of the Notice to Bidders and the Notice of Sale.

7. The District has taken all actions required by law and it has the power to sell and issue the Obligations.

8. The Governing Body is adopting this resolution to sell the Obligations and provide for their issuance upon the terms and conditions set forth herein.

RESOLUTIONS

The Governing Body resolves as follows:

Section 1. Definitions.

In this resolution, the following terms have the meanings given in this section, unless the context clearly requires another meaning.

“Book-Entry System” means a system in which no physical distribution of certificates representing ownership of the Obligations is made to the owners of the Obligations but instead all outstanding Obligations are registered in the name of a securities depository appointed by the District, or in the name of such a depository’s nominee, and the depository and its participants record beneficial ownership and effect transfers of the Obligations electronically.

“Continuing Disclosure Agreement” means the Continuing Disclosure Agreement, dated as of the Original Issue Date, to be executed by the District and delivered on the closing date of the Obligations.

“Code” means the Internal Revenue Code of 1986, as amended.

“Debt Service Fund Account” has the meaning set forth in Section 16.

“Debt Service Fund” means the fund created by the District pursuant to Section 67.11 of the Wisconsin Statutes to provide for the payment of debt service on its general obligations.

“Depository” means DTC or any successor appointed by the District and acting as securities depository for the Obligations.

“District” means the Milwaukee Metropolitan Sewerage District, Wisconsin.

“District Officers” means the Chairperson and the Secretary of the Governing Body. These are the officers required by law to execute general obligations on the District’s behalf.

“DTC” means The Depository Trust Company, New York, New York.

“Fiscal Agent” means U.S. Bank National Association, or any successor fiscal agent appointed by the District to act as authentication agent, paying agent, and registrar for the Obligations pursuant to Section 67.10 (2) of the Wisconsin Statutes.

“Governing Body” means the District’s Milwaukee Metropolitan Sewerage Commission.

“Initial Resolution” has the meaning set forth in the recitals to this resolution.

“Notice of Sale” has the meaning set forth in the recitals to this resolution.

“Obligations” means the \$46,000,000 Milwaukee Metropolitan Sewerage District, Wisconsin General Obligation Sewerage System Bonds, Series 2021A (Green Bonds - Climate Bond Certified), which will be issued pursuant to this resolution.

“Original Issue Date” means May 17, 2021.

“Project” has the meaning set forth in the recitals to this resolution.

“Purchase Agreement” means the purchase agreement signed and presented by the Purchaser to evidence the purchase of the Obligations.

“Purchase Price” has the meaning set forth in the recitals to this resolution.

“Purchaser” has the meaning set forth in the recitals to this resolution.

“Record Date” means the 15th day (whether or not a business day) of the calendar month just before a regularly scheduled interest payment date for the Obligations.

“Recording Officer” means the Secretary of the Governing Body.

“**Register**” means the register maintained by the Fiscal Agent at its designated office, in which the Fiscal Agent records:

- (i) The name and address of the owner of each Obligation.
- (ii) All transfers of each Obligation.

“**Treasurer**” means the District’s Treasurer.

Section 2. Exhibits.

The attached exhibits are also a part of this resolution as though they were fully written out in this resolution:

- (i) *Exhibit A* — Form of Obligation.
- (ii) *Exhibit B* — Notice to Electors of Sale.

Section 3. Purposes of Borrowing; Issuance of Obligations.

The Governing Body authorizes the Obligations and orders that they be prepared, executed, and issued. The Obligations will be fully registered, negotiable, general obligation bonds of the District in the principal amount of \$46,000,000. The Obligations will be issued pursuant to the provisions of Chapter 67 and Section 200.55(2) of the Wisconsin Statutes to pay the costs of the Project and certain expenses of issuing the Obligations (including printing costs and fees for financial consultants, bond counsel, fiscal agent, rating agencies, insurance, and registration, as applicable).

Section 4. Terms of Obligations.

The Obligations will be named “Milwaukee Metropolitan Sewerage District, Wisconsin General Obligation Sewerage System Bonds, Series 2021A (Green Bonds - Climate Bond Certified).” The Obligations will be dated the Original Issue Date, even if they are actually issued or executed on another date. Each Obligation will also be dated the date on which it is authenticated by the Fiscal Agent. That date is its registration date.

The face amount of each Obligation will be \$5,000 or any multiple thereof up to the principal amount authorized for that maturity.

The Obligations will bear interest from the Original Issue Date. Interest will be payable semiannually on each April 1 and October 1, beginning on October 1, 2021, until the principal of the Obligations has been paid and on the redemption date of any Obligation called for redemption as described below. Interest on each Obligation will be (i) computed on the basis of a 360-day year of twelve 30-day months and (ii) payable to the person in whose name the Obligation is registered on the Register at the end of the day on the applicable Record Date. The Obligations will be numbered consecutively as may be required to comply with any applicable rules or customs or as determined by the District Officers executing the Obligations. The

District and the Fiscal Agent may treat the entity or person in whose name any Obligation is registered on the Register as the absolute owner of the Obligations for all purposes whatsoever under this resolution. The following table shows when the Obligations will mature and the rate of interest each maturity will bear:

| <u>Maturity Date</u> <u>(October 1)</u> | <u>Principal Amount</u> | <u>Interest Rate</u> |
|--|-------------------------|----------------------|
| 2022 | \$2,850,000 | .00% |
| 2023 | 1,955,000 | .00 |
| 2024 | 1,780,000 | .00 |
| 2025 | 1,840,000 | .000 |
| 2026 | 1,900,000 | .00 |
| 2027 | 1,960,000 | .00 |
| 2028 | 2,025,000 | .00 |
| 2029 | 2,090,000 | .00 |
| 2030 | 2,155,000 | .00 |
| 2031 | 2,225,000 | .00 |
| 2032 | 2,275,000 | .00 |
| 2033 | 2,330,000 | .00 |
| 2034 | 2,380,000 | .00 |
| 2035 | 2,435,000 | .00 |
| 2036 | 2,490,000 | .00 |
| 2037 | 2,545,000 | .00 |
| 2038 | 2,605,000 | .00 |
| 2039 | 2,660,000 | .00 |
| 2040 | 2,720,000 | .00 |
| 2041 | 2,780,000 | .00 |

The principal of and interest on the Obligations will be payable in lawful money of the United States of America.

Section 5. Fiscal Agent.

The District appoints the Fiscal Agent to act as authentication agent, paying agent, and registrar for the Obligations. The appropriate officers of the District are directed to enter into a fiscal agency agreement with the Fiscal Agent on behalf of the District. The fiscal agency agreement may provide for the District to pay the reasonable and customary charges of the Fiscal Agent for those services. The fiscal agency agreement shall require the Fiscal Agent to comply with all applicable federal and state regulations. Among other things, the Fiscal Agent shall maintain the Register.

Section 6. Appointment of Depository.

The District appoints DTC to act as securities depository for the Obligations. An authorized representative of the District has previously executed a blanket issuer letter of representations with DTC on the District's behalf, and the District ratifies and approves such document.

Section 7. Book-Entry System.

On the date of their initial delivery, the Obligations will be registered in the name of DTC or its nominee and maintained in a Book-Entry System. If the District's relationship with DTC is terminated, then the District may appoint another securities depository to maintain the Book-Entry System.

The District may decide on any date not to maintain the Obligations in a Book-Entry System. If the District decides not to maintain a Book-Entry System, then it will do the following:

- (i) At its expense, the District will prepare, authenticate, and deliver to the beneficial owners of the Obligations fully-registered, certificated Obligations in the denomination of \$5,000 or any multiple thereof in the aggregate principal amount then outstanding. The beneficial owners will be those shown on the records of the Depository and its direct and indirect participants.
- (ii) The District will appoint a fiscal agent to act as authentication agent, paying agent, and registrar for the Obligations under Section 67.10 (2) of the Wisconsin Statutes (the Fiscal Agent may be reappointed in this capacity).

Section 8. Redemption.

The Obligations maturing on or after October 1, 2031 are subject to redemption before their stated maturity dates, at the District's option, in whole or in part, in the order of maturity selected by the District, on October 1, 2030 and on any date thereafter. The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the redemption date, and no premium will be paid. If payment of an Obligation called for redemption has been made or provided for, then interest on the Obligation stops accruing on the stated redemption date. If less than all the principal amount of a specific maturity is redeemed, then the Obligations will be redeemed in \$5,000 multiples in accordance with Sections 9 and 10 hereof[, and if a portion, but not all, of a maturity that is subject to mandatory partial redemptions by operation of a sinking fund (as described below) is being redeemed, then the District will select the amounts to be redeemed on future Sinking Fund Redemption Dates (as defined below) that are reduced as a result of the partial redemption.]

[The Obligations maturing on October 1 in the years 20__, 20__, and 20__ (collectively, the “**Term Bonds**”) are also subject to mandatory partial redemptions prior to their

stated maturity dates by operation of a sinking fund. On the following redemption dates (each a **“Sinking Fund Redemption Date”**), the District will redeem the following principal amounts (subject to reduction as provided in the immediately preceding paragraph) of the Term Bonds:

Term Bonds Maturing October 1, 20__

| Sinking Fund Redemption Date (October 1) | Principal Amount To be Redeemed |
|--|------------------------------------|
| 20__ | \$_____ |
| 20__ (Stated Maturity) | _____ |

Term Bonds Maturing October 1, 20__

| Sinking Fund Redemption Date (October 1) | Principal Amount To be Redeemed |
|--|------------------------------------|
| 20__ | \$_____ |
| 20__ (Stated Maturity) | _____ |

Term Bonds Maturing October 1, 20__

| Sinking Fund Redemption Date (October 1) | Principal Amount To be Redeemed |
|--|------------------------------------|
| 20__ | \$_____ |
| 20__ (Stated Maturity) | _____ |

The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the Sinking Fund Redemption Date, and no premium will be paid. The particular Term Bonds to be redeemed will be selected in accordance with Sections 9 and 10 hereof, and the District will give notice of the redemption in the manner stated in those sections.].

Section 9. Manner of Payment/Transfers/Redemption Notices Under Book-Entry System.

So long as the Obligations are being maintained in a Book-Entry System, the following provisions apply:

Payment. The Fiscal Agent is directed to pay the principal of and interest on the Obligations by wire transfer to the Depository or its nominee in accordance with the Depository's rules that are then in effect.

Transfers. The Obligations are transferable only upon the Register and only if the Depository ceases to act as securities depository for the Obligations and the District appoints a successor securities depository. If that happens, then upon the surrender of the Obligations to the Fiscal Agent, the District will issue new fully registered Obligations in the same aggregate principal amounts to the successor securities depository, and the Obligations will be recorded as transferred to the successor securities depository in the Register.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after such Obligation has been called for redemption.

Partial Redemption. If less than all of the Obligations are to be redeemed, then the Depository and its direct and indirect participants will select the beneficial owners of the Obligations to be redeemed. If an Obligation has been called for redemption but less than all the principal amount thereof is redeemed, then on or after the redemption date and upon surrender of the Obligation to the Fiscal Agent, the District will issue a new Obligation in the principal amount outstanding after the redemption.

Notice of Redemption. Notice of the redemption of any of the Obligations will be sent to the Depository, in the manner required by the Depository, not less than 30, and not more than 60, days prior to the proposed redemption date. A notice of redemption may be revoked by sending notice to the Depository, in the manner required by the Depository, not less than 15 days prior to the proposed redemption date.

Section 10. Manner of Payment/Transfers/Redemption Notices Not Under Book-Entry System.

If on any date the Obligations are *not* being maintained in a Book-Entry System, then the following provisions apply:

Payment. The Fiscal Agent will pay the principal of each Obligation upon its presentation and surrender on or after its maturity or earlier redemption date at the designated office of the Fiscal Agent, and the Fiscal Agent will pay, on each interest payment date, the interest on each Obligation by wire or other electronic money transfer, or by check of the Fiscal Agent sent by first class mail, to the person in whose name the Obligation is registered on the Register at the end of the day on the applicable Record Date.

Transfers. Each Obligation is transferable, only upon the Register, for a like aggregate principal amount of the same maturity and interest rate in denominations that are multiples of \$5,000. A transfer may be requested by the registered owner in person or by a person with a written power of attorney. The Obligation shall be surrendered to the Fiscal Agent, together with a written instrument of transfer satisfactory to the Fiscal Agent signed by the registered owner or by the person with the written power of attorney. The District will issue one or more new fully registered Obligations in the same aggregate principal amount to the transferee or transferees, as applicable, in exchange for the surrendered Obligations and upon the payment of a charge sufficient to reimburse the District or the Fiscal Agent for any tax, fee, or other governmental charge required to be paid with respect to such registration.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after the Obligation has been called for redemption.

Partial Redemptions. If less than all of the Obligations are to be redeemed, then the District will randomly select the Obligations to be redeemed. If an Obligation has been called for redemption but less than all the principal amount thereof is redeemed, then on or after the redemption date and upon surrender of the Obligation to the Fiscal Agent, the District will issue a new Obligation in the principal amount outstanding after the redemption.

Notice of Redemption. Notice of the redemption of any of the Obligations shall be sent by first class mail, not less than 30, and not more than 60, days before the redemption date to the registered owners of the Obligations to be redeemed. A notice of redemption may be revoked by sending a notice by first class mail, not less than 15 days prior to the proposed redemption date to the registered owners of the Obligations which have been called for redemption.

Section 11. Form of Obligations.

The Obligations shall be in substantially the form shown in Exhibit A. Omissions, insertions, or variations are permitted if they are deemed necessary or desirable and are consistent with this resolution or any supplemental resolution. The District may cause the approving opinion of bond counsel to be printed or reproduced on the Obligations.

Section 12. Execution of Obligations.

The Obligations shall be signed by the persons who are the District Officers on the date on which the Obligations are signed. The Obligations shall be sealed with the District's corporate seal (or a facsimile), if the District has one, and they shall also be authenticated by the manual signature of an authorized representative of the Fiscal Agent.

The Obligations will be valid and binding even if before they are delivered any person whose signature appears on the Obligations is no longer living or is no longer the person authorized to sign the Obligations. In that event, the Obligations will have the same effect as if the person were living or were still the person authorized to sign the Obligations.

A facsimile signature may be used as long as at least one signature of a District Officer is a manual signature or the Fiscal Agent's certificate of authentication has a manual signature. If a facsimile signature is used, then it will be treated as the officer's own signature.

Section 13. Continuing Disclosure.

The appropriate officers of the District are directed to sign the Continuing Disclosure Agreement, and the District agrees to comply with all of its terms.

Section 14. Sale of Obligations.

The District awards the sale of the Obligations to the Purchaser at the Purchase Price, plus any accrued interest from the Original Issue Date to the date of delivery of the Obligations. The District approves and accepts the Purchase Agreement. The District Officers are directed (i) to sign the Purchase Agreement in the District's name and (ii) to take any additional actions needed to complete the sale of the Obligations, including arranging for a specific date, time, and location of closing of the sale.

The Treasurer is directed to comply with the terms of the Notice of Sale with respect to any good-faith deposit requirements.

The officers of the District are directed to sign the Obligations and to arrange for delivery of the Obligations to the Purchaser through the facilities of DTC or to the Fiscal Agent in its capacity as an agent of DTC, in accordance with the Notice of Sale, the Purchase Agreement, and this resolution. The Obligations may be delivered or credited to the Purchaser upon payment by the Purchaser of the Purchase Price, plus any accrued interest, as required by the Notice of Sale.

Unless waived by the Purchaser, the delivery of the Obligations is conditioned upon the District furnishing the following items to the Purchaser:

- (i) The Obligations, together with the written, unqualified approving opinion of the law firms of Foley & Lardner LLP and MWH Law Group LLP, co-bond counsel, evidencing the legality of the Obligations and that interest on the Obligations will be excluded from gross income for federal income tax purposes.
- (ii) A transcript of the proceedings relating to the issuance of the Obligations.
- (iii) A certificate showing that no litigation has been threatened or is pending that would affect the legality of the Obligations or the right of the District to issue them on the Original Issue Date.

Section 15. General Obligation Pledge; Tax Levy.

For the prompt payment of the principal of, and interest on, the Obligations, the District irrevocably pledges its full faith and credit. The District hereby levies upon all taxable property in its territory a direct, annual, and irrevocable tax in an amount sufficient to pay, and

for the express purpose of paying, the interest on the Obligations as it falls due and also to pay and discharge the principal of the Obligations on their maturity dates.

This tax shall be carried from year to year into the District's tax roll. It shall be collected in addition to all other taxes and in the same manner and at the same time as all other taxes. The amount of this tax that is carried into the District's tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account available to pay debt service on the Obligations for such year. This tax for each year the levy is made will be in the following amounts:

| <u>Levy Year</u> | <u>Debt Service Amount Due in Following Year</u> | <u>Levy Year</u> | <u>Debt Service Amount Due in Following Year</u> |
|------------------|--|------------------|--|
| 2021 | \$_____ | 2031 | \$_____ |
| 2022 | _____ | 2032 | _____ |
| 2023 | _____ | 2033 | _____ |
| 2024 | _____ | 2034 | _____ |
| 2025 | _____ | 2035 | _____ |
| 2026 | _____ | 2036 | _____ |
| 2027 | _____ | 2037 | _____ |
| 2028 | _____ | 2038 | _____ |
| 2029 | _____ | 2039 | _____ |
| 2030 | _____ | 2040 | _____ |

Taking into account any accrued interest received on the Original Issue Date and any premium paid to the District by the Purchaser in excess of the stated principal amount of the Obligations to be deposited in the account of the Debt Service Fund for the Obligations as provided in Section 16 hereof, the District hereby appropriates from its 2020 tax levy (for collection in 2021), or from other funds available to it, amounts sufficient to pay the interest coming due on the Obligations in 2021. As a result of this appropriation, the District does not need to levy a separate tax for the interest coming due on the Obligations in 2021.

