

AGENDA

THE COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF SPARTANBURG, S.C.

**Meeting Place: 301 South Avenue
Spartanburg, SC 29306**

REGULAR MEETING

**Tuesday, September 22, 2020, 3:00 p.m.
(or immediately following SSSD meeting)**

This is a regular meeting of The Commissioners of Public Works of the City of Spartanburg, S.C. Written notice of the date, time, and place for this meeting, along with the agenda, has been posted in the lobby and on the Spartanburg Water website, and copies have been forwarded to local and nearby news media (including Spartanburg Herald-Journal, The Spartan Weekly, Greenville News, The Greer Citizen, Hometown News, WSPA-TV 7, WYFF-TV 4, WLOS-TV 13, WHNS Fox Carolina, WORD News Radio, WOLT-FM Radio, Tribune Times, and the Times Examiner) at least 24 hours prior to this meeting.

**1. APPROVAL OF MINUTES OF REGULAR MEETING OF AUGUST 25, 2020
AND EXECUTIVE MEETING OF SEPTEMBER 9, 2020**

2. MONTHLY FINANCIAL REPORT

Newt Pressley will present a financial summary of SWS expenditures and revenues for the two-month period ending August 31, 2020.

3. 2021 HEALTH INSURANCE AGENT/BROKER RENEWAL

Since October 2009, Steinberg and Associates has been acting as Spartanburg Water's consultant/broker of record for health, dental, disability, and voluntary life plans. (This includes vision, prescription drug cards and reinsurance as applicable).

During the past several years, the value of having Steinberg & Associates as our agent was demonstrated by their attention to details that resulted in savings and significant reimbursement to the company from our re-insurer. Their knowledge and oversight provides the expertise needed in the complicated medical insurance industry.

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Steinberg and Associates submitted a renewal proposal for their professional services of \$30,000 for the 2021 calendar year. Steinberg and Associates does not receive commissions for medical, dental, vision or reinsurance. This amount represents no increase in cost from the previous year.

Management recommends renewing the agent/broker agreement with Steinberg and Associates. The allocation between companies is \$22,200 for SWS and \$7,800 for SSSD.

4. 2021 RETIREE SUPPLEMENTAL INSURANCE

Spartanburg Water retirees who are 65 and over are currently covered by a Medicare Supplement Insurance Plan provided by United American that includes prescription coverage. Steinberg and Associates performed a market study of potential carriers to determine a recommended provider for the plan renewal in January 2021.

Our consultant obtained the following proposals for the renewal:

Monthly Cost per Retiree:

United American	\$382.55
Transamerica	\$384.55
Hartford	\$389.23

Management recommends United America as our provider for the 2021 renewal of over 65 retiree supplemental insurance.

Spartanburg Water pays 85% of the cost of the supplemental insurance for retirees and they contribute 15%. Based on the number of retirees, the approximate annual net cost is as follows: \$144,374 for SWS and \$70,236 for SSSD.

5. PROCUREMENT POLICY REVISION

The Spartanburg Water System grants bidders the opportunity to protest or challenge the terms of a solicitation or the award of a contract for the procurement of goods and services. Bid protests are an important part of the bidding process to ensure that a procurement is completed in a fair

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manner and with the highest level of quality and integrity. For this reason, the Spartanburg Water System Procurement Policy includes a section dedicated to the resolution of bid protests. The policy details the responsible parties and timelines as it relates to a bidder's right to protest, attempts to resolve a protest, notice of decision by the Spartanburg Water System, and the appeal process.

Revisions are proposed to Section 19. Authority to Resolve Protests of the Spartanburg Water System Procurement Policy in an effort to make the appeal process for bid protests consistent with other appeal processes used throughout the company in which the Chief Executive Office is designated as the final decision maker. The revision would give the Chief Financial Officer or his designee the authority to hear, attempt to resolve, and issue a decision regarding bid protests. Per the revision, the Chief Executive Officer will hear any appeal to the Chief Financial Officer's decision and render a final decision. The proposed revisions to Section 19 will also reduce the number of days a protesting party may submit a protest. The number of days is currently set at fourteen. Per the revision, a protest must be submitted in writing ten days after the protesting party knows or should have known of the facts of a solicitation or award. This revision is consistent with the protest guidelines of the State of South Carolina Procurement Code. Below is Section 19 with the proposed revisions:

SECTION 19. AUTHORITY TO RESOLVE PROTESTS.

A. Right to Protest.

*Any actual or prospective bidder, proposer, or contractor ("Protesting Party") who is aggrieved in connection with the solicitation or award of a contract may protest to the Chief ~~Executive~~ **Financial** Officer or his designee. The protest shall be submitted in writing within ~~14~~ **10** days after the Protesting Party knows or should have known of the facts giving rise thereto.*

B. Attempts to Resolve Protest.

*After receiving written notice of a Protest the Chief ~~Executive~~ **Financial** Officer or his designee shall attempt to resolve the Protest by mutual agreement. The Chief ~~Executive~~ **Financial***

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Officer is authorized to offer to submit the Protest to mediation. Unless mutually agreed to in writing, attempts to resolve a Protest must be concluded within 14 days of receiving written notice of the Protest (the “Resolution Period”).

