



Toho Water Board of Supervisors' Meeting

Date and Time: Wednesday, March 13, 2024 at 5:00PM

Board Members and Executive Staff:

Henry Thacker - Chair
Rayelynn Ketchum - Vice Chair
William "Bill" Land - Secretary
Tom White - Supervisor
John McAleenan – Supervisor
Hector Lizasuain – Supervisor
Dave Askew – Supervisor
Cheryl Grieb - Ex-Officio Board Member - Osceola County
Angela Eady - Ex-Officio Board Member - City of Kissimmee
Kolby Urban – Ex-Officio Board Member – City of St. Cloud
Rick Wilson - Ex-Officio Board Member - Polk County
Todd P. Swingle - Executive Director
Anthony Cotter - General Counsel

In accordance with Section 286.0105, Florida Statutes: Any person wishing to appeal any decision made by the Board of Supervisors with respect to any matter considered at such meeting or hearing will need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with Section 286.26, Florida Statutes: Any person needing assistance to participate in any of these proceedings should contact the office of the Executive Director at 407-944-5130 or via email at tohoattend@tohowater.com prior to the meeting.

1. **Meeting called to order:**
2. **Moment of Silent Reflection and Pledge of Allegiance:**
3. **Approval of the Agenda:**
4. **Awards and Presentations:**

4A. PROCLAMATION RECOGNIZING MARCH 18 THROUGH 24 AS FIX A LEAK WEEK

Board approval of the Proclamation recognizing March 18 through 24 as Fix-a-Leak Week. (Cost: None) (Floer)

4B. PROCLAMATION RECOGNIZING APRIL AS WATER CONSERVATION MONTH

Board approval of the Proclamation recognizing April as Water Conservation Month. (Cost: None) (Floer)

5. **Public Hearing:**
6. **Hear the Audience:**
7. **Consent Agenda:**

The Consent Agenda is a technique designed to expedite handling of routine and miscellaneous business of the Board of Supervisors. The Board of Supervisors in one motion may adopt the entire Agenda. The motion for adoption is non-debatable and must receive unanimous approval. By request of any individual member, any item may be removed from the Consent Agenda and placed upon the Regular Agenda for debate.

7A. TOHO WATER AUTHORITY BOARD OF SUPERVISORS' REGULAR MEETING MINUTES OF FEBRUARY 21, 2024

Staff recommends the approval of the Board Meeting minutes from February 21, 2024. (Cost: None) (Smith)

7B. APPROVAL OF A LOW BID \$798,755 CONSTRUCTION CONTRACT WITH CATHCART CONSTRUCTION COMPANY, LLC AND A \$80,000.00 CONTIGENCY FOR THE MAPLE RUN WATERMAIN EXTENSION PROJECT FOR A TOTAL AUTHORIZATION OF \$878,755.

Staff requests approval of a total not-to-exceed authorization of \$878,755 which includes a base construction contract authorization amount of \$798,755 plus a \$80,000 contingency. Staff further

requests authorization for the CEO/Executive Director to execute any such documents as are necessary to expend any contingency provided that the total contract and contingency expenditures remain within the total not-to-exceed contract and contingency limit approved by the Board. (Cost: This request for Construction Bid Amount of \$798,755 and Requested Contingency of \$80,000 for a total not-to-exceed \$878,755.) (Smart)

7C. APPROVAL OF SEVEN PRE-QUALIFIED WELL DRILLING FIRMS TO BID WELL CONSTRUCTION PROJECTS OVER THE NEXT FIVE YEARS (RFQU-24-057)

Staff recommends approval of the seven pre-qualified well drilling firms to bid well drilling services for the construction of water supply and/or injection well projects. (Cost: No costs are associated with this well driller prequalification. Each well bid project exceeding the Executive Director/CEO's authorization authority will be submitted for Board consideration.) (Pang)

7D. APPROVAL OF A \$539,307 CONSULTANT SERVICES AGREEMENT AND SCOPE OF SERVICES WITH AECOM TECHNICAL SERVICES, INC. AND APPROVE \$50,000 CONTINGENCY FOR THE PARKWAY WATER RECLAMATION FACILITY EXPANSION PROJECT (RFQu-23-164). THE TOTAL BOARD AUTHORIZATION REQUEST IS \$589,307.