Section 16. Debt Service Fund Account.

The District shall create a separate account within the Debt Service Fund solely for the Obligations (the “**Debt Service Fund Account**”), which shall be maintained and administered as provided in Section 67.11 of the Wisconsin Statutes. The Treasurer is directed to keep the proceeds of the taxes levied under this resolution, when they are collected, in the Debt Service Fund Account. Any accrued interest received on the Original Issue Date and the premium, if any, paid to the District by the Purchaser in excess of the stated principal amount of the Obligations shall be deposited into the Debt Service Fund Account and used to pay interest on the Obligations. If the money in the Debt Service Fund Account is insufficient to make a

payment of principal of, or interest on, the Obligations on a date on which such a payment is due, then the District will promptly provide the necessary funds to make the payment from other available sources.

Section 17. Borrowed Money Fund.

The sale proceeds of the Obligations (not including any accrued interest or premium received) shall be deposited in and kept by the Treasurer in a separate fund. The fund shall be designated with both the name of the Obligations and the name Borrowed Money Fund (herein referred to as the “**Borrowed Money Fund**”). Money in the Borrowed Money Fund, including any earnings, shall (a) be used to pay the costs of the Project and issuing the Obligations, or (b) be transferred to the Debt Service Fund Account as provided by law.

Section 18. Climate Bond Certification Requirements.

The District approves and ratifies the actions taken by the officers of the District to qualify the Obligations for their certification as “**Climate Bond Certified**” by the Climate Bonds Standard Board, and authorizes and directs the appropriate officers of the District to take such actions as may be necessary or appropriate to perfect and maintain that certification.

Section 19. Official Statement.

The District approves and ratifies the preliminary offering document prepared and distributed in connection with the sale of the Obligations, and the District authorizes and approves the final version of such document (the “**Official Statement**”) to be prepared prior to the issuance of the Obligations; *provided, however*, that the Official Statement shall be substantially in the form submitted to this meeting, with such modifications as the District Officers approve. The District Officers are directed to deliver copies of the Official Statement to the Purchaser and, if the Purchaser requests, execute one or more copies on behalf of the District. Execution and delivery of the Official Statement will conclusively evidence the approval of the District Officers.

Section 20. Publication of Notice.

The Recording Officer is directed to publish notice that the District has agreed to sell the Obligations. The notice shall be published in the District’s official newspaper as a class 1 notice under Chapter 985 of the Wisconsin Statutes promptly after execution of the Purchase Agreement. The notice shall be in substantially the form shown in Exhibit B. The Recording Officer shall obtain proof, in affidavit form, of the publication, and shall compare the notice as published with the attached form to make sure that no mistake was made in publication.

Section 21. Authorization of Officers.

The appropriate officers of the District are directed to prepare and furnish the following items to the Purchaser and the attorneys approving the legality of the Obligations:

- (i) Certified copies of proceedings and records of the District relating to the Obligations and to the financial condition and affairs of the District.

- (ii) Other affidavits, certificates, and information that may be required to show the facts about the legality of the Obligations, as such facts appear on the books and records under the officer's custody or control or as are otherwise known to the officer.

All certified copies, affidavits, certificates, and information furnished for such purpose are representations of the District as to the facts they present.

Section 22. Tax Law Covenants.

The District covenants that it will comply with all requirements of the Code and the Treasury Regulations promulgated thereunder, that must be satisfied so that interest on the Obligations will be excluded from gross income for federal income tax purposes.

Section 23. Further Authorization.

The District authorizes its officers, attorneys, and other agents or employees to do all acts required of them to carry out the purposes of this resolution.

Section 24. Conflict with Prior Acts.

In case any part of a prior action of the Governing Body conflicts with this resolution, that part of the prior action is hereby rescinded.

Section 25. Severability of Invalid Provisions.

If a court holds any provision of this resolution to be illegal or invalid, then the illegality or invalidity shall not affect any other provision of this resolution.

Section 26. Effective Date.

This resolution takes effect upon its adoption and approval in the manner provided by law.

* * * * *

Adopted: April 26, 2021

Commission Chairperson

Commission Secretary

EXHIBIT A

FORM OF OBLIGATION

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the District or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

STATE OF WISCONSIN
MILWAUKEE METROPOLITAN SEWERAGE DISTRICT

Registered

No. R-____

\$_____

GENERAL OBLIGATION SEWERAGE SYSTEM BONDS, SERIES 2021A
(GREEN BONDS - CLIMATE BOND CERTIFIED)

| <u>Interest</u> <u>Rate</u> | <u>Maturity</u> <u>Date</u> | <u>Original</u> <u>Issue Date</u> | <u>CUSIP</u> |
|--------------------------------|--------------------------------|--------------------------------------|--------------|
| _____% | October 1, 20__ | May 17, 2021 | 602409 ____ |

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT, WISCONSIN (herein called the "**District**"), hereby acknowledges itself to owe and for value received promises to pay the Principal Amount to the Registered Owner on the Maturity Date, and to pay interest on the Principal Amount from the Original Issue Date at the annual rate of the Interest Rate. Interest is due and payable on each April 1 and October 1, beginning on October 1, 2021, until the principal of the Obligations has been paid and on the redemption date of any Obligation called for redemption as described below. Interest is computed on the basis of a 360-day year of twelve 30-day months.

This Obligation is one of a duly authorized issue of bonds (the "**Obligations**") of the District of an aggregate principal amount of \$46,000,000, all of which are of like tenor, except as to denomination, interest rate, maturity date, and redemption provisions, issued by the District pursuant to the provisions of Chapter 67 and Section 200.55(2) of the Wisconsin Statutes, and is authorized by (1) an initial resolution adopted by the governing body of the District on January 25, 2021, and (2) the resolution duly adopted by the governing body of the

District on April 26, 2021, entitled: “A Resolution Authorizing and Providing for the Sale and Issuance of \$46,000,000 General Obligation Sewerage System Bonds, Series 2021A (Green Bonds - Climate Bond Certified), Levying Taxes for the Payment Thereof, and all Other Related Details” (the “**Resolution**”). The Obligations are issuable only in the form of fully registered bonds.

On the Original Issue Date, the Obligations will be maintained in a system in which no physical distribution of certificates representing ownership of the Obligations is made to the owners of the Obligations but instead all outstanding Obligations are registered in the name of a securities depository appointed by the District (a “**Depository**”), or in the name of the Depository’s nominee, and the Depository and its participants record beneficial ownership and effect transfers of the Obligations electronically (a “**Book-Entry System**”). So long as the Obligations are maintained in a Book-Entry System, then the principal of, and interest on, this Obligation will be paid by wire transfer to the Depository or its nominee in accordance with the Depository’s rules that are then in effect by U.S. BANK NATIONAL ASSOCIATION, or any successor fiscal agent appointed by the District under Section 67.10 (2) of the Wisconsin Statutes (the “**Fiscal Agent**”), which will act as authentication agent, paying agent, and registrar for the Obligations.

If on any date the Obligations are *not* being maintained in a Book-Entry System, then (i) the principal of this Obligation will be paid by the Fiscal Agent upon its presentation and surrender on or after its maturity date or prior redemption date at the designated office of the Fiscal Agent, and (ii) the interest on this Obligation will be paid on each interest payment date by wire or other electronic money transfer, or by check of the Fiscal Agent sent by first class mail, to the person in whose name this Obligation is registered on the register (the “**Register**”) maintained by the Fiscal Agent at the end of the day on the 15th day (whether or not a business day) of the calendar month just before each regularly scheduled interest payment date (the “**Record Date**”). The District and the Fiscal Agent may treat the entity or person in whose name this Obligation is registered on the Register as the absolute owner of this Obligation for all purposes.

The principal of, and interest on, this Obligation is payable in lawful money of the United States of America. For the prompt payment of the principal of and interest on this Obligation, the District has irrevocably pledged its full faith and credit. The District has levied upon all taxable property in its territory a direct, annual, and irrevocable tax sufficient in amount to pay, and for the express purpose of paying, the interest on this Obligation as it falls due and the principal of this Obligation on the Maturity Date.

The Obligations maturing on and after October 1, 2031 are subject to redemption prior to their stated maturity dates, at the District’s option, in whole or in part, in the order of maturity selected by the District, on October 1, 2030 and on any date thereafter. The redemption price will be 100% of the principal amount redeemed plus accrued interest to the redemption date, and no premium will be paid. If payment of an Obligation called for redemption has been made or provided for, then interest on the Obligation stops accruing on the stated redemption date. If less than all the principal amount of a specific maturity is redeemed, then the Obligations will be redeemed in \$5,000 multiples as set forth below[, and if a portion, but not all, of a maturity that is subject to mandatory partial redemptions by operation of a sinking fund (as

described below) is being redeemed, then the District will select the amounts to be redeemed on future Sinking Fund Redemption Dates (as defined below) that are reduced as a result of the partial redemption.]

[The Obligations maturing on October 1 in the years 20____, 20____, and 20____ (collectively, the “**Term Bonds**”) are also subject to mandatory partial redemptions prior to their stated maturity dates by operation of a sinking fund. On the following redemption dates (each a “**Sinking Fund Redemption Date**”) the District will redeem the following principal amounts (subject to reduction as provided in the immediately preceding paragraph) of the Term Bonds:

Term Bonds Maturing October 1, 20____

| Sinking Fund Redemption Date (October 1) | Principal Amount To be Redeemed |
|--|------------------------------------|
| 20____ | \$_____ |
| 20____ (Stated Maturity) | _____ |

Term Bonds Maturing October 1, 20____

| Sinking Fund Redemption Date (October 1) | Principal Amount To be Redeemed |
|--|------------------------------------|
| 20____ | \$_____ |
| 20____ (Stated Maturity) | _____ |

Term Bonds Maturing October 1, 20____

| Sinking Fund Redemption Date (October 1) | Principal Amount To be Redeemed |
|--|------------------------------------|
| 20____ | \$_____ |
| 20____ (Stated Maturity) | _____ |

The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the Sinking Fund Redemption Date, and no premium will be paid. The particular Term Bonds to be redeemed will be selected in the manner set forth below, and the District will give notice of the redemption in the manner described below.].

So long as the Obligations are being maintained in a Book-Entry System, the following provisions apply:

Transfers. The Obligations are transferable, only upon the Register and only if the Depository ceases to act as securities depository for the Obligations and the District appoints a successor securities depository. If that happens, then upon the surrender of the Obligations to the Fiscal Agent, the District will issue new fully registered Obligations in the same aggregate principal amounts to the successor securities depository and the Obligations will be recorded as transferred to the successor securities depository in the Register.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after such Obligation has been called for redemption.

Partial Redemption. If less than all of the Obligations are to be redeemed, then the Depository and its direct and indirect participants will select the beneficial owners of the Obligations to be redeemed. If an Obligation has been called for redemption but less than all the principal amount thereof is redeemed, then on or after the redemption date and upon surrender of the Obligation to the Fiscal Agent, the District will issue a new Obligation in the principal amount outstanding after the redemption.

Notice of Redemption. Notice of the redemption of any of the Obligations will be sent to the Depository, in the manner required by the Depository, not less than 30, and not more than 60, days prior to the proposed redemption date. A notice of redemption may be revoked by sending notice to the Depository, in the manner required by the Depository, not less than 15 days prior to the proposed redemption date.

If on any date the Obligations are *not* maintained in a Book-Entry System, then the following provisions apply:

Transfers. Each Obligation is transferable, only upon the Register, for a like aggregate principal amount of the same maturity and interest rate in denominations that are multiples of \$5,000. A transfer may be requested by the registered owner in person or by a person with a written power of attorney. The Obligation shall be surrendered to the Fiscal Agent, together with a written instrument of transfer satisfactory to the Fiscal Agent signed by the registered owner or by the person with the written power of attorney. The District will issue one or more new fully registered Obligations, in the same aggregate principal amount to the transferee or transferees, as applicable, in exchange for the surrendered Obligations and upon the payment of a charge sufficient to reimburse the District or the Fiscal Agent for any tax, fee, or other governmental charge required to be paid with respect to such registration.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after such Obligation has been called for redemption.

Partial Redemption. If less than all of the Obligations are to be redeemed, then the District will randomly select the Obligations to be redeemed. If an Obligation has been called for redemption but less than all the principal amount thereof is redeemed, then on or after the redemption date and upon surrender of the Obligation to the Fiscal Agent, the District will issue a new Obligation in the principal amount outstanding after the redemption.

Notice of Redemption. Notice of the redemption of any of the Obligations shall be sent by first class mail, not less than 30 and not more than 60 days before the redemption date to the registered owners of any Obligations to be redeemed. A notice of redemption may be revoked by sending a notice by first class mail, not less than 15 days prior to the proposed redemption date to the registered owners of the Obligations which have been called for redemption.

The District certifies, recites, and declares that all acts, conditions, and procedures required by law to exist, to have happened, and to be performed, leading up to and in the issuing of this Obligation and of the issue of which it is a part, do exist, have happened, and have been performed in regular and due form, time, and manner as required by law; that the indebtedness of the District, including this Obligation and the issue of which it is a part, does not exceed any limitation, general or special, imposed by law; and that a valid, direct, annual and irrevocable tax has been levied by the District sufficient to pay the interest on this Obligation when it falls due and also to pay and discharge the principal of this Obligation at maturity.

IN WITNESS WHEREOF, the District, by its governing body, has caused this Obligation to be executed in its name and on its behalf by the manual or facsimile signatures of its governing body Chairperson and Secretary and to be sealed with its corporate seal (or a facsimile thereof), if any, all as of the Original Issue Date.

MILWAUKEE METROPOLITAN SEWERAGE
DISTRICT, WISCONSIN

By: _____
Chairperson

[SEAL]

And: _____
Secretary

CERTIFICATE OF AUTHENTICATION

Dated: May ____, 2021

This Obligation is one of the Obligations
described in the Resolution.

U.S. BANK NATIONAL ASSOCIATION,
as Fiscal Agent

By: _____
Authorized Signatory

ASSIGNMENT

For value received, the undersigned hereby sells, assigns, and transfers unto

PLEASE INSERT SOCIAL SECURITY OR
OTHER IDENTIFYING NUMBER OF ASSIGNEE

| |
|--|
| |
|--|

(Please Print or Type Name and Address of Assignee)

the within-mentioned Obligation and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney-in-fact, to transfer the same on the books of the registry in the office of the Fiscal Agent, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signatures shall be guaranteed by an “eligible guarantor institution” meeting the requirements of the Fiscal Agent. Those requirements include membership or participation in the Securities Transfer Association Medallion Program (“STAMP”) or such other “signature guarantee program” as may be determined by the Fiscal Agent in addition to, or in substitution for, STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

Note: The signature to this assignment shall correspond with the name as written on the face of the within Obligation in every particular, without any alteration or change. When assignment is made by a guardian, trustee, executor or administrator, an officer of a corporation, or anyone in a representative capacity, proof of the person’s authority to act shall accompany this Obligation.

EXHIBIT B

NOTICE TO THE ELECTORS RESIDING IN THE
MILWAUKEE METROPOLITAN SEWERAGE DISTRICT, WISCONSIN
RELATING TO BOND SALE

On April 26, 2021, pursuant to Chapter 67 and Section 200.55(2) of the Wisconsin Statutes, a resolution was offered, read, approved, and adopted whereby the Milwaukee Metropolitan Sewerage District, Wisconsin authorized the borrowing of money and entered into a contract to sell general obligation sewerage system bonds in the principal amount of \$46,000,000. It is anticipated that the closing of this bond financing will be held on or about May 17, 2021. A copy of all proceedings had to date with respect to the authorization and sale of said bonds is on file and may be examined in the office of the Commission Secretary, at 260 West Seeboth Street, Milwaukee, Wisconsin between the hours of 9:00 a.m. and 4:30 p.m. on weekdays.

This notice is given pursuant to Section 893.77 of the Wisconsin Statutes, which provides that an action or proceeding to contest the validity of such financing, for other than constitutional reasons, shall be commenced within 30 days after the date of publication of this notice.

Publication Date: _____, 2021

/s/ Anna Kettlewell

Commission Secretary

COMMISSION FILE NO: 21-042-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Contracts for Bar Screen Repair and Replacement Parts at the Jones Island Water Reclamation Facility, Project J06075

SUMMARY:

The Commission is requested to authorize the Executive Director to execute one or more contracts with Huber Technology, Inc., (Huber) for the supply of bar screen repair and replacement parts at the Jones Island Water Reclamation Facility (JIWRF) in a total amount not to exceed \$575,000. This is a sole source request, as Huber is the original bar screen supplier and the only firm able to provide the proper repair and replacement parts.