C. Decision.

*If the Protest is not resolved by mutual agreement, the Chief **Executive Financial** Officer or his designee shall issue a decision in writing within 10 days of the expiration of the Resolution Period.*

D. Notice of Decision.

*A copy of the decision under Subsection C of this Section shall be mailed or delivered to the Protesting Party and, where applicable, the Presumptive Winner. The Chief **Executive Financial** Officer’s decision shall be final and conclusive, unless fraudulent, or the decision is appealed.*

E. Notice of Appeal.

*If the Protesting Party or Presumptive Winner is aggrieved by the Chief **Executive Financial** Officer’s decision, and would like to appeal that decision, it must provide notice of such appeal to the Chief **Executive Financial** Officer within seven days of receiving written notice of the decision.*

F. Decision on Appeal.

*The ~~Commission~~ **Chief Executive Officer** will hear the appeal and render a final decision.*

Management requests that the Procurement Policy be updated to include the revisions to Section 19. Authority to Resolve Protests.

6. WATER QUALITY REPORT

Management will provide an update on water quality.

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7. REPORT ON DRINKING WATER RESERVOIRS

Management will provide an update on activities with the drinking water reservoirs.

8. AWIA RISK AND RESILIENCY ASSESSMENT AND UPDATE OF EMERGENCY RESPONSE PLAN FOR THE LANDRUM WATER TREATMENT FACILITY AND ASSOCIATED DISTRIBUTION SYSTEM

The federal American Water Infrastructure Act (AWIA) requires that drinking water systems to undertake and certify to the USEPA the completion of a Risk and Resiliency Assessment and then the update of the Emergency Response Plan. SWS has completed the required analysis and update for the Simms Water Treatment Facility which was in the first phase of the AWIA implementation. The second phase of implementation was for smaller drinking water systems, such as the Landrum system.

Management is recommending that the Commission approve the second amendment to the Master Services Agreement with AECOM consulting engineers to perform the work required for the Landrum system. The second amendment is for \$30, 925. Funding will be provided through the Drinking Water Treatment operating budget.

9. ON-CALL ADVISORY SUPPORT (HAZEN)

Staff has identified the need for an on-call, advisory support related to the on-going technical and scientific issues that arise related to water quality, watershed management, and regulatory issues in Lake Bowen, Municipal Reservoir #1, and Lake Blalock. Staff have received a draft Work Authorization from Hazen, under their Master Services Agreement, which meets the needs identified.

Management recommends that the Commission approve the Work Authorization No. 9 on a time and materials basis not-to-exceed amount of \$50,000. Funding will be provided through the Drinking Water Treatment operating budget.

10. PROFESSIONAL SERVICES – I-85 WIDENING PROJECT WATER AND SEWER RELOCATIONS

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At the August 2018 meeting, the Commission approved the award of a professional services contract to Summit Engineering Group to assist Spartanburg Water with the development of water and sewer relocation plans, coordination with the SCDOT, and necessary permitting for the SCDOT's widening of I-85. The professional services contract was based on an hourly rate schedule with a not to exceed amount of \$45,000 for SWS and \$30,000 for SSSD for a total of \$75,000.

An amendment to the professional services contract is needed to change the professional services contract from an hourly rate, with a not to exceed amount, to a lump sum amount. The change is needed due to the need for additional design services and to add construction administration services. The amendment increases the total reimbursement for services and is based on the amounts included in the Memorandum of Agreement between the Commission of Public Works of the City of Spartanburg and the SCDOT. The amounts are based on a percentage of the total construction cost estimates and completed construction plans. Based on the Memorandum of Agreement with the SCDOT, the professional services will be reimbursed by the SCDOT.

Management recommends the approval of the amendment of the professional services contract with Summit Engineering Group to a lump sum amount of \$172,532 to SWS and \$134,662 to SSSD for a total amount of \$307,194.

11. DISTRIBUTION SYSTEM REHABILITATION UPDATE

Spartanburg Water has made a commitment to address the needs of its aging collection and distribution system infrastructure. In FY 20, approximately \$886,747.15 was invested in the rehabilitation of the distribution system. This past year's efforts by the Asset Engineering & Construction Group included twelve distribution system projects to improve fire protection, water quality, and replace aging water mains. Management will provide an overview of the progress made by the Collection and Distribution Department to address these needs in the past year.

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12. AGREEMENTS EXECUTED BY THE CHIEF EXECUTIVE OFFICER ON BEHALF OF THE COMMISSION

The following agreements have been executed on behalf of the Commission by the Chief Executive Officer in accordance with the resolution adopted by the Commission on March 28, 1989.