Staff requests approval of a total-not-to exceed authorization of \$589,307 which includes a scope of services base authorization amount of \$539,307 plus a \$50,000 contingency. Staff further requests authorization for the Executive Director/CEO to execute any such documents as necessary to expend the contingency provided that the total contract and contingency expenditures remain within the total not-to-exceed contract and contingency limit approved by the Board. (Cost: This request for the Initial Scope of Services of \$539,307 plus Contingency of \$50,000 for a total not-to-exceed Project Funding Request of \$589,307.) (Jung)

7E. APPROVAL OF THE RANKING OF FIRMS AND THE SELECTION OF THE TOP RANKED FIRM INWOOD CONSULTING ENGINEERS TO PROVIDE ENGINEERING CONSULTING SERVICES FOR DESIGN, PERMITTING, BIDDING, AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE JACK BRACK ROAD WATER, WASTEWATER AND REUSE UTILITY RELOCATIONS AND REUSE MAIN EXTENSION PROJECT

Staff recommends Board approve the ranking of the firms and the selection of Inwood as the top ranked firm. If a scope of services negotiation with Inwood cannot be concluded to staff's satisfaction, staff requests authorization to begin negotiations with the second

ranked firm, CMA.) (Cost: None at this time. A scope of services and fee will be submitted to the Board for approval at a future meeting.) (Forson)

7F. APPROVAL OF AN EXTENSION TO THE AGREEMENT WITH SHELLEY'S SEPTIC TANK, INC. D/B/A SHELLEY'S ENVIRONMENTAL SYSTEMS FOR BIOSOLIDS DISPOSAL AND/OR BENEFICIAL REUSE SERVICES (RFP-16-015)

Staff recommends approval of the final two-year extension of the Agreement with Shelley's Septic Tank, Inc. d/b/a Shelley's Environmental Systems (RFP-16-015). Staff is also requesting that authorization be delegated to the Executive Director/CEO to execute any such documents as are necessary to expend funds up to the not-to-exceed amount limit approved by the Board. (Cost: \$2.5M per year throughout the term of the Agreement.) (Cairns)

7G. APPROVAL OF AN ADDITIONAL \$50,000 CONTINGENCY FOR THE RANCH WELL AND IRRIGATION FACILITY PROJECT FOR CONSULTING SERVICES WITH TETRA TECH INCLUDING WELL CONSTRUCTION OBSERVATION AND THE RELOCATION OF GOPHER TORTOISES. THE REQUEST, IF APPROVED, INCREASES THE TOTAL BOARD AUTHORIZATION TO \$445,363

The existing approved Board authorization is \$395,363. Staff recommends approval of additional funding of \$50,000 to increase the total not-to-exceed authorization to \$445,363. Staff further requests authorization for the Executive Director/CEO to execute any such documents as are necessary to expend any contingency provided the total contract expenditures remain within the total not-to-exceed contract and contingency limit approved by the Board. (Cost: This Contingency Request of \$50,000 (Additional Consulting Services), Tetra Tech Contract of \$340,363 approved on December 14, 2022 and the Previous Contingency Requests for \$55,000 (the original request) for a total not-to-exceed Project Funding of \$445,363.) (Beatty)

7H. APPROVAL OF THE RANKING OF FIRMS AND SELECTION OF THE TOP RANKED FIRM, AECOM TECHNICAL SERVICES, INC., TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE NORTHWEST WATER TREATMENT PLANT UPGRADE PROJECT.

Staff recommends Board approval the ranking of the firms and the selection of AECOM as the top ranked firm. If a scope of services negotiation with AECOM cannot be concluded to staff's satisfaction, staff requests authorization to begin negotiations with the second ranked firm, CPH, Inc. (Cost: None at this time. A scope of services

and associated fee will be submitted to the Board for approval at a future meeting.) (Webster)

7I. APPROVAL OF EXTENSION TO THE AGREEMENT WITH UNIVERSAL CONTROL INSTRUMENT SERVICES FOR FLOW METER CALIBRATION AND REPAIR (IFB-22-037) THROUGH APRIL 12, 2026.

Staff recommends approval of the extension to the Agreement with Universal Control Instrument Services for Flow Meter Calibration and Repairs Services IFB-22-037 through April 12, 2026. Staff is also requesting that authorization be delegated to the Executive Director/CEO to execute any such documents as are necessary to expend funds up to the total not-to-exceed amount limit approved by the Board. (Cost: An additional \$256,000 for a total cumulative not-to-exceed amount of \$512,000 for Universal Controls Instrument Services, LLC. for the term of the Agreement.) (Cairns)