At JIWRF, eight bar screens are used to screen rags, large solids, and other debris from plant influent. Depending upon flows and influent solids loads, six (and at times seven) screens are in service to maintain full plant capacity of 330 million gallons per day (MGD). Each bar screen is a series of vertical bars spaced one quarter inch apart, mounted to a stationary frame. The bars are mounted to the frame in groups or racks. To remove screenings, each bar screen uses a series of chain driven rakes that travel vertically upward along the front face of the bar screen. The rakes carry the screenings out of the wastewater and discharge them into a wash press. The wash press cleans the screenings, then squeezes them dry before discharging to screw conveyors. These conveyors carry the compressed screenings to roll off containers, which are then hauled to a landfill.

The existing bar screen equipment, which was supplied by Huber as part of a District construction contract, has been in service since 2013. The equipment has experienced significant wear, and large debris has damaged some of these screens. Due to this wear and damage, over the past several months, three bar screens (#3, #45, and #6) have been taken out of service. In addition, bar screen #8 is in very poor condition and is only available on a limited, emergency basis. During this time, Veolia Water Milwaukee (VWM) has had to reduce JIWRF wet weather capacity.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☒ **S/W/MBE** ☐ **OTHER** ☐ _____

OP_Auth_Purchase_Bar_Screen_Repairs_legislative_file.docx
03-25-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Contracts for Bar Screen Repair and Replacement Parts at the Jones Island Water Reclamation Facility, Project J06075

Two of these three units (#3 and #5) has recently been repaired and restored to service. While this provides nominal screening capacity of 330 MGD, there is now no redundancy. Bar screen #6 needs to be replaced and remains out of service.

As District staff and VWM worked with Huber to identify the scope of repairs on units #3, #5, and #6, Huber inspected all the other bar screens. This inspection identified the need to perform rehabilitation and repairs on all the remaining bar screens.

Rehabilitation and repair of screens #1, #2, #4, #7, and #8 consist of replacing multiple parts on each screen. In addition, as previously stated, screen #6 needs to be replaced.

Due to the nature of the equipment, only Huber parts will work with the bar screens. As most of these parts are long lead items, staff proposes to directly procure the parts and the new screen from Huber. Separately, staff will prepare a bid document with a scope consisting of replacing the existing parts and the #6 screen with the new Huber parts and screen (procured and supplied by the District). That bid document will be publicly advertised and bid, and staff will seek Commission authorization of its award.

The Huber parts being procured under this Commission request come from three different Huber manufacturing and supply locations. Huber has requested that the District issue three different purchase orders to procure the parts. As of the writing of this document, District staff was still determining if fulfilling Huber's request with one purchase contract would suffice (with three purchase orders issued off the single contract) or if three separate contracts and purchase orders will be necessary.

Parts and screen delivery timeframes vary depending upon the equipment but range from 12 to 34 weeks.

Each repair or replacement is considered a Material Capital Repair or Replacement (MCRR) under the terms of the Management, Operations, and Maintenance agreement with VWM. Following are the MCRR numbers associated with each screen.

| Bar Screen # | MCRR # | Repair or Replace |
|--------------|--------|-------------------|
| 1 | 1441 | Repair |
| 2 | 1442 | Repair |
| 4 | 1443 | Repair |
| 6 | 1425 | Replace |
| 7 | 1444 | Repair |
| 8 | 1438 | Repair |

RESOLUTION

Contracts for Bar Screen Repair and Replacement Parts at the Jones Island Water
Reclamation Facility, Project J06075

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute one or more contracts with Huber Technology, Inc., in a total amount not to exceed \$575,000, for Project J06075.



Capital Budget Fiscal Note

Total Project Cost

RELATING TO:

Contracts for Bar Screen Repair and Replacement Parts at the Jones Island Water Reclamation Facility, Project J06075

Capital Project Number(s)

J06075

Impact of Requested Action on Total Project Cost:

☐

Increase

☐

Decrease

☐

New Project

☒

No Change

Total Project Cost Analysis

Adopted 2021 Total Project Cost

Previously Approved Changes

Approved Total Project Cost

Requested Total Project Cost

Requested (Increase)/Decrease

Project Costs

\$15,628,145

\$0

\$15,628,145

n/a

\$0

Action to be taken to Long-Range Financing Plan to address Total Project Cost change

_____ Transfer from Allowance for Cost and Schedule Changes

_____ Transfer from another project (specify in comments)

_____ Delay Project(s) (specify in comments)

_____ Delete Project(s) (specify in comments)

_____ Other _____

_____ Transfer to Allowance for Cost and Schedule Changes

Comments

Budget Review by:

Theresa Zwieg

Date:

3/16/2021

COMMISSION FILE NO: 21-043-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Reject Bids for Contract J04061C01, Programmable Logic Control 5 Upgrade in the Dewatering and Drying Facility

SUMMARY:

The Commission is requested to authorize and direct the Executive Director to reject all bids for Contract J04061C01, Programmable Logic Control (PLC) 5 Upgrade in the Dewatering and Drying (D&D) Facility.

The District's D&D Facility houses equipment utilized to produce Milorganite®. Twenty-four belt filter presses dewater plant sludges, and 12 rotary dryers dry the dewatered sludge. Dried solids are classified using screens and mills to create a consistent Milorganite® product size. Product is cooled and placed into storage bins to await transport to the Milorganite® Storage Building. The D&D Facility also contains conveyors, bucket elevators, holding tanks, air emissions equipment, and other supporting systems. The D&D Facility has been in use since 1994.

Approximately 66 PLC's are distributed throughout the D&D Facility and provide localized control of equipment. A PLC is an industrial computer designed specifically for the control of manufacturing processes in challenging environments. The existing set of PLC's (Allen Bradley PLC5) were installed in 1994. Rockwell Automation, the parent company of Allen Bradley, announced that the PLC5 product line has reached its end of life; they have discontinued manufacturing new parts, and equipment repair will depend solely upon existing parts inventory. This creates a situation where, without replacement, the District's D&D control system will ultimately be unable to control the D&D Facility.

ATTACHMENTS: BACKGROUND ☐ KEY ISSUES ☐ RESOLUTION ☒

FISCAL NOTE ☐ S/W/MBE ☐ OTHER ☐ _____

OP_Reject_J04061C01_PLC5_Upgrade_legislative_file.docx
03-25-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Reject Bids for Contract J04061C01, Programmable Logic Control 5 Upgrade in the Dewatering and Drying Facility

It is critical that PLC control equipment be functional and maintainable for the continued operation of the D&D Facility. The purpose of this project is to replace the existing PLC5 control platform and accompanying control equipment with a modern, serviceable control platform and equipment. The improved functionality of the new control equipment will provide enhanced performance, fault tolerance, and safety. To achieve the project purpose, the District and its contracted engineering consultant developed a bid package (Contract J04061C01) to perform upgrades to the PLC control equipment.

The District publicly advertised and received bids for this contract in February 2021. The District received four bids as shown below. All bidders were initially determined to be responsive and responsible.

| Bidder | Bid Amount |
|--|-------------------|
| Allan Integrated Control Systems, Inc. | \$1,499,642 |
| NEXT Electric, LLC | \$4,185,370 |
| Symbiont | \$4,749,758 |
| Integrated Process Solutions, Inc. | \$5,940,944 |

On March 8, 2021, the Operations Committee recommended the Commission authorize and direct the Executive Director to execute Contract J04061C01 with Allan Integrated Control Systems, Inc. (Allan ICS). On March 15, Allan ICS informed the District that they were unable to secure the performance bond required to execute the construction contract due to the considerable difference between Allan ICS's bid and the other bidders. District staff worked with Allan ICS and their surety to satisfy both the District's bonding requirements and Allan ICS's surety; however, Allan ICS informed the District that their surety withdrew their offer to bond the contract and that they were unable to secure a bond elsewhere. Thus, Allan ICS is non-responsible and unable to execute the contract.

District staff recommends that the Commission reject all bids. If the Commission rejects all bids, staff will then prepare a modified bid document, identify and inform potential bidders, readvertise, and rebid this contract. Staff believes that rebidding the project will result in cost savings as compared to awarding the contract to the second lowest bidder.

RESOLUTION

Reject Bids for Contract J04061C01, Programmable Logic Control 5 Upgrade
in the Dewatering and Drying Facility

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized and directed to reject the bids for Contract J04061C01, Programmable Logic Control 5 Upgrade in the Dewatering and Drying Facility.

COMMISSION FILE NO: 21-044-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Change Order Request, Contract J04072D01, Engineering Services – Milorganite® Fertilizer Transport and Silo Storage Equipment Replacement, and Restore the Executive Director’s Original Delegated Authority

SUMMARY:

The Commission is requested to authorize the Executive Director to execute a change order to Contract J04072D01, Engineering Services – Milorganite® Fertilizer Transport and Silo Storage Equipment Replacement, with Symbiont Science, Engineering and Construction, Inc., (Symbiont) in an amount not to exceed \$25,535 and to restore the Executive Director’s original delegated authority.

Within the Drying and Dewatering (D&D) Facility, the District produces bulk Milorganite® by heat drying dewatered biosolids in 12 rotary dryers, then screening, classifying, and cooling the product. After cooling, Milorganite® is weighed and transferred to four day bins in the D&D Facility via bucket elevators and screw conveyors. A dense phase pneumatic transport system conveys Milorganite® from the day bins to storage silos in the Milorganite® Storage Facility (MSF). The MSF contains 14 silos arranged in two banks of seven silos. A dust collection system serves the conveyance and storage facilities.

Most of the equipment was installed in 1994 as part of the original D&D Facility construction. The equipment has reached the end of its useful service life, and staff recommends replacement. Inadequate performance of the transport equipment has reduced system reliability and efficiency. The transport system has experienced decreased capacity and increased maintenance. The transport system is a single point of failure element between the D&D Facility and the MSF.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☒ **S/W/MBE** ☐ **OTHER** ☐ _____

OP_Change_Order_J04072D01_Restore_Authority_legislative_file.docx
03-19-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Change Order Request, Contract J04072D01, Engineering Services – Milorganite® Fertilizer Transport and Silo Storage Equipment Replacement, and Restore the Executive Director's Original Delegated Authority

The dense phase pneumatic transport system conveys Milorganite® from the day tanks to the storage silos using compressed air through a series of piping and valves. The condition and reliability of the Milorganite® transporter equipment has deteriorated over time. Recently, issues with all four transporters have resulted in accumulation of product in the day tanks and have required reduction of in-service dryers due to lack of storage space for daily Milorganite® production.

To address these issues, the District has taken the following actions:

- As part of the 2020 capital budget process, created a new capital Project J04072, Milorganite® Transport and Silo Storage Equipment Replacement.
- In March 2020, issued purchase order 11178 to Veolia Water Milwaukee to replace transporter equipment that needs addressed in the short term.
- In April 2020, contracted with Symbiont (Contract J04072D01) to perform engineering design services of long-term improvements and replacement of equipment from immediately downstream of the Milorganite® product coolers to the silos and includes equipment associated with the silos. This includes the transporter equipment. The construction phase of this project will be publicly bid and begin sometime in the next year.

Staff is coordinating the scopes of the two efforts to ensure there is no unnecessary duplication of work.

As Symbiont's engineering design progressed under Contract J04072D01, staff identified additional items recommended to include in Symbiont's scope of services and is requesting authorization of a change order to include these scope items. This work consists of incorporating abandonment of multiple air handling systems within the facility (fans and blowers, ductwork, piping, and enclosures) and proper seal-off of voids in floors and walls into the plans and specifications.

SUMMARY (Cont'd)

Change Order Request, Contract J04072D01, Engineering Services – Milorganite® Fertilizer Transport and Silo Storage Equipment Replacement, and Restore the Executive Director's Original Delegated Authority

| | AMOUNT | PERCENTAGE INCREASE OVER ORIGINAL CONTRACT | AUTHORIZED BY | SWMBE |
|------------------------|---------------------|--|-----------------------|--------------|
| Original Contract | \$549,993.50 | | Commission | 33.9% |
| Previous Change Orders | \$54,754.50 | 10.0% | Executive Director | 24.2% |
| Requested Change Order | \$25,535.00 | 4.6% | Request of Commission | 35.9% |
| Total Change Orders | \$80,289.50 | 14.6% | | 27.9% |
| TOTAL | \$630,283.00 | | | 33.1% |

For engineering service contracts greater than or equal to \$500,000, the Commission has delegated to the Executive Director the authority to make changes up to \$200,000 or 10 percent of the original contract price, whichever is less. For this contract, a limit of \$54,999 prevails. To date, the Executive Director has utilized \$54,754 of this authority, leaving a balance of \$245. The request to restore the Executive Director's authority is in case any other additional engineering services are needed.

RESOLUTION

Change Order Request, Contract J04072D01, Engineering Services – Milorganite® Fertilizer Transport and Silo Storage Equipment Replacement, and Restore the Executive Director's Original Delegated Authority

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute a change order to Contract J04072D01, Engineering Services – Milorganite® Fertilizer Transport and Silo Storage Equipment Replacement, with Symbiont Science, Engineering and Construction, Inc., in an amount not to exceed \$25,535, and that the Executive Director's original delegated authority is restored.

Capital Budget Fiscal Note

Total Project Cost

COMMISSION FILE NO: 21-045-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Change Order Request, Purchase Order No. 11178, Material Capital Repair or Replacement No. 1311, Jones Island Water Reclamation Facility Dewatering and Drying Milorganite® Transporters 1-4 Repairs, and Executive Director's Change Order Authority

SUMMARY:

The Commission is requested to authorize the Executive Director to execute a change order to Purchase Order Number 11178, Material Capital Repair or Replacement (MCRR) No. 1311, Jones Island Water Reclamation Facility (JIWRF) Dewatering and Drying (D&D) Milorganite® Transporters 1-4 Repairs, with Veolia Water Milwaukee, LLC, (VWM) in an amount not to exceed \$21,184.

Further, the Commission is requested to delegate \$50,000 in change order authority to the Executive Director for future change orders to Purchase Order 11178, MCRR 1311.

Within the D&D Facility, the District produces Milorganite® by heat drying dewatered biosolids in 12 rotary dryers, then screening, classifying, and cooling the product. After cooling, Milorganite® is weighed and transferred to four day bins in the D&D Facility via bucket elevators and screw conveyors. A dense phase pneumatic transport system then conveys Milorganite® from the day bins to storage silos in the Milorganite® Storage Facility (MSF). The MSF contains 14 silos arranged in two banks of seven silos. A dust collection system serves the conveyance and storage facilities.

Most of the equipment was installed in 1994 as part of the original D&D Facility construction. The equipment has reached the end of its useful service life, and staff recommends replacement. Inadequate performance of the transport equipment has reduced system reliability and efficiency. The transport system has experienced decreased capacity and increased maintenance. The transport system is a single point of failure element between the D&D Facility and the MSF.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☒ **S/W/MBE** ☐ **OTHER** ☐ _____

OP_Auth_Purchase_MCRR_1311_Milorganite_Transporters_legislative_file.docx
03-19-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Change Order Request, Purchase Order No. 11178, Material Capital Repair or Replacement No. 1311, Jones Island Water Reclamation Facility Dewatering and Drying Milorganite® Transporters 1-4 Repairs, and Executive Director's Change Order Authority

The dense phase pneumatic transport system conveys Milorganite® from the day tanks to the storage silos using compressed air through a series of piping and valves. The condition and reliability of the Milorganite® transporter equipment has deteriorated over time. Recently, issues with all four transporters have resulted in accumulation of product in the day tanks and has required reduction of in-service dryers due to lack of storage space for daily Milorganite® production.

To address these issues, the District has taken the following actions:

- As part of the 2020 capital budget process, created new capital Project J04072, Milorganite® Transport and Silo Storage Equipment Replacement.
- In March 2020, issued purchase order 11178 to Veolia Water Milwaukee to replace transporter equipment that needs addressed in the short term.
- In April 2020, contracted with Symbiont (Contract J04072D01) to perform engineering design services of long-term improvements to and replacement of equipment from immediately downstream of the Milorganite® product coolers to the silos and includes equipment associated with the silos. This includes the transporter equipment. The construction phase of this project will be publicly bid and begin sometime in the next year.

Staff is coordinating the scopes of the two efforts to ensure there is no unnecessary duplication of work.

The original scope of work under Purchase Order 11178 included the following:

- Purging the air supply header from end to end to clean out excess Milorganite® and dust.
- Replacing approximately 140 different types of valves on the four transporter systems.
- Inspecting the select sections of transport piping for internal wear.

Under the Executive Director's authority, the District issued this purchase order to VWM in amount of \$232,661. VWM subcontracted the construction to Butters Fetting Co., Inc., (Butters) and VWM is responsible for managing the Butters contract.

SUMMARY (Cont'd)

Change Order Request, Purchase Order No. 11178, Material Capital Repair or Replacement No. 1311, Jones Island Water Reclamation Facility Dewatering and Drying Milorganite® Transporters 1-4 Repairs, and Executive Director's Change Order Authority

Butters started this work in October 2020 during the annual planned D&D shutdown. As the work progressed, Butters, the District, and VWM identified additional components beyond the original scope that need replacement. Following are the components that will be procured and replaced under this requested change order:

- 24 booster valve assemblies
- Four two-inch solenoid valves
- One 1.5-inch solenoid valve
- Four six-inch inlet pipe sections

Replacement will occur during planned D&D shutdowns in June and October 2021.