A. Outside City Private Fire Service Agreement

(1) Tractor Supply FS

Tractor Supply Company located at 4411 S.C. Highway 9 in Boiling Springs, SC, wishes to connect a 6-inch water line to the Commission's 16-inch water line along Highway 9 to serve a private fire protection system, including two hydrants, for the above-mentioned retail store. JFS Holdings, LLC wishes to enter into an agreement for this service.

Annual Stand-by Revenue - \$669.48

B. Lake Agreements

Applications have been submitted and all fees have been paid on the following Lake Agreements, associated with new construction and replacement.

- (1) Todd David Danielson and Rae Fuller Danielson**, desire to stabilize the shoreline on Lake Bowen.
- (2) Leatha and Bret Day**, desire to replace a dock on Lake Blalock.
- (3) David R. Wood and Roberta D. Thomas**, desire to construct a boat lift on Lake Bowen.
- (4) Ashley M. and Lynn Bullington**, desire to replace a dock on Lake Bowen.
- (5) William P. Gee**, desires to stabilize the shoreline on Lake Bowen.

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Applications have been submitted and all fees have been paid on the following Lake Agreements, associated with acknowledgement of ownership.

- (1) **Bobby E. and Ronda M. Hart**, dock replacement and hard pathway on Lake Blalock.
- (2) **Robert and Joan Galas**, dock replacement, hard pathway, and shoreline stabilization on Lake Blalock.
- (3) **Angela R. Amsler and Timothy Amsler**, hard pathway on Lake Bowen.
- (4) **Robert M. Cornelison and Melinda M. Cornelison**, dock replacement on Lake Bowen.
- (5) **Charles A. Coveney and Tiffany M. Coveney**, personal watercraft lift on Lake Bowen.
- (6) **Timothy Joel Edwards and Alicia Holcombe Edwards**, dock replacement, hard pathway, personal watercraft lift, and shoreline stabilization on Lake Bowen.
- (7) **Steven D. Farish**, personal watercraft lift on Lake Bowen.
- (8) **Gregory L. Fletcher and Kathryn G. Fletcher**, dock replacement on Lake Bowen.
- (9) **Lane Fowler**, personal watercraft lift and shoreline stabilization on Lake Bowen.
- (10) **Doris L. Ghionis**, boat ramp on Lake Bowen.
- (11) **Elizabeth Harley**, shoreline stabilization on Lake Bowen.
- (12) **Travis M. Haynes and Ann-Marie L. Haynes**, dock replacement on Lake Bowen.

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- (13) **James David Hendrix**, dock replacement and hard pathway on Lake Bowen.
- (14) **Donald F. Jones**, dock replacement and shoreline stabilization on Lake Bowen.
- (15) **Daniel A. McDowell and Nancy McDowell**, dock replacement and shoreline stabilization on Lake Bowen.
- (16) **James M. Mikutowicz**, dock replacement and shoreline stabilization on Lake Bowen.
- (17) **Ronald L. Revis and Jacquelyn S. Revis**, boat ramp and dock replacement on Lake Bowen.
- (18) **Richard Tim Rhyne and Naoma K. Rhyne**, shoreline stabilization on Lake Bowen.
- (19) **Kevin A. Seay, Kimberly Seay**, boat ramp, dock replacement, and shoreline stabilization on Lake Bowen.
- (20) **Kevin F. Sullivan and Jo Anne Y. Sullivan**, dock replacement, hard pathway, and shoreline stabilization on Lake Bowen.
- (21) **Peggy Hamrick**, dock replacement on Reservoir #1.
- (22) **Anne Homer**, dock replacement on Reservoir #1.

The above is provided as information to the Commission.

13. NEGOTIATIONS AND MISCELLANEOUS ADMINISTRATIVE MATTERS

AGENDA

THE COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF SPARTANBURG, S.C.

**Meeting Place: 297 South Avenue
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EXECUTIVE SESSION

Wednesday, September 9, 2020, 1:00 p.m.

This is an executive session of The Commissioners of Public Works of the City of Spartanburg, S.C. Written notice of the date, time, and place for this meeting, along with the agenda, has been posted in the lobby and on the Spartanburg Water website, and copies have been forwarded to local and nearby news media (including Spartanburg Herald-Journal, The Spartan Weekly, Greenville News, The Greer Citizen, Hometown News, WSPA-TV 7, WYFF-TV 4, WLOS-TV 13, WHNS Fox Carolina, WORD News Radio, WOLT-FM Radio, Tribune Times, and the Times Examiner) at least 24 hours prior to this meeting.

- 1. CALL THE MEETING TO ORDER**
- 2. EXECUTIVE SESSION**

The Commission will enter into executive session to receive legal advice concerning Municipal Reservoir 1 issues.