The total cost to procure and install the additional parts is \$21,184 (including VWM markup).

PURCHASE ORDER COST CHANGES

| PURCHASE ORDER | AMOUNT | PERCENT INCREASE OVER ORIGINAL PURCHASE ORDER | AUTHORIZED BY | SWMBE* |
|--------------------|--------------|---|-----------------------|--------|
| Original | \$232,660.19 | | Executive Director | 9.3% |
| Change Order No. 1 | \$21,183.23 | 9.1% | Request of Commission | 1.4% |
| Total Amendments | \$21,183.23 | 9.1% | | |
| TOTAL | \$253,843.41 | | | 8.6% |

*Small, Women, and Minority-owned Business Enterprise (SWMBE) participation shown is for contract between VWM and Butters and does not include VWM markup.

This change order will not affect the original project schedule.

SUMMARY (Cont'd)

Change Order Request, Purchase Order No. 11178, Material Capital Repair or Replacement No. 1311, Jones Island Water Reclamation Facility Dewatering and Drying Milorganite® Transporters 1-4 Repairs, and Executive Director's Change Order Authority

The original contract amount of \$232,661 awarded by the Executive Director leaves \$17,339 in remaining change order authority before Commission action is necessary. This contract includes critical work during the planned 2021 D&D shutdowns. If a contract change is needed above this remaining change order authority, it could prevent the contractor from completing work for an extended period while staff seeks Commission approval for the change and waits on an additional D&D shutdown; therefore, staff requests to delegate \$50,000 in change order authority to the Executive Director for potential future changes associated with this purchase order. Any changes above \$50,000 would still need to obtain Commission approval.

The rationale for the \$50,000 is that Commission Policy 1-78.02, Contracts, delegates change authority to the Executive Director in an amount up to \$50,000 for contracts approved by the Commission with an original amount of less than \$500,000. Because this purchase order did not require Commission approval, it does not automatically have \$50,000 in change authority.

RESOLUTION

Change Order Request, Purchase Order No. 11178, Material Capital Repair or Replacement No. 1311, Jones Island Water Reclamation Facility Dewatering and Drying Milorganite® Transporters 1-4 Repairs, and Executive Director's Change Order Authority

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute a change order to Purchase Order No. 11178, Material Capital Repair or Replacement No. 1311, Jones Island Water Reclamation Facility Dewatering and Drying Milorganite® Transporters 1-4 Repairs, with Veolia Water Milwaukee, LLC, in an amount not to exceed \$21,184.

FURTHER RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is delegated \$50,000 in change order authority for future change orders to Purchase Order Number 11178, Material Capital Repair or Replacement No. 1311.



O&M Budget Fiscal Note

RELATING TO:

Change Order Request, Purchase Order No. 11178, Material Capital Repair or Replacement No. 1311, Jones Island Water Reclamation Facility Dewatering and Drying Milorganite® Transporters 1-4 Repairs, and Executive Director's Change Order Authority

| Cost Center: OCC _____ | Line Item: 671 _____ | | | | | | | | | | | | | | | | | | |
|---|--------------------------------|---------------------------------|---------------------------------------|---------------------------|---------------------------------|-------------------|---------------------|-----------------|-------------|----------|--|-------------|-----|------------------------------|------------|----------|--|----------|--|
| Line Item Impact <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">2021 Original Budget</td> <td style="width: 10%; text-align: right;">\$3,500,000</td> <td style="width: 10%; border-top: 1px solid black;"></td> </tr> <tr> <td>Carryovers or Transfers</td> <td style="text-align: right;">\$0</td> <td style="border-top: 1px solid black;"></td> </tr> <tr> <td>Adjusted Budget</td> <td style="text-align: right;">\$3,500,000</td> <td style="border-top: 1px solid black;"></td> </tr> <tr> <td>Estimated Annual Expenditure including Request</td> <td style="text-align: right;">\$3,500,000</td> <td style="border-top: 1px solid black;"></td> </tr> <tr> <td>Anticipated Year End Balance</td> <td style="text-align: right;">\$0</td> <td style="border-top: 1px solid black;"></td> </tr> <tr> <td>Actual Year to Date Expenditures Through</td> <td style="text-align: right;">NA</td> <td style="border-top: 1px solid black;"></td> </tr> </table> <p style="margin-top: 10px;">For unfavorable Year End Balance, identify funding source:</p> <div style="margin-left: 40px;"> <input type="checkbox"/> Absorbed within the Division <input type="checkbox"/> Other Division <input type="checkbox"/> Unallocated Reserve </div> | | 2021 Original Budget | \$3,500,000 | | Carryovers or Transfers | \$0 | | Adjusted Budget | \$3,500,000 | | Estimated Annual Expenditure including Request | \$3,500,000 | | Anticipated Year End Balance | \$0 | | Actual Year to Date Expenditures Through | NA | |
| 2021 Original Budget | \$3,500,000 | | | | | | | | | | | | | | | | | | |
| Carryovers or Transfers | \$0 | | | | | | | | | | | | | | | | | | |
| Adjusted Budget | \$3,500,000 | | | | | | | | | | | | | | | | | | |
| Estimated Annual Expenditure including Request | \$3,500,000 | | | | | | | | | | | | | | | | | | |
| Anticipated Year End Balance | \$0 | | | | | | | | | | | | | | | | | | |
| Actual Year to Date Expenditures Through | NA | | | | | | | | | | | | | | | | | | |
| <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%; text-align: left;">Anticipated Expenditure Timing</th> <th style="width: 15%; text-align: center;">Requested Expenditures</th> <th style="width: 15%; text-align: center;">Anticipated Savings/Revenues</th> <th style="width: 30%; text-align: center;">Net Fiscal Impact</th> </tr> </thead> <tbody> <tr> <td>Current Year (2021)</td> <td style="text-align: right;">\$21,184</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$21,184</td> </tr> <tr> <td>Subsequent</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Total Cost</td> <td style="text-align: right;">\$21,184</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$21,184</td> </tr> </tbody> </table> | | | Anticipated Expenditure Timing | Requested Expenditures | Anticipated Savings/Revenues | Net Fiscal Impact | Current Year (2021) | \$21,184 | \$0 | \$21,184 | Subsequent | \$0 | \$0 | \$0 | Total Cost | \$21,184 | \$0 | \$21,184 | |
| Anticipated Expenditure Timing | Requested Expenditures | Anticipated Savings/Revenues | Net Fiscal Impact | | | | | | | | | | | | | | | | |
| Current Year (2021) | \$21,184 | \$0 | \$21,184 | | | | | | | | | | | | | | | | |
| Subsequent | \$0 | \$0 | \$0 | | | | | | | | | | | | | | | | |
| Total Cost | \$21,184 | \$0 | \$21,184 | | | | | | | | | | | | | | | | |

Comments:

| | |
|---------------------|-----------------|
| Budget Review by: | Date |
| Theresa Zwieg _____ | 3/12/2021 _____ |

COMMISSION FILE NO: 21-046-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Change Order Request, Contract J04074E01, Preliminary Engineering – Milorganite® Fertilizer Packaging Facility, and Restore the Executive Director’s Original Delegated Authority

SUMMARY:

The Commission is requested to authorize the Executive Director to execute a change order to Contract J04074E01, Preliminary Engineering – Milorganite® Fertilizer Packaging Facility, with Symbiont Science, Engineering and Construction, Inc., (Symbiont) in an amount not to exceed \$44,057, and to restore the Executive Director’s original delegated authority.

The District produces Milorganite® at the Jones Island Water Reclamation Facility (JIWRF) to beneficially reuse biosolids recovered from wastewater as part of the treatment process. Milorganite® is packaged in five- and 32-pound bags for sale at retail outlets and packaged into 50-, 1,000- and 2,000-pound bags for professional use. The District currently uses a contracted vendor, Kinder Morgan, to package and store bagged Milorganite® before distribution to the market. Kinder Morgan leases space from the Port of Milwaukee (Port) near JIWRF and owns and operates the packaging/bagging equipment. Leased space includes an area for bagged Milorganite® storage.

ATTACHMENTS: BACKGROUND ☐ KEY ISSUES ☐ RESOLUTION ☒
FISCAL NOTE ☒ S/W/MBE ☐ OTHER ☐ _____

OP_Change_Order_J04074E01_Restore_Authority_legislative_file.docx
03-19-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Change Order Request, Contract J04074E01, Preliminary Engineering – Milorganite® Fertilizer Packaging Facility, and Restore the Executive Director's Original Delegated Authority

In 2019, the Port notified the District and Kinder Morgan that their strategic plan indicates that Kinder Morgan's facilities are better suited to water-related commerce and that they desire to have Milorganite® packaging and storage occur at another location. District staff have since considered the option of owning and operating a packaging facility and recognize that there are advantages over the current method of contracted packaging. A new District-owned packaging facility provides the District with the following advantages:

- District obtains control over all aspects of packaging and storage, including costs, production output, equipment reliability, and production contamination risks.
- A new packaging facility will allow the District to utilize environmentally friendly packaging materials.

To begin the process of the District developing a new packaging facility, in March 2020, the District awarded Contract J04074E01 to Symbiont in an amount of \$337,384. The scope of Contract J04074E01 includes:

- Evaluating potential sites for locating a new facility.
- Developing and evaluating alternative building types and layouts.
- Identifying and evaluating type, capacity, size, quantities, and locations of packaging equipment within a new facility.
- Preparing a preliminary engineering report that clearly defines the overall preferred alternative.

The District, in conjunction with the Port, identified several potential sites on Jones Island to locate and construct a new packaging facility. Symbiont performed evaluations of these sites and identified two sites owned by the Port that were preferred for a new packaging facility. The District initiated discussions with the Port to purchase one of the two sites. Ultimately the District and Port were unable to successfully identify a Port-owned property that would meet the needs of both. The District subsequently authorized Symbiont to perform a high level screening of non-Port-owned sites for a new packaging facility and has identified some potential non-Port-owned sites.

Under the scope of this proposed change order, Symbiont will perform a detailed evaluation of up to three viable, non-Port-owned sites identified during the high level screening. One of these sites includes an existing District structure (Inline Solids Handling Facility) at JIWRf that is currently unused.

SUMMARY (Cont'd)

Change Order Request, Contract J04074E01, Preliminary Engineering – Milorganite® Fertilizer Packaging Facility, and Restore the Executive Director's Original Delegated Authority

As this detailed evaluation is developed, it is planned that the District can identify a final site upon which to place a new packaging facility. Once this site is selected, the District would then proceed to procure the site (if needed). District staff would also then proceed to develop and issue a new request for proposals that will include architectural and engineering services for the final design of the new facility.

| | AMOUNT | PERCENTAGE INCREASE OVER ORIGINAL CONTRACT | AUTHORIZED BY | SWMBE |
|------------------------|------------------|--|-----------------------|--------------|
| Original Contract | \$337,384 | | Commission | 22.2% |
| Previous Change Orders | \$49,492 | 14.7% | Executive Director | 41.2% |
| Requested Change Order | \$44,057 | 13.0% | Request of Commission | 1.7% |
| Total Change Orders | \$93,549 | 27.7% | | 22.6% |
| TOTAL | \$430,933 | | | 22.3% |

For engineering service contracts under \$500,000, the Commission has delegated to the Executive Director the authority to make changes up to \$50,000. To date, the Executive Director has utilized \$49,492 of this authority, leaving a balance of \$508. The request to restore the Executive Director's authority is in case any other additional preliminary engineering services are needed.

RESOLUTION

Change Order Request, Contract J04074E01, Preliminary Engineering – Milorganite® Fertilizer Packaging Facility, and Restore the Executive Director's Original Delegated Authority

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute a change order to Contract J04074E01, Preliminary Engineering – Milorganite® Fertilizer Packaging Facility, with Symbiont Science, Engineering and Construction, Inc., in an amount not to exceed \$44,057, and that the Executive Director's original delegated authority is restored.

Capital Budget Fiscal Note

Total Project Cost

COMMISSION FILE NO: 21-047-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Award of Contract J06075C09, North Utility Pump Station Traveling Water Screens Replacement at Jones Island Water Reclamation Facility

SUMMARY:

The Commission is requested to award and to direct the Executive Director to execute on behalf of the District Contract J06075C09, North Utility Pump Station (NUPS) Traveling Water Screens Replacement at Jones Island Water Reclamation Facility (JIWRF), to Doral Corporation (Doral) in the amount of \$470,000. Doral was the lower responsible, responsive bidder between two bids received.

River water is used as cooling water for process air compressors, gas turbines, and the powerhouse. River water is also used for fire protection. The river water is taken from the Kinnickinnic River. Two traveling water screens in the NUPS are used to remove debris from the river water. If debris is not removed from the river water, it can clog downstream pumps and cause premature failure of the pumps, as well as potentially clogging piping and equipment in the treatment plant system.

The traveling water screens remove debris by rotating screens through the open channel and back to the surface. As the screens travel to the surface, a sprayer cleans debris off the screens and into a concrete refuse trough.

These screens were installed in 1990 and have reached the end of their useful service life. The screens have significant wear on shaft assemblies, carrier chains, track guides, and seal plates. In addition, the frames of the traveling water screens have corroded to the point of being unrepairable. The purpose of this project is to restore the reliability of the river water cooling system for at least another 20 years.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒

FISCAL NOTE ☒ **S/W/MBE** ☒ **OTHER** ☐ _____

OP_Award_J06075C09_NUPS_Traveling_Screens_legislative_file.docx
03-12-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Award of Contract J06075C09, North Utility Pump Station Traveling Water Screens
Replacement at Jones Island Water Reclamation Facility

Under this contract, Doral will replace the existing bar screen system, which includes two traveling water screens, motors, gear drives, and connecting plumbing, electrical, and other fixtures.

The contract duration is 180 days.

RESOLUTION

Award of Contract J06075C09, North Utility Pump Station Traveling Water Screens Replacement at Jones Island Water Reclamation Facility

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that Contract J06075C09, North Utility Pump Station Traveling Water Screens Replacement at Jones Island Water Reclamation Facility, is awarded to Doral Corporation in the amount of \$470,000, and that the Executive Director is directed to execute a contract on behalf of the District.



Capital Budget Fiscal Note

Total Project Cost

RELATING TO:

Award of Contract J06075C09, North Utility Pump Station Traveling Water Screens Replacement at Jones Island Water Reclamation Facility

Capital Project Number(s)

J06075

Impact of Requested Action on Total Project Cost:☐

Increase

☐

Decrease

☐

New Project

☒

No Change

Total Project Cost Analysis

Adopted 2021 Total Project Cost

Previously Approved Changes

Approved Total Project Cost

Requested Total Project Cost

Requested (Increase)/Decrease

Project Costs

\$15,628,145

\$0

\$15,628,145

n/a

\$0

Action to be taken to Long-Range Financing Plan to address Total Project Cost change

_____ Transfer from Allowance for Cost and Schedule Changes

_____ Transfer from another project (specify in comments)

_____ Delay Project(s) (specify in comments)

_____ Delete Project(s) (specify in comments)

_____ Other _____

_____ Transfer to Allowance for Cost and Schedule Changes

Comments

Budget Review by:

Theresa Zwieg

Date:

3/11/2021

Award of Contract J06075C09, North Utility Pump Station Traveling Water Screens Replacement at Jones Island Water Reclamation Facility



Procurement & S/W/MBE Summary Information

Contract # J06075C09 **Cost Center:** OCC

North Utility Pump Station Traveling Water Screens Replacement at Jones Island Water Reclamation Facility

BID SUMMARY

Bid Opening Date: 2/23/2021

| | Total | SWMBE | Local |
|----------------------|--------------|--------------|--------------|
| # of Bids | 2 | 0 | 1 |
| # of Responsive Bids | 2 | 0 | 1 |

| Bidders | Price | Responsive? | Responsible? | % Sub | % SWMBE |
|--|--------------|--------------------|---------------------|--------------|----------------|
| Doral Corporation Milwaukee, WI 53207 | \$470,000.00 | Responsive | Responsible | 9.1% | 0.5% |
| J.F. Ahern Co. Fond du Lac, WI 54935 | \$532,640.00 | Responsive | Responsible | 2.6% | 0.4% |

SUBCONTRACTOR INFORMATION

| Type | Subcontractor Name | Type of Work | % | Amount |
|-------------|---|---------------------|----------|---------------|
| WBE | Porta Painting Waukesha, WI 53189 | Painting | 0.5% | \$2,255.00 |
| Non-SWMBE | Lee Plumbing Mechanical Contractors, Inc. Kenosha, WI 53140 | Piping | 6.1% | \$28,698.00 |
| Non-SWMBE | Next Electric, LLC Waukesha, WI 53186 | Electrical | 2.5% | \$11,850.00 |

ECONOMIC DEVELOPMENT ELEMENTS

Workforce Requirements

Sanitary Sewer Service Area (SSSA)

Employment: 45%

Target Area (TA) Employment: 20%

Apprentices Required: 0

OUTREACH INFORMATION

The Procurement team performed the following outreach: advertised in the Daily Reporter and sent an e-mail notification to all registered firms in the Construction category. The bid opportunity is also publicly accessible from the MMSD website and Quest CDN. Quest CDN also performs outreach to its users when a bid is posted.

S/W/MBE Planholders:

Crane Engineering Sales; Platt Construction; Sabel Mechanical

If no or low S/W/MBE participation, explain why:

Over 60% of the contract is materials and equipment, leaving limited opportunities for SWMBE participation. Doral Corporation reached out to four (4) S/W/MBE firms for the painting and electrical scopes of work.

Additional Comments:

n/a

AWARDEE INFORMATION

| | |
|-----------------|-----------------------------|
| Company: | Doral Corporation |
| Contact Person: | Calvin Czajka |
| Phone Number: | (414) 531-4843 |
| E-mail Address: | Calvin.Czajka@doralcorp.net |

EEO DATA

| | | | | | | |
|--|--------------|----------|-------------------------------------|--------------|----------|-----|
| 427 E. Stewart Street | | | Total # of Employees | | | 186 |
| Location: Milwaukee, WI 53207 | | | | | | |
| | <u>Total</u> | <u>%</u> | | <u>Total</u> | <u>%</u> | |
| Minorities | 42 | 22.6% | Females | 7 | 3.8% | |
| African American | 6 | 3.2% | African American | 0 | 0.0% | |
| Asian | 1 | 0.5% | Asian | 1 | 0.5% | |
| Hispanic | 33 | 17.7% | Hispanic | 0 | 0.0% | |
| Native American | 2 | 1.1% | Native American | 0 | 0.0% | |
| Labor Market Availability - Minorities | | 55.0% | Labor Market Availability - Females | | 52.0% | |

COMMISSION FILE NO: 21-048-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Reject Bids for Contract J06075C11, Dilution & Mixing Tanks 1 & 2 Rehabilitation at Jones Island Water Reclamation Facility

SUMMARY:

The Commission is requested to authorize and direct the Executive Director to reject all bids for Contract J06075C11, Dilution & Mixing Tanks 1 & 2 Rehabilitation at Jones Island Water Reclamation Facility (JIWRF).

JIWRF produces primary sludge, which comes from the primary clarification process. Operations at times will pump this primary sludge through the Interplant Sludge (IPS) to the South Shore Water Reclamation Facility to be digested. To facilitate pumping through the IPS pipeline, prior to pumping, the primary sludge is diluted in two dilution and mixing tanks.

These two tanks are 10-foot diameter by 14.5-foot tall and fabricated from steel. They were originally installed in 1984 and have been in use ever since. The tanks have been recoated since. Given the condition of the interior coating systems, staff recommends recoating the tanks. In March 2021, the District publicly advertised and bid Contract J06075C11. This contract consisted of recoating both tanks interiors with an epoxy material.

The District received one bid for this contract from Lee Mechanical, Inc., (Lee) in the amount of \$264,650. Lee's bid was both responsive and responsible; however, the bid came in significantly higher than the District's estimate for this contract. Staff recommends rejecting this bid and rebidding the contract.

Staff believes that some bid document modifications and clarifications may result in additional bidder interest. Staff will modify the bid documents, identify and inform potential bidders of the contract, readvertise, and publicly bid this reconfigured contract.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒

FISCAL NOTE ☐ **S/W/MBE** ☐ **OTHER** ☐ _____

*OP_Reject_J06075C11_Dilution_Mixing_Tanks_legislative_file.docx
03-25-21*

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

RESOLUTION

Reject Bids for Contract J06075C11, Dilution & Mixing Tanks 1 & 2 Rehabilitation at
Jones Island Water Reclamation Facility

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized and directed to reject the bids for Contract J06075C11, Dilution & Mixing Tanks 1 & 2 Rehabilitation at Jones Island Water Reclamation Facility.

COMMISSION FILE NO: 21-049-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Award of Contract S02008C05, Front Secondary Clarifier Improvements at South Shore Water Reclamation Facility, and Approve Changes in Total Project Cost

SUMMARY:

The Commission is requested to award and direct the Executive Director to execute on behalf of the District Contract S02008C05, Front Secondary Clarifier Improvements at South Shore Water Reclamation Facility (SSWRF), to Lee Plumbing Mechanical Contractors, Inc., (Lee) in the amount of \$2,272,206. Lee was the lowest responsible, responsive bidder between two bids received.

Further, the Commission is requested to decrease the total project cost (TPC) for Project S02008, South Shore Capacity Improvements, by \$1,221,001 for an amended TPC of \$6,218,000 and to make a corresponding change to the TPC for Project M99001, Allowance for Cost and Schedule Changes.

The activated sludge process of wastewater treatment involves growing microorganisms, which then consume the waste organic material in the wastewater. The microorganisms are grown and consume waste in the aeration basins, but then must be separated from the wastewater prior to disinfecting the water and discharging it to the lake. Secondary clarifiers perform this separation by allowing the microorganisms to settle to the bottom, where they can be removed.

There are 24 total secondary clarifiers at SSWRF, divided into two groups based on when they were built. Clarifiers 1-16 were built in the early 1970's and are collectively called the Front Clarifiers. Clarifiers 17-24 were built in the early 1980's and are collectively called the Back Clarifiers.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☒ **S/W/MBE** ☒ **OTHER** ☐ _____

OP_Award_S02008C05_legislative_file.docx
03-24-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Award of Contract S02008C05, Front Secondary Clarifier Improvements at South Shore Water Reclamation Facility, and Approve Changes in Total Project Cost

The District has tested the performance (as measured by total suspended solids removal and sludge settling rates) of the Front Clarifiers. This testing indicated that performance of the Front Clarifiers is not as good as the Back Clarifiers. District staff and an engineering consultant identified that performance of the Front Clarifiers could be improved by modifying the way in which the flow from the aeration basins is discharged into the secondary clarifiers. This modification involves replacing existing target baffles and skirts with those of a different design and plugging some inlet orifices.

The District installed the target baffle and skirt modifications in one clarifier (#16) as a pilot installation and then compared its performance to an adjacent unmodified clarifier (#14). The pilot testing confirmed that the modifications are worthwhile, and staff recommends modifying the remaining 15 Front Clarifiers with improved target baffles and skirts. In addition, staff recommends plugging the inlet orifices on all 16 Front Clarifiers.

At SSWRF, flow control to the clarifiers is generally managed by use of weirs. The SSWRF weirs are metal plates with v-shaped notches, set at specific elevations around the lip of the clarifier. The Front Clarifier weirs are all set at one elevation, and the Back Clarifiers are set at a different elevation. The weir on each clarifier consists of 40 individual metal plates that have been bolted onto the concrete clarifier effluent channel.

Over time, the individual metal plate components of the effluent weirs in each clarifier have shifted, and the clarifiers have settled. This has resulted in differences in weir elevations between clarifiers and differences between plates within clarifiers. The differences in weir elevations result in unequal flow distribution between and within clarifiers. Higher flows passing through clarifiers can result in reduced settling time in the clarifier and more solids passing through the clarifiers and discharged in the plant effluent.

The Front Clarifier weirs are not adjustable to the extent needed to set all Front Clarifier weirs at the same elevation; therefore, staff recommends that all Front Clarifier weirs be replaced with new weirs set at one elevation with more room to make future adjustments, if needed.

The purpose of this project is to improve Front Clarifier performance and, thus, overall SSWRF plant effluent quality and capacity.

Under Contract S02008C05, the contractor will:

- Remove and replace the target baffles and skirts in 15 front secondary clarifiers.
- Remove and replace the weirs in 16 front secondary clarifiers.
- Provide new orifice plugs for 16 front secondary clarifiers.

SUMMARY (Cont'd)

Award of Contract S02008C05, Front Secondary Clarifier Improvements at South Shore Water Reclamation Facility, and Approve Changes in Total Project Cost

The contract duration is 924 days.

The low bid received by the District is less than budgeted, and staff requests to decrease the TPC accordingly.

RESOLUTION

Award of Contract S02008C05, Front Secondary Clarifier Improvements at South Shore Water Reclamation Facility, and Approve Changes in Total Project Cost

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that Contract S02008C05, Front Secondary Clarifier Improvements at South Shore Water Reclamation Facility, is awarded to Lee Plumbing Mechanical Contractors, Inc., in the amount of \$2,272,206, and that the Executive Director is directed to execute a contract on behalf of the District.

FURTHER RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the total project cost for Project S02008, South Shore Capacity Improvements, is decreased by \$1,221,001 for an amended total project cost of \$6,218,000, and that a corresponding change is made to the total project cost for Project M99001, Allowance for Cost and Schedule Changes.



Capital Budget Fiscal Note

Total Project Cost

RELATING TO:

Award of Contract S02008C05, Front Secondary Clarifier Improvements at South Shore Water Reclamation Facility, and Approve Changes in Total Project Cost

Capital Project Number(s)

S02008

Impact of Requested Action on Total Project Cost:

☐

Increase

☒

Decrease

☐

New Project

☐

No Change

Total Project Cost Analysis

Adopted 2021 Total Project Cost

Previously Approved Changes

Approved Total Project Cost

Requested Total Project Cost

Requested (Increase)/Decrease

Project Costs

\$7,439,001

\$0

\$7,439,001

\$6,218,000

\$1,221,001

Action to be taken to Long-Range Financing Plan to address Total Project Cost change

_____ Transfer from Allowance for Cost and Schedule Changes

_____ Transfer from another project (specify in comments)

_____ Delay Project(s) (specify in comments)

_____ Delete Project(s) (specify in comments)

_____ Other _____

_____ x Transfer to Allowance for Cost and Schedule Changes

Comments

The low bid received by the District is less than budgeted, and staff requests to decrease the TPC accordingly.

Budget Review by:

Theresa Zwieg

Date:

3/11/2021

Award of Contract S02008C05, Front Secondary Clarifier Improvements at South Shore Water Reclamation Facility, and Approve Changes in Total Project Cost



Procurement & S/W/MBE Summary Information

Contract # S02008C05 **Cost Center:** ENG
Front Secondary Clarifier Improvements at South Shore Water Reclamation Facility

BID SUMMARY

Bid Opening Date: 3/4/2021

| | Total | SWMBE | Local |
|----------------------|--------------|--------------|--------------|
| # of Bids | 2 | 0 | 0 |
| # of Responsive Bids | 2 | 0 | 0 |

| Bidders | Price | Responsive? | Responsible? | % Sub | % SWMBE |
|--|----------------|--------------------|---------------------|--------------|----------------|
| Lee Plumbing Mechanical Contractors, Inc. Kenosha, WI 53140 | \$2,272,206.00 | Responsive | Responsible | 7.4% | 7.4% |
| J.F. Ahern Co. Fond du Lac, WI 54935 | \$2,329,000.00 | Responsive | Responsible | 7.6% | 7.6% |

SUBCONTRACTOR INFORMATION

| Type | Subcontractor Name | Type of Work | % | Amount |
|-------------|---|---------------------|----------|---------------|
| MBE | Sanchez Coating & Environmental Wausau, WI 54401 | Painting | 7.4% | \$168,521.00 |

ECONOMIC DEVELOPMENT ELEMENTS

Workforce Requirements

Sanitary Sewer Service Area (SSSA)

Employment: 45%

Target Area (TA) Employment: 20%

Apprentices Required: 1

OUTREACH INFORMATION

The Procurement team performed the following outreach: advertised in the Daily Reporter, sent an e-mail notification to all registered firms in the Architecture & Engineering category, sent targeted e-mails to # SWMBE (categories of work) firms, and notified the various local chambers of commerce. The proposal opportunity is also publicly accessible from the MMSD website and Bonfire, the portal used to post RFPs. Bonfire also performs outreach to its users when an RFP is posted.

S/W/MBE Planholders:

Sabel Mechanical; Thomas A. Mason Co., Inc.

If no or low S/W/MBE participation, explain why:

Approximately 46% of this contract is an allowance for the purchase of clarifier parts from Evoqua.

Additional Comments:

n/a

AWARDEE INFORMATION

| | |
|-----------------|---|
| Company: | Lee Plumbing Mechanical Contractors, Inc. |
| Contact Person: | Dave Ruffalo |
| Phone Number: | (262) 771-5214 |
| E-mail Address: | druffalo@selectlee.com |

EEO DATA

| | | | | | |
|---|---------------------|-----------------|--|---------------------|-----------------|
| 2915 60th Street | | | Total # of Employees | | |
| Location: Kenosha, WI 53140 | | | 208 | | |
| | <u>Total</u> | <u>%</u> | | <u>Total</u> | <u>%</u> |
| Minorities | 10 | 4.80% | Females | 16 | 7.70% |
| African American | 4 | 1.90% | African American | 1 | 0.50% |
| Asian | 1 | 0.50% | Asian | 0 | 0.00% |
| Hispanic | 5 | 2.40% | Hispanic | 1 | 0.50% |
| Native American | 0 | 0.00% | Native American | 0 | 0.00% |
| <i>Labor Market Availability - Minorities</i> | | | <i>Labor Market Availability - Females</i> | | |
| 22.00% | | | 49.00% | | |

COMMISSION FILE NO: 21-050-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Change Order Request, Contract W98002C22, 2020-2021 Watercourse Maintenance Contract – Northeast Area

SUMMARY:

The Commission is requested to authorize the Executive Director to execute a change order to Contract W98002C22, 2020-2021 Watercourse Maintenance Contract – Northeast Area, with Nature Systems, Inc., (Nature Systems) in the amount of \$126,674.

The District owns many watercourse assets, including approximately 350 acres of land, 129 miles of jurisdictional streams, retaining walls and headwalls, culverts, and trash racks. Jurisdictional streams include enclosed and open concrete-lined channels and non-concrete-lined natural streams.

The District uses contracted maintenance services to maintain District-owned watercourse channels and riparian properties. Typically, the District contracts for the services using one- to two-year duration contracts with individual contracts focused on four different geographic areas. Maintenance activities under the contracts include mowing, natural vegetation maintenance, snow removal, and debris and woody vegetation removal.

In October 2019, the District advertised and publicly bid Contract W98002C22, Watercourse Maintenance Contract – Northeast Area, for maintenance services. This contract is for general maintenance of various watercourse channels and riparian properties primarily on District-owned parcels in the northeast area of Milwaukee County. Generally, the northeast area is located north of Capitol Drive and east of North 76th Street. The contract scope includes turf grass maintenance, vegetation maintenance, walkway snow removal, debris removal, and woody vegetation removal.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒

FISCAL NOTE ☒ **S/W/MBE** ☐ **OTHER** ☐ _____

OP_CO_W98002C22_WC_Maintenance_NE_Area_legislative_file.docx
03-24-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Change Order Request, Contract W98002C22, 2020-2021 Watercourse Maintenance Contract – Northeast Area

The bid included separate bid prices for two years; the first year covers from spring 2020 through winter 2021, and the second year covers spring 2021 through winter 2022. The low bidder was selected based on the total bid for the two years. Nature Systems was the lowest responsive and responsible bidder between two bids received, and their bid was \$126,674 for each year of the contract. The bid documents stated that the District will award the contract for year one. If performance during the first year is satisfactory, as determined by the District, then the District and bidder may amend the contract to include the second year.

Using the Executive Director's delegated authority, the District entered into the contract with Nature Systems for the first year in an amount of \$126,674. District staff have found Nature Systems' performance to be satisfactory and now proposes to amend the contract in an amount of \$126,674 to include the second year. The scope for the second year is identical to the scope for the first year.

| | AMOUNT | PERCENTAGE INCREASE OVER ORIGINAL CONTRACT | AUTHORIZED BY | SWMBE |
|---------------------------|------------------|---|--------------------------|-------------|
| Original Contract | \$126,674 | | Executive Director | 100% |
| Requested Change Order | \$126,674 | 100% | Request of Commission | 100% |
| Total Change Orders | \$126,674 | 100% | | 100% |
| TOTAL | \$253,348 | | | 100% |

RESOLUTION

Change Order Request, Contract W98002C22, 2020-2021 Watercourse Maintenance
Contract – Northeast Area

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute a change order to Contract W98002C22, 2020-2021 Watercourse Maintenance Contract – Northeast Area, with Nature Systems, Inc., in the amount of \$126,674.



O&M Budget Fiscal Note

RELATING TO:

Change Order Request, Contract W98002C22, 2020-2021 Watercourse Maintenance Contract – Northeast Area

| Cost Center: ENG _____ | Line Item: 649 _____ | | | | | | | | | | | | | | | | | | |
|---|--------------------------------|---------------------------------|---------------------------------------|---------------------------|---------------------------------|-------------------|---------------------|-----------------|-------|-----------|--|----------|-----------|------------------------------|------------|-----------|--|-----------|----|
| Line Item Impact <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">2021 Original Budget</td> <td style="width: 10%; text-align: center;">_____</td> <td style="width: 30%; text-align: right;">\$524,000</td> </tr> <tr> <td>Carryovers or Transfers</td> <td style="text-align: center;">_____</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Adjusted Budget</td> <td style="text-align: center;">_____</td> <td style="text-align: right;">\$524,000</td> </tr> <tr> <td>Estimated Annual Expenditure including Request</td> <td style="text-align: center;">_____</td> <td style="text-align: right;">\$524,000</td> </tr> <tr> <td>Anticipated Year End Balance</td> <td style="text-align: center;">_____</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Actual Year to Date Expenditures Through</td> <td style="text-align: center;">_____</td> <td style="text-align: right;">NA</td> </tr> </table> <p style="margin-top: 10px;">For unfavorable Year End Balance, identify funding source:</p> <div style="margin-left: 40px;"> <input type="checkbox"/> Absorbed within the Division <input type="checkbox"/> Other Division <input type="checkbox"/> Unallocated Reserve </div> | | 2021 Original Budget | _____ | \$524,000 | Carryovers or Transfers | _____ | \$0 | Adjusted Budget | _____ | \$524,000 | Estimated Annual Expenditure including Request | _____ | \$524,000 | Anticipated Year End Balance | _____ | \$0 | Actual Year to Date Expenditures Through | _____ | NA |
| 2021 Original Budget | _____ | \$524,000 | | | | | | | | | | | | | | | | | |
| Carryovers or Transfers | _____ | \$0 | | | | | | | | | | | | | | | | | |
| Adjusted Budget | _____ | \$524,000 | | | | | | | | | | | | | | | | | |
| Estimated Annual Expenditure including Request | _____ | \$524,000 | | | | | | | | | | | | | | | | | |
| Anticipated Year End Balance | _____ | \$0 | | | | | | | | | | | | | | | | | |
| Actual Year to Date Expenditures Through | _____ | NA | | | | | | | | | | | | | | | | | |
| <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 35%; text-align: left;">Anticipated Expenditure Timing</th> <th style="width: 15%; text-align: center;">Requested Expenditures</th> <th style="width: 15%; text-align: center;">Anticipated Savings/Revenues</th> <th style="width: 35%; text-align: center;">Net Fiscal Impact</th> </tr> </thead> <tbody> <tr> <td>Current Year (2021)</td> <td style="text-align: center;">\$63,337</td> <td style="text-align: center;">\$0</td> <td style="text-align: center;">\$63,337</td> </tr> <tr> <td>Subsequent</td> <td style="text-align: center;">\$63,337</td> <td style="text-align: center;">\$0</td> <td style="text-align: center;">\$63,337</td> </tr> <tr> <td>Total Cost</td> <td style="text-align: center;">\$126,674</td> <td style="text-align: center;">\$0</td> <td style="text-align: center;">\$126,674</td> </tr> </tbody> </table> | | | Anticipated Expenditure Timing | Requested Expenditures | Anticipated Savings/Revenues | Net Fiscal Impact | Current Year (2021) | \$63,337 | \$0 | \$63,337 | Subsequent | \$63,337 | \$0 | \$63,337 | Total Cost | \$126,674 | \$0 | \$126,674 | |
| Anticipated Expenditure Timing | Requested Expenditures | Anticipated Savings/Revenues | Net Fiscal Impact | | | | | | | | | | | | | | | | |
| Current Year (2021) | \$63,337 | \$0 | \$63,337 | | | | | | | | | | | | | | | | |
| Subsequent | \$63,337 | \$0 | \$63,337 | | | | | | | | | | | | | | | | |
| Total Cost | \$126,674 | \$0 | \$126,674 | | | | | | | | | | | | | | | | |

Comments: The District proposes to amend the contract in the amount \$126,674 to cover spring 2021 through winter 2022.

Budget Review by:

Theresa Zwieg _____

Date

3/12/2021 _____

COMMISSION FILE NO: 21-051-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Change Order Request, Contract W98002C24, 2020-2021 Watercourse Maintenance Contract – Southeast Area

SUMMARY:

The Commission is requested to authorize the Executive Director to execute a change order to Contract W98002C24, 2020-2021 Watercourse Maintenance Contract – Southeast Area, with Nature Systems, Inc., (Nature Systems) in the amount of \$91,859.

The District owns many watercourse assets, including approximately 350 acres of land, 129 miles of jurisdictional streams, retaining walls and headwalls, culverts, and trash racks. Jurisdictional streams include enclosed and open concrete-lined channels and non-concrete-lined natural streams.

The District uses contracted maintenance services to maintain District-owned watercourse channels and riparian properties. Typically, the District contracts for the services using one- to two-year duration contracts with individual contracts focused on four different geographic areas. Maintenance activities under the contracts include mowing, natural vegetation maintenance, snow removal, and debris and woody vegetation removal.

In October 2019, the District advertised and publicly bid Contract W98002C24, Watercourse Maintenance Contract – Southeast Area, for maintenance services. This contract is for general maintenance of various watercourse channels and riparian properties primarily on District-owned parcels in the southeast area of Milwaukee County. Generally, the southeast area is located south of Lincoln Avenue and east of South 55th Street. The contract scope includes turf grass maintenance, vegetation maintenance, walkway snow removal, debris removal, and woody vegetation removal.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒

FISCAL NOTE ☒ **S/W/MBE** ☐ **OTHER** ☐ _____

OP_CO_W98002C24_WC_Maintenance_SE_Area_legislative_file.docx
03-24-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Change Order Request, Contract W98002C24, 2020-2021 Watercourse Maintenance Contract – Southeast Area

The bid included separate bid prices for two years; the first year covers from spring 2020 through winter 2021, and the second year covers spring 2021 through winter 2022. The low bidder was selected based on the total bid for the two years. Nature Systems was the lowest responsive and responsible bidder between two bids received, and their bid was \$91,859 for year one of the of the contract and \$80,234 for year two. The bid documents stated that the District will award the contract for year one. If performance during the first year is satisfactory, as determined by the District, then the District and bidder may amend the contract to include the second year.

Using the Executive Director's delegated authority, the District entered the contract with Nature Systems for the first year in an amount of \$91,859. District staff have found Nature Systems' performance to be satisfactory and now proposes to amend the contract in an amount of \$91,859 to include the second year. While the second-year bid was for \$80,234, the bid documents inadvertently only included three vegetation cuttings for year two, as opposed to the planned five. Using the unit price bid as the basis for the costs, staff recommends adding two vegetation cuttings to the second year of the contract in an amount of \$11,625, for a total of \$91,859. With the addition of these two cuttings, the scope for the second year is identical to the scope for the first year.

| | AMOUNT | PERCENTAGE INCREASE OVER ORIGINAL CONTRACT | AUTHORIZED BY | SWMBE |
|---------------------------|------------------|--|--------------------------|-------------|
| Original Contract | \$91,859 | | Executive Director | 100% |
| Requested Change Order | \$91,859 | 100% | Request of Commission | 100% |
| Total Change Orders | \$91,859 | 100% | | 100% |
| TOTAL | \$183,718 | | | 100% |

RESOLUTION

Change Order Request, Contract W98002C24, 2020-2021 Watercourse Maintenance
Contract – Southeast Area

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute a change order to Contract W98002C24, 2020-2021 Watercourse Maintenance Contract – Southeast Area, in the amount of \$91,859.



O&M Budget Fiscal Note

RELATING TO:

Change Order Request, Contract W98002C24, 2020-2021 Watercourse Maintenance Contract – Southeast Area

| Cost Center: ENG _____ | Line Item: 649 _____ | | | | | | | | | | | | | | | | |
|--|--------------------------------|--------------------------------|------------------------|------------------------------|-------------------|---------------------|-----------|--|-----------|------------------------------|----------|--|----------|------------|----------|-----|----------|
| Line Item Impact <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">2021 Original Budget</td> <td style="text-align: right; border-bottom: 1px solid black;">\$524,000</td> </tr> <tr> <td>Carryovers or Transfers</td> <td style="text-align: right; border-bottom: 1px solid black;">\$0</td> </tr> <tr> <td>Adjusted Budget</td> <td style="text-align: right; border-bottom: 1px solid black;">\$524,000</td> </tr> <tr> <td>Estimated Annual Expenditure including Request</td> <td style="text-align: right; border-bottom: 1px solid black;">\$524,000</td> </tr> <tr> <td>Anticipated Year End Balance</td> <td style="text-align: right; border-bottom: 1px solid black;">\$0</td> </tr> <tr> <td>Actual Year to Date Expenditures Through</td> <td style="text-align: right; border-bottom: 1px solid black;">NA</td> </tr> </table> <p style="margin-top: 10px;">For unfavorable Year End Balance, identify funding source:</p> <div style="margin-left: 150px;"> <input type="checkbox"/> Absorbed within the Division <input type="checkbox"/> Other Division <input type="checkbox"/> Unallocated Reserve </div> | | 2021 Original Budget | \$524,000 | Carryovers or Transfers | \$0 | Adjusted Budget | \$524,000 | Estimated Annual Expenditure including Request | \$524,000 | Anticipated Year End Balance | \$0 | Actual Year to Date Expenditures Through | NA | | | | |
| 2021 Original Budget | \$524,000 | | | | | | | | | | | | | | | | |
| Carryovers or Transfers | \$0 | | | | | | | | | | | | | | | | |
| Adjusted Budget | \$524,000 | | | | | | | | | | | | | | | | |
| Estimated Annual Expenditure including Request | \$524,000 | | | | | | | | | | | | | | | | |
| Anticipated Year End Balance | \$0 | | | | | | | | | | | | | | | | |
| Actual Year to Date Expenditures Through | NA | | | | | | | | | | | | | | | | |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left; width: 35%;">Anticipated Expenditure Timing</th> <th style="text-align: center; width: 15%;">Requested Expenditures</th> <th style="text-align: center; width: 15%;">Anticipated Savings/Revenues</th> <th style="text-align: center; width: 35%;">Net Fiscal Impact</th> </tr> <tr> <td>Current Year (2021)</td> <td style="text-align: right; border-bottom: 1px solid black;">\$45,930</td> <td style="text-align: right; border-bottom: 1px solid black;">\$0</td> <td style="text-align: right; border-bottom: 1px solid black;">\$45,930</td> </tr> <tr> <td>Subsequent</td> <td style="text-align: right; border-bottom: 1px solid black;">\$45,930</td> <td style="text-align: right; border-bottom: 1px solid black;">\$0</td> <td style="text-align: right; border-bottom: 1px solid black;">\$45,930</td> </tr> <tr> <td>Total Cost</td> <td style="text-align: right; border-bottom: 1px solid black;">\$91,859</td> <td style="text-align: right; border-bottom: 1px solid black;">\$0</td> <td style="text-align: right; border-bottom: 1px solid black;">\$91,859</td> </tr> </table> | | Anticipated Expenditure Timing | Requested Expenditures | Anticipated Savings/Revenues | Net Fiscal Impact | Current Year (2021) | \$45,930 | \$0 | \$45,930 | Subsequent | \$45,930 | \$0 | \$45,930 | Total Cost | \$91,859 | \$0 | \$91,859 |
| Anticipated Expenditure Timing | Requested Expenditures | Anticipated Savings/Revenues | Net Fiscal Impact | | | | | | | | | | | | | | |
| Current Year (2021) | \$45,930 | \$0 | \$45,930 | | | | | | | | | | | | | | |
| Subsequent | \$45,930 | \$0 | \$45,930 | | | | | | | | | | | | | | |
| Total Cost | \$91,859 | \$0 | \$91,859 | | | | | | | | | | | | | | |

Comments: The District proposes to amend the contract in the amount \$91,859 to cover spring 2021 through winter 2022.

Budget Review by:

Theresa Zwieg _____

Date

3/12/2021

COMMISSION FILE NO: 21-052-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Award of Contract M03108P02, Planning Services – Impact of Water Levels on District Conveyance System Assets

SUMMARY:

The Commission is requested to award and to direct the Executive Director to execute on behalf of the District Contract M03108P02, Planning Services – Impact of Water Levels on District Conveyance System Assets, to Symbiont Science, Engineering, and Construction, Inc., (Symbiont) in an amount not to exceed \$346,524. Symbiont was the highest scoring proposer among three proposals received through a qualifications-based selection method.

Lake and river water surface elevations have been at historical lows and highs in the past decade. Extreme highs and lows are predicted for the future due to climate change. The District must protect its assets from the adverse effects of these fluctuations, ensuring that the conveyance system continues to work as intended. A separate contract (M03108P01) will address water level risks at the water reclamation facilities and District Headquarters.

This project consists of a planning level study to identify District conveyance assets that could potentially be affected by high or low water surface elevations (lake and river). The District conveyance asset management team has identified risks that the consultant will evaluate; other risks identified throughout the process will also be evaluated.

The District has identified high water threats to the conveyance system, but no low water impacts are apparent. The consultant may identify low water impacts during the process of the project, but, at this time, Contract M03108P02 will focus on determining the causes of and presenting alternatives for preventing clear water from entering the conveyance system from watercourses and the lake and overcoming or mitigating the effects caused by a decreased level of service due to high water levels at outfalls.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☒ **S/W/MBE** ☒ **OTHER** ☐ _____

OP_M03108P02_Water_Levels_Conveyance_legislative_file.docx
03-24-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Award of Contract M03108P02, Planning Services – Impact of Water Levels on District Conveyance System Assets

The consultant will use the new personal computer storm water management model of the conveyance system to evaluate existing conditions for extreme high and low water levels and will propose and model alternatives to reduce risks. The consultant will provide planning level cost estimates associated with identified feasible alternatives. The consultant's evaluations will be summarized in two technical memoranda that will be incorporated with the recommendations into a final planning report.

The overall contract includes two major tasks: project management and planning services.

The contract duration is 12 months.

RESOLUTION

Award of Contract M03108P02, Planning Services – Impact of Water Levels on District
Conveyance System Assets

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that Contract M03108P02, Planning Services – Impact of Water Levels on District Conveyance System Assets, is awarded to Symbiont Science, Engineering, and Construction, Inc., in an amount not to exceed \$346,524, and that the Executive Director is directed to execute a contract on behalf of the District.



Capital Budget Fiscal Note

Total Project Cost

RELATING TO:

Award of Contract M03108P02, Planning Services – Impact of Water Levels on District Conveyance System Assets

Capital Project Number(s)

M03108

Impact of Requested Action on Total Project Cost:☐

Increase

☐

Decrease

☐

New Project

☒

No Change

Total Project Cost Analysis

Adopted 2021 Total Project Cost

Previously Approved Changes

Approved Total Project Cost

Requested Total Project Cost

Requested (Increase)/Decrease

Project Costs

\$1,123,500

\$0

\$1,123,500

n/a

\$0

Action to be taken to Long-Range Financing Plan to address Total Project Cost change

_____ Transfer from Allowance for Cost and Schedule Changes

_____ Transfer from another project (specify in comments)

_____ Delay Project(s) (specify in comments)

_____ Delete Project(s) (specify in comments)

_____ Other _____

_____ Transfer to Allowance for Cost and Schedule Changes

Comments

Budget Review by:

Christine Durkin

Date:

3/15/2021

Award of Contract M03108P02, Planning Services – Impact of Water Levels on District Conveyance System Assets



Procurement & S/W/MBE Summary Information

Contract # M03108P02 **Cost Center:** PRS

Planning Services – Impact of Water Levels on District Conveyance System Assets

PROPOSAL SUMMARY

Proposal Receipt Date: 2/23/2021

| | Total | SWMBE | Local |
|---------------------------|--------------|--------------|--------------|
| # of Proposals | 3 | 0 | 3 |
| # of Acceptable Proposals | 2 | 0 | 2 |

| Proposals (listed by rank) | Negotiated Price | Acceptable? | % Sub | % SWMBE |
|--|-------------------------------------|--------------------|--------------|----------------|
| | Submitted Price | | | |
| Symbiont Science, Engineering, and Construction, Inc. Milwaukee, WI 53214 | \$346,524.00 \$346,524.00 | Acceptable | 20.9% | 20.9% |
| Brown and Caldwell Milwaukee, WI 53202 | - \$349,943.00 | Acceptable | 22.3% | 22.3% |
| Arcadis Milwaukee, WI 53202 | - - | Unacceptable | 20.3% | 20.3% |

Compensation packages for proposals rated "Conditionally Acceptable" and "Unacceptable" are not opened.

SUBCONSULTANT INFORMATION

| Type | Subconsultant Name | Type of Work | % | Amount |
|-------------|--|-----------------------------------|----------|---------------|
| SBE | Applied Science, Inc. Detroit, MI 48207 | Alternatives analysis | 4.6% | \$15,838.00 |
| SBE | Gassenhuber Services, LLC West Allis, WI 53214 | Technical advisor | 0.4% | \$1,500.00 |
| SBE | Stony Point Hydrology LLC Mukwonago, WI 53149 | Lake and river level analysis | 5.4% | \$18,732.00 |
| SBE | Stormwater Solutions Engineering, LLC Milwaukee, WI 53204 | Hydrologic and hydraulic modeling | 8.1% | \$28,032.00 |
| WBE | Penne Wilson Consulting Sturgeon Bay, WI 54235 | Technical editing | 1.4% | \$4,680.00 |
| WBE | Superior Engineering, LLC Muskego, WI 53150 | Technical advisor | 1.1% | \$3,795.00 |

ECONOMIC DEVELOPMENT ELEMENTS

Local Office Preference? Y

Mentor Protégé? N

OUTREACH INFORMATION

The Procurement team performed the following outreach: advertised in the Daily Reporter, sent an e-mail notification to all registered firms in the Architecture & Engineering and Professional Services categories, and sent targeted e-mails to 98 SWMBE engineering and environmental firms. The proposal opportunity is also publicly accessible from the MMSD website and Bonfire, the portal used to post RFPs. Bonfire also performs outreach to its users when an RFP is posted.

S/W/MBE Document Takers:

Applied Science, Inc.; Aqua Vitae Engineering; Bay Ridge Consulting; Bloom Companies; Fish Creek Restoration LLC; FreshWater Engineering; Globetrotters Engineering Corporation; K. Singh & Associates, Inc.; M Squared Engineering; Oneida Total Integrated Enterprises (OTIE); Ruekert & Mielke, Inc.; Stony Point Hydrology LLC; Stormwater Solutions Engineering, LLC; Superior Engineering; The Reese Group, LLC

If no or low S/W/MBE participation, explain why:

n/a

Additional Comments:

n/a

AWARDEE INFORMATION

Company: Symbiont Science, Engineering, and Construction, Inc.
Contact Person: Amy L. Post, P.E.
Phone Number: (414) 755-1132
E-mail Address: amy.post@symbiontengineer.com

EEO DATA

6737 W. Washington Street, Suite 340
Location: Milwaukee, WI 53214

Total # of Employees 110

| | <u>Total</u> | <u>%</u> |
|---------------------------|--------------|-------------|
| Minorities | <u>7</u> | <u>6.4%</u> |
| Asian | <u>3</u> | <u>2.7%</u> |
| Black or African American | <u>1</u> | <u>0.9%</u> |
| Hispanic or Latino | <u>1</u> | <u>0.9%</u> |
| Native American | <u>0</u> | <u>0.0%</u> |
| Other Minority | <u>2</u> | <u>1.8%</u> |

Labor Market Availability - Minorities 22.0%

| | <u>Total</u> | <u>%</u> |
|---------------------------|--------------|--------------|
| Females | <u>28</u> | <u>25.5%</u> |
| Asian | <u>1</u> | <u>0.9%</u> |
| Black or African American | <u>0</u> | <u>0.0%</u> |
| Hispanic or Latino | <u>1</u> | <u>0.9%</u> |
| Native American | <u>0</u> | <u>0.0%</u> |
| Other Minority | <u>2</u> | <u>1.8%</u> |

Labor Market Availability - Females 49.0%

PRIME PERFORMANCE HISTORY - S/W/MBE COMPLIANCE

| Contract Title | Start Date | Percent Complete | Contract Value | Payments to Prime | Proposed SWMBE \$ | Proposed SWMBE % | SWMBE Actuals \$ | SWMBE Actuals % |
|--|-------------------|-------------------------|-----------------------|--------------------------|--------------------------|-------------------------|-------------------------|------------------------|
| C98045D01 - Conveyance Gate Rehab Design - Phase 11 | 7/29/2013 | 100% | \$ 394,240 | \$ 357,637 | \$ 150,600 | 38% | \$ 168,158 | 47% |
| C98051D01 Conv Gate Rehab - Phase 3 | 7/20/2015 | 100% | \$ 310,450 | \$ 310,450 | \$ 124,180 | 40% | \$ 132,177 | 43% |
| C98053D01 Eng. Sers. Conv. Gate Rehab- Phase 4 | 11/1/2015 | 100% | \$ 353,536 | \$ 353,536 | \$ 148,697 | 42% | \$ 170,223 | 48% |
| I06001D01 - Engineering Services - NS-12 Collector System Requirements | 8/22/2017 | 84% | \$ 1,198,351 | \$ 1,002,393 | \$ 231,042 | 19% | \$ 177,351 | 18% |
| J04033D01, D&D Drainage Piping and Quench Chambers Rehab | 3/5/2015 | 100% | \$ 166,966 | \$ 162,307 | \$ 56,768 | 34% | \$ 47,985 | 30% |
| J04035D01 - ES Greens Grade Train Replacement | 7/25/2018 | 83% | \$ 776,457 | \$ 647,207 | \$ 308,331 | 40% | \$ 184,864 | 29% |
| J04038D01 - Milorganite Dryers Waste Heat Isolation & Flow Control Valve Replacement | 10/2/2019 | 68% | \$ 262,684 | \$ 177,882 | \$ 102,552 | 39% | \$ 48,032 | 27% |
| J04039D01 - Eng. Services JI WRF Pressure Relief Panel | 11/17/2015 | 100% | \$ 352,498 | \$ 352,424 | \$ 74,377 | 21% | \$ 85,452 | 24% |
| J04050D01 - Eng Serv Dryer Feed & Discharge Screw Conveyor | 7/1/2016 | 85% | \$ 459,640 | \$ 390,721 | \$ 172,181 | 37% | \$ 124,371 | 32% |
| J04051D01 - Eng. Services Main Recycle Air Belt Feed Screw Conveyor | 4/26/2016 | 100% | \$ 93,651 | \$ 91,543 | \$ 24,874 | 27% | \$ 14,182 | 15% |
| J04052D01 - Preliminary Engineering & Engineering Services for Milorganite Facility Improvements | 8/1/2016 | 96% | \$ 388,483 | \$ 373,605 | \$ 125,325 | 32% | \$ 83,398 | 22% |
| J04057D01 Design and Engineering Services for JI WRF | 1/1/2016 | 100% | \$ 127,556 | \$ 127,547 | \$ 30,613 | 24% | \$ 20,779 | 16% |
| J04074E01 - Prelim Eng - Milorganite Packaging Facility | 4/22/2020 | 72% | \$ 374,626 | \$ 242,095 | \$ 87,213 | 23% | \$ 27,523 | 11% |
| J06026D01, JI & SS WRF Lighting Upgrade Design | 4/20/2017 | 99% | \$ 296,694 | \$ 295,031 | \$ 102,567 | 35% | \$ 64,160 | 22% |
| J06054D01 ISS Crane & Tunnel Fan Overhaul | 7/20/2015 | 96% | \$ 268,483 | \$ 256,996 | \$ 74,987 | 28% | \$ 84,448 | 33% |
| M01019P01 - Development of Air Monitoring Plans for Certain Conveyance & WRFs | 8/1/2016 | 100% | \$ 389,316 | \$ 389,207 | \$ 69,065 | 18% | \$ 22,446 | 6% |
| S04030D01 - ES SS Aeration Basin Concrete Rehab Phase 3 | 7/27/2018 | 98% | \$ 203,516 | \$ 198,976 | \$ 69,541 | 34% | \$ 50,253 | 25% |
| TS-2640, On-Call Engineering Services for Conveyance Facilities | 10/13/2017 | 69% | \$ 408,707 | \$ 281,277 | \$ 81,741 | 20% | \$ 86,795 | 31% |

Note: Only contracts that are at least 50% complete are included in the table above.

COMMISSION FILE NO: 21-053-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Change Order Request, Contract M10004E02, District Engineering Services for the Private Property Infiltration and Inflow Reduction Program

SUMMARY:

The Commission is requested to authorize the Executive Director to execute a change order to Contract M10004E02, District Engineering Services for the Private Property Infiltration and Inflow (PPII) Reduction Program, with Oneida Total Integrated Enterprises, LLC, (OTIE) in the amount of \$652,000.

In January 2018, the Commission authorized the award of Contract M10004E02 to OTIE in the amount of \$600,000. OTIE was the highest scoring proposer through a District qualifications-based selection process for professional services. OTIE provides engineering services to both the District and the municipalities served by the District for work completed through the PPII Reduction Program. Contract M10004E02 serves as a master contract with the scope defined by eight general engineering tasks and two project management tasks. The contract is administrated on a task order basis as District or municipality engineering needs arise. The term of the contract is scheduled to expire on December 31, 2022.

ATTACHMENTS: **BACKGROUND** ☒ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☒ **S/W/MBE** ☐ **OTHER** ☐ _____

OP_Change_Order_M10004E02_Engineering_Services_PPII_legislative_file.docx
03-24-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

BACKGROUND

Change Order Request, Contract M10004E02, District Engineering Services for the Private Property Infiltration and Inflow Reduction Program

In February 2011, the Commission authorized the 2010-2020 PPII Reduction Program to reduce flows in the District collection system and reduce the risk of basement backups through mitigation of private property infiltration and inflow sources. In support of the 28 satellite municipalities pursuing PPII reduction projects, the District procured a master contract for engineering services. The central District-procured contract expedited implementation of projects, reduced costs through economies of scale, and promoted consistent project completion. When the original District engineering contract expired in 2017, the District issued two requests for proposals, splitting the scope into two contracts, with one primarily for District engineering services and this contract with OTIE primarily for municipality engineering services. The OTIE contract has enabled engineering work that is typically smaller in scale to be completed at a lower cost with a higher small, women, and minority-owned business enterprise (SWMBE) participation rate for municipalities and the District. The Contract M10004E02 value of \$600,000 was determined based on the previous District and municipality use of the original 2011 engineering contract. To date, a total of \$558,223 of the contract is committed to active or completed task orders; \$97,048 is committed to municipality PPII project task orders, and \$461,175 is committed to District PPII engineering task orders.

Two developments in the PPII Reduction Program have increased the need for engineering support significantly beyond the anticipated level of effort at the onset of the contract. Needs are estimated to cost \$652,000 and include the following:

- In April 2020, the Commission approved the revised Statement of Policy, Private Property Infiltration and Inflow Reduction Program, through Resolution 20-058-4. The revised Statement of Policy sets annual milestone dates that motivate municipalities to complete PPII reduction work in a timely manner or risk losing program funding. The policy change is anticipated to result in an estimated increase in demand for municipality engineering services of \$150,000. An additional \$50,000 is requested for District engineering support services needed for municipality staff and consultant training and developing technical standards.
- In 2018, defects were identified in laterals that were rehabilitated through cured-in-place-pipe lining funded by the District program. Engineering services for design, field inspection, and construction engineering services required for repair of the defective work are an estimated \$452,000.

BACKGROUND (Cont'd)

Change Order Request, Contract M10004E02, District Engineering Services for the Private Property Infiltration and Inflow Reduction Program

The municipality work defined in this change order request for Contract M10004E02 is funded through the accumulated annual program allocations to each municipality and is included in the total project cost of Project M10005 as approved through the 2021 budget. The District work defined in this change order request for Contract M10004E02 is included in the total project cost of Project M10004 as approved through the 2021 budget. This change order does not change the total project cost. This requested change order consists of an increase to the not-to-exceed value of the contract with no change in scope definition or the December 31, 2022, contract expiration date.

CONTRACT COST CHANGES

| | AMOUNT | PERCENTAGE INCREASE OVER ORIGINAL CONTRACT | AUTHORIZED BY | SWMBE |
|---------------------------|---------------|---|--------------------------|--------------|
| Original 2018 Contract | \$600,000 | | Commission | 81% |
| Change Order #1 | \$0 | N/A | Division Director | N/A |
| Change Order #2 | \$0 | N/A | Division Director | N/A |
| Requested Change Order #3 | \$652,000 | 108.7% | Request of Commission | 51% |
| Total Change Orders | \$652,000 | 108.7% | | 51% |
| Revised Contract | \$1,252,000 | | | 54% |

RESOLUTION

Change Order Request, Contract M10004E02, District Engineering Services for the Private Property Infiltration and Inflow Reduction Program

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute a change order to Contract M10004E02, District Engineering Services for the Private Property Infiltration and Inflow Reduction Program, with Oneida Total Integrated Enterprises, LLC, in the amount of \$652,000.



Capital Budget Fiscal Note

Total Project Cost

RELATING TO:

Change Order Request, Contract M10004E02, District Engineering Services for the Private Property Infiltration and Inflow Reduction Program

Capital Project Number(s)

M10004

Impact of Requested Action on Total Project Cost:

☐

Increase

☐

Decrease

☐

New Project

☒

No Change

Total Project Cost Analysis

Adopted 2021 Total Project Cost

Previously Approved Changes

Approved Total Project Cost

Requested Total Project Cost

Requested (Increase)/Decrease

Project Costs

\$10,108,057

\$0

\$10,108,057

n/a

\$0

Action to be taken to Long-Range Financing Plan to address Total Project Cost change

_____ Transfer from Allowance for Cost and Schedule Changes

_____ Transfer from another project (specify in comments)

_____ Delay Project(s) (specify in comments)

_____ Delete Project(s) (specify in comments)

_____ Other _____

_____ Transfer to Allowance for Cost and Schedule Changes

Comments

Budget Review by:

Christine Durkin

Date:

3/15/2021

COMMISSION FILE NO: 21-054-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Agreement between the Milwaukee Metropolitan Sewerage District and the City of Wauwatosa Regarding the Western Milwaukee Phase 2B Project W20028

SUMMARY:

The Commission is requested to authorize the Executive Director to execute an intergovernmental cooperation agreement (ICA) between the Milwaukee Metropolitan Sewerage District (District) and the City of Wauwatosa (City) regarding the Western Milwaukee Phase 2B Project.

The Western Milwaukee Project is part of the overall Menomonee River Phase II Watercourse Management Plan (Plan). The Plan includes flood management with integrated watercourse restoration. It reduces the flood risk of 319 structures and simultaneously provides aquatic and riparian habitat restoration.

The Western Milwaukee Project focuses on the Menomonee River between Hart Park and U.S. Highway 175 and is in the Cities of Milwaukee and Wauwatosa. The project consists of designing and constructing a levee/floodwall system, lowering the floodplain between the river and the Canadian Pacific Railroad tracks, and modifying the interior drainage system. There are three phases to the Western Milwaukee Project: Phases 1, 2A, and 2B. The District has constructed Phases 1 and 2A. The entire system will be designed so it meets Federal Emergency Management Agency (FEMA) and Wisconsin Department of Natural Resources floodplain regulations. This will ultimately reduce flood risk to the 319 structures, and they will no longer be in the regulatory floodplain.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☒ **S/W/MBE** ☐ **OTHER** ☐ _____

PCP_ICA_Wauwatosa_Western_Milw_2B_legislative_file.docx
03-25-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Agreement between the Milwaukee Metropolitan Sewerage District and the City of Wauwatosa Regarding the Western Milwaukee Phase 2B Project W20028

As the project affects both the Cities of Milwaukee and Wauwatosa, it has been necessary to define the roles of the District and each municipality. As such, the District has negotiated a separate ICA with each municipality. The Commission authorized the ICA with the City of Milwaukee in February 2021, and it is pending final execution. The District and the City of Wauwatosa have completed negotiations for the ICA proposed under this Commission request.

Major elements of the Western Milwaukee Phase 2B Project addressed under the Wauwatosa ICA include:

- Levee and floodwall
- Storm sewers
- Street lighting and underground conduit relocations
- State Street sidewalks and pavement
- FEMA floodplain mapping and permitting
- Miscellaneous items

The following summarizes City and District responsibilities as defined in the proposed ICA.

Under the ICA, the District will:

- Contract for and manage the design and construction of facilities listed above.
- Provide the City with appropriate property rights and access for their utilities after construction.
- Develop and implement a Levee Management Area (LMA), which will ensure that the District can manage construction activities by others on and adjacent to the levee so that the flood risk reduction benefits of the levee are not compromised.
- Inspect and assess levee related assets in the LMA consistent with levee management best practices.
- Share long-term repair costs of City storm sewer assets in the LMA built under the Phase 2B construction contract when repairs are necessary to maintain levee accreditation.
- Compensate the City for 25 percent of costs to replace the Hart Park Comfort Station, in an amount not to exceed \$100,000. FEMA is requiring that the comfort station be removed from the floodplain.
- Provide the City opportunities to review design documents and provide record drawings upon completion.
- Develop and submit FEMA permitting materials.

SUMMARY (Cont'd)

Agreement between the Milwaukee Metropolitan Sewerage District and the City of Wauwatosa Regarding the Western Milwaukee Phase 2B Project W20028

The City will:

- Work collaboratively with the District on levee protection requirements for future construction projects within the LMA.
- Provide the District with appropriate property rights and access for the levee and District utilities constructed with Phase 2B that cross City property or right-of-way.
- Accept ownership of one of the four new storm sewer systems and agree to properly operate, inspect, and maintain this system. This storm sewer system is the only one located in the City.
- Accept ownership of new and replacement City utilities and assets that are necessary due to the levee.
- Raze the existing Hart Park Comfort Station, including removing footings and concrete slab, and work with the District to identify a location for the new comfort station.
- Share long-term repair costs of City storm sewer assets in the LMA built under the Phase 2B construction contract when repairs are necessary to maintain levee accreditation.

RESOLUTION

Agreement between the Milwaukee Metropolitan Sewerage District and the City of Wauwatosa Regarding the Western Milwaukee Phase 2B Project W20028

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute an intergovernmental cooperation agreement between the Milwaukee Metropolitan Sewerage District and the City of Wauwatosa regarding the Western Milwaukee Phase 2B Project.



Capital Budget Fiscal Note Total Project Cost

RELATING TO:

Agreement between the Milwaukee Metropolitan Sewerage District and the City of Wauwatosa Regarding the Western Milwaukee Phase 2B Project W20028

Capital Project Number(s)

W20028

Impact of Requested Action on Total Project Cost:

☐

Increase

☐

Decrease

☐

New Project

☒

No Change

Total Project Cost Analysis

Adopted 2021 Total Project Cost

Previously Approved Changes

Approved Total Project Cost

Requested Total Project Cost

Requested (Increase)/Decrease

Project Costs

\$30,599,416

\$0

\$30,599,416

n/a

\$0

Action to be taken to Long-Range Financing Plan to address Total Project Cost change

_____ Transfer from Allowance for Cost and Schedule Changes

_____ Transfer from another project (specify in comments)

_____ Delay Project(s) (specify in comments)

_____ Delete Project(s) (specify in comments)

_____ Other _____

_____ Transfer to Allowance for Cost and Schedule Changes

Comments

Budget Review by:

Theresa Zwieg

Date:

1/14/2021

COMMISSION FILE NO: 21-055-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Approval of National Fish and Wildlife Foundation Wisconsin Green Infrastructure Funder Collaboration Change Order Two, Contract G98013P01

SUMMARY:

The Commission is requested to authorize the Executive Director to execute Change Order Two to Contract G98013P01, National Fish and Wildlife Foundation (NFWF) Wisconsin Green Infrastructure (GI) Funder Collaboration (Collaboration), for two additional years of funding in an amount not to exceed \$800,000 for an amended total contract cost of \$1,200,000.

The Commission approved the award of Contract G98013P01 in February 2020 to NFWF. The scope of the contract originally included one year of funding to the Collaboration with the option to add two additional years of funding.

Change Order Two will add two additional rounds of funding (2021 and 2022) totaling \$800,000. The first round of funding in 2020 was successful at achieving desired GI projects. The contract will extend to December 2024 as projects awarded in the final round of funding (2022) will be given until 2024 to complete implementation. Each of the next two rounds of NFWF GI Collaboration funding will receive \$400,000 for GI projects. MMSD funds will be awarded and spent solely within the MMSD GI service area. These projects work to achieve the District's 2035 Vision, Wisconsin Pollutant Discharge Elimination System Permit, and Regional GI Plan goals.

ATTACHMENTS: **BACKGROUND** ☒ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☒ **S/W/MBE** ☐ **OTHER** ☐ _____

PFP_NFWF_GI_Funder_Collaboration_Change_Order_One_Contract_G98013P01_legislative_file.docx
03-24-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Approval of National Fish and Wildlife Foundation Wisconsin Green Infrastructure Funder Collaboration Change Order Two, Contract G98013P01

Staff recommends approval of Change Order Two to increase the contract for two additional rounds of funding, increasing the contract amount by \$800,000. The work in Change Order Two includes participating for two additional years in the Collaboration and making awards for GI projects.

CONTRACT COST CHANGES

| CONTRACT | AMOUNT | PERCENT INCREASE OVER ORIGINAL CONTRACT | AUTHORIZED BY | SWMBE |
|------------------|--------------|---|-------------------|-------|
| Original | \$400,000 | | Commission | NA |
| Change Order One | Scope change | 0% | Division Director | NA |
| Change Order Two | \$800,000 | 200% | | NA |

In the first year of the Collaboration, eight projects were selected to receive grant funds totaling \$1.36 million. Grantees will leverage this with an additional \$1.33 million in match for a total on-the-ground impact of \$2.7 million. The grants awarded by the Collaboration in 2020 are expected to restore 825 acres of wetland habitat, control 400 acres of invasive species, add 4.3 million gallons of stormwater storage capacity annually, and create or improve six public access points.

BACKGROUND

Approval of National Fish and Wildlife Foundation Wisconsin Green Infrastructure Funder Collaboration Change Order Two, Contract G98013P01

The projects that MMSD funds through this program support the District's 2035 Vision, Regional GI Plan, Urban Biodiversity Plan, and Wisconsin Pollutant Discharge Elimination System permit GI goal. Projects also improve water quality and climate resiliency.

The Collaboration is intended to engage a diverse group of partners with mutual interests, leverage funding for GI projects, maximize returns on contributions, and generate important ecological, economic, and community outcomes through strategic GI investments.

The Sustain Our Great Lakes (SOGL) grant program includes five funding categories as follows:

1. Restore and Enhance Stream and Riparian Habitat
2. Restore and Enhance Coastal Wetland Habitat
3. Expand Green Stormwater Infrastructure in Great Lakes Communities
4. Maintain and Enhance Benefits of Habitat Restoration through Invasive Species Control
5. Restore and Preserve Natural Areas and Biodiversity in Wisconsin's Lake Michigan Watershed

Funding priorities for on-the-ground projects in which MMSD participates are category five, "Restore and Preserve Natural Areas and Biodiversity in Wisconsin's Lake Michigan Watershed" and focus primarily on increasing the complexity, connectivity, and quality of habitats and natural areas; improving habitat and community resilience in the face of intensifying environmental stressors related to climate, development, nonpoint source pollution, and other factors; enhancing biodiversity and safeguarding habitat for critical species; and supporting healthy populations of native species.

To ensure that the Collaboration is successful, a cohort of key stakeholders is engaged via the following roles: funding partner, technical expert, strategy framer, and fund administrator. In this model, NFWF, as the fund administrator, receives financial resources and expertise from public and private funding partners who collaborate on the grant program based on shared funding priorities. These priorities are addressed by awarding grants to on-the-ground implementers (non-governmental organizations, community organizations, etc.) through the SOGL competitive grant program managed by NFWF.

BACKGROUND (Cont'd)

Approval of National Fish and Wildlife Foundation Wisconsin Green Infrastructure Funder Collaboration Change Order Two, Contract G98013P01

The following tasks will be completed by MMSD:

1. Provide a payment of \$400,000 to NFWF to administer a grant program for GI implementation in the MMSD GI service area in funding cycle years 2021 and 2022
2. Provide a project manager. The project manager will:
 - a. Participate on an applicant review panel
 - b. Provide contract support to NFWF
3. Provide template language for required contracts where MMSD funding is allocated (maintenance, conservation easements, access, final reporting data)
4. Promote program application and funding selections on social media
5. Provide legal and real estate services to obtain funding agreements
6. Assist with program management duties as requested by NFWF
7. Attend planning meetings with NFWF and other funders

The following tasks will be completed by NFWF:

1. Allow MMSD to review application documents and have one representative on the applicant review panel
2. Manage contracts with grantees
3. Collect final reports from grantees based on the MMSD final report template
4. Obtain necessary conservation easements on projects that receive MMSD funding
5. Promote the program noting MMSD as a partner
6. Allow for review of all promotional materials with MMSD and/or Fresh Coast Guardians logo
7. Administer the application process and manage the selection process
8. Submit an invoice for the 2021 and 2022 funding cycles to the District for no more than \$400,000 by November 1 of 2021 and 2022
9. Provide a report on program successes, lessons learned, spending, and project progress by March 2022 and 2023
10. Use MMSD funding only on projects within MMSD's GI service area and where a conservation easement will be extended to MMSD

Awards will be made to on-the-ground implementers during funding cycle years 2021 and 2022; each project will be given two years to complete. Up to 10 percent of each year's funding allocation cost (\$40,000) can be used for NFWF administrative time and expenses to administer the program.

The Collaboration helps MMSD leverage external funding, grow national interest in Milwaukee's GI, increase GI implementation in the region, and make progress toward achieving the 2035 Vision.

RESOLUTION

Approval of National Fish and Wildlife Foundation Wisconsin Green Infrastructure
Funder Collaboration Change Order Two, Contract G98013P01

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute Change Order Two to Contract G98013P01, National Fish and Wildlife Foundation Wisconsin Green Infrastructure Funder Collaboration, for two additional years of funding in an amount not to exceed \$800,000 for an amended total contract cost of \$1,200,000.



Capital Budget Fiscal Note

Total Project Cost

RELATING TO:

Approval of National Fish and Wildlife Foundation Wisconsin Green Infrastructure Funder Collaboration Change Order Two, Contract G98013P01

Capital Project Number(s)

G98013

Impact of Requested Action on Total Project Cost:☐

Increase

☐

Decrease

☐

New Project

☒

No Change

Total Project Cost Analysis**Project Costs**

Adopted 2021 Total Project Cost

\$1,292,643

Previously Approved Changes

\$0

Approved Total Project Cost

\$1,292,643

Requested Total Project Cost

n/a

Requested (Increase)/Decrease

\$0

Action to be taken to Long-Range Financing Plan to address Total Project Cost change

_____ Transfer from Allowance for Cost and Schedule Changes

_____ Transfer from another project (specify in comments)

_____ Delay Project(s) (specify in comments)

_____ Delete Project(s) (specify in comments)

_____ Other _____

_____ Transfer to Allowance for Cost and Schedule Changes

Comments

Budget Review by:

Christine Durkin

Date:

3/15/2021

COMMISSION FILE NO: 21-056-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Approve Change in Total Project Cost for Project C98060, Sanitary Sewer Overflow Elimination Study, Amend Total Project Cost for Project M99001, Allowance for Cost and Schedule Changes, and Restore Change Authority to the Executive Director

SUMMARY:

The Commission is requested to increase the total project cost (TPC) for Project C98060, Sanitary Sewer Overflow (SSO) Elimination Study, by \$101,000 for an amended TPC of \$252,810, to make a corresponding change to the TPC for Project M99001, Allowance for Cost and Schedule Changes, and to restore change authority to the Executive Director.

The TPC for Project C98060 is \$151,810. The Executive Director has approved a previous increase of \$13,000, which is included in this amount. The additional \$101,000 requested is for internal staff labor to complete the planning study.

The SSO Elimination Study project scope consists of a planning level analysis by staff that evaluates alternatives for eliminating each separate sewer outfall in the District's system. The purpose of the project is to meet the 2035 Vision goal of zero overflows and to meet the regulatory requirements for zero separate sewer overflows. The planning study includes the evaluation of each separate sewer outfall and the development of alternatives that will lead to capital improvements, including the abandonment of separate sewer outfall sites where possible.

The project is to be completed in 2021, and additional work has been identified, including further investigation of alternatives and hydraulic modeling to analyze proposed alternatives. The causes of overflows at three of the sites were difficult to identify. Review of monitoring data and hydraulic analysis is needed and is beyond the original estimate for labor costs. In addition, five sites will require additional/unanticipated analysis for developing alternative alignments. This work is above and beyond the original level of effort that was anticipated when the project was established.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒

FISCAL NOTE ☒ **S/W/MBE** ☐ **OTHER** ☐ _____

PFP_SSO_Elimination_Study_C98060_legislative_file.docx
03-24-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

RESOLUTION

Approve Change in Total Project Cost for Project C98060, Sanitary Sewer Overflow Elimination Study, Amend Total Project Cost for Project M99001, Allowance for Cost and Schedule Changes, and Restore Change Authority to the Executive Director

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the total project cost for Project C98060, Sanitary Sewer Overflow Elimination Study, is increased by \$101,000, that a corresponding change is made to the total project cost for Project M99001, Allowance for Cost and Schedule Changes, and that the Executive Director's change authority is restored.

COMMISSION FILE NO: 21-057-4 **DATE INTRODUCED:** April 12, 2021

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Authorizing the Transfer of Funds in the 2020 Operations and Maintenance Budget and the Transfer of Funds in the 2020 Capital Budget

SUMMARY:

The Commission is requested to approve the transfer of funds in the 2020 Operations and Maintenance (O&M) Budget. Commission Policy 1-15.01, Operations and Maintenance Budget, requires Commission approval to offset overruns in one division with a surplus from another division or the unallocated reserve, as appropriate.

Likewise, the Commission is asked to approve the transfer of funds between capital accounts in the 2020 Capital Budget. Commission Policy 1-15.02, Capital Budget, requires Commission approval to offset overruns in one capital account with a surplus from another capital account.

The amount of requested transfers is based on preliminary financial reports for 2020. A preliminary analysis of the 2020 surplus, subject to final audit, indicates a yearend surplus of \$6,319,693. The surplus is to be used in the 2022 O&M Budget as surplus applied and a reduction to user charge billings.

A two-thirds affirmative vote of the Commission is required for adoption.

ATTACHMENTS: **BACKGROUND** ☒ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☐ **S/W/MBE** ☐ **OTHER** ☐ _____

PFP_Budget_Transfer_2020_legislative_file.docx
03-24-21

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Authorizing the Transfer of Funds in the 2020 Operations and Maintenance Budget and
the Transfer of Funds in the 2020 Capital Budget

Division: Information Technology Services

Transfer Amount: \$418,000

The transfer is needed to offset the unfavorable variance of \$418,00 within the Information Technology Services Division. The unfavorable variance is primarily due to the unbudgeted expenses for the enterprise resource planning system training software contract, the expedited unbudgeted purchase of the storage array network device, and the unbudgeted purchases of additional laptops for staff to work remotely. A transfer of \$418,000 is requested from the Unallocated Reserve account.

BACKGROUND

Authorizing the Transfer of Funds in the 2020 Operations and Maintenance Budget and the Transfer of Funds in the 2020 Capital Budget

O&M Transfers

| | 2020 Adopted Budget | 2020 Preliminary Actual | 2020 Preliminary Variance | Transfer From | Transfer To | 2020 Amended Budget |
|---|------------------------|----------------------------|------------------------------|--------------------|------------------|------------------------|
| Commission | \$232,582 | \$221,821 | \$10,761 | | | \$232,582 |
| Office of Executive Director | \$1,966,626 | \$1,780,783 | \$185,843 | | | \$1,966,626 |
| Information Technology Services | \$4,334,186 | \$4,751,436 | (\$417,250) | | \$418,000 | \$4,752,186 |
| Legal Services | \$740,913 | \$489,351 | \$251,562 | | | \$740,913 |
| Finance | \$3,329,504 | \$2,518,722 | \$810,782 | | | \$3,329,504 |
| Technical Services | \$71,787,349 | \$69,432,183 | \$2,355,166 | | | \$71,787,349 |
| Planning, Research, & Sustainability | \$3,196,755 | \$3,196,755 | \$0 | | | \$3,196,755 |
| Water Quality Protection | \$4,874,586 | \$4,874,586 | \$0 | | | \$4,874,586 |
| Community Outreach & Business Engagement | \$6,448,120 | \$6,448,120 | \$0 | | | \$6,448,120 |
| Fringe Benefits | \$9,001,267 | \$9,001,267 | \$0 | | | \$9,001,267 |
| Unallocated Reserve | \$2,176,906 | \$0 | \$2,176,906 | (\$418,000) | | \$1,758,906 |
| Total | \$108,088,794 | \$102,715,024 | \$5,373,770 | (\$418,000) | \$418,000 | \$108,088,794 |

In the 2020 Capital Budget, the Water Reclamation Facilities capital account exceeded the budgeted level by \$675,000. The unfavorable variance is due primarily to unanticipated expenditures in Project J01024, Harbor Siphon Structures and Adjacent Asset Modifications. In 2020, the construction element of the emergency project was more clearly defined, resulting in higher than anticipated costs, and it reached substantial completion. The project's total project cost was increased several times in 2020 to accommodate the increased expenditures. The unfavorable variances do not negatively affect the District's Long-range Financing Plan. If approved, \$675,000 of unspent budgeted funds will be transferred from the Conveyance Facilities capital account to the Water Reclamation Facilities capital account to offset overruns.

| Note, all dollars are in thousands. | 2020 Adopted Budget | 2020 Actual | Year- End Variance | Transfer From | Transfer To | 2020 Amended Budget |
|--|---------------------------|-----------------|--------------------------|------------------|----------------|---------------------------|
| Water Reclamation Facilities | \$50,509 | \$51,183 | (\$674) | | 675 | \$51,184 |
| Conveyance Facilities | \$13,045 | \$5,550 | \$7,495 | \$675 | | \$12,370 |
| Watercourse & Flood Management Projects | \$16,977 | \$16,478 | \$498 | | | \$16,977 |
| Other Projects | \$34,992 | \$26,055 | \$8,937 | | | \$34,992 |
| Totals | \$115,523 | \$99,267 | \$16,256 | \$675 | \$675 | \$115,523 |

RESOLUTION

Authorizing the Transfer of Funds in the 2020 Operations and Maintenance Budget and the Transfer of Funds in the 2020 Capital Budget

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that funds from the 2020 Operations and Maintenance Budget be transferred as follows:

1. A total of \$418,000 from Unallocated Reserve account to the Information Technology Services Division;

and that funds from the 2020 Capital Budget are transferred as follows:

2. A total of \$675,000 from the Conveyance Facilities capital account to the Water Reclamation Facilities capital account.

COMMISSION MEETING

April 26, 2021

EXECUTIVE DIRECTOR'S REPORT

21-003-01

- A. Monthly Reports**
- B. Staff Recognition (Kevin Shafer)**
- C. Private Property Infiltration and Inflow Emergency Declaration Update (Kevin Shafer)**
- D. Testing Wastewater for COVID-19 (Sandra McLellan)**
- E. Veolia Year in Review (Scott Royer)**

April 2021

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-------------|--|-----|-----|-----|------------------|-----|
| | | | | 1 | 2 GOOD FRIDAY | 3 |
| 4 EASTER | 5 | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 Operations Committee-9:00 a.m. PF&P Committee- 9:05 a.m. | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 Commission-1:00 p.m. | 27 | 28 | 29 | 30 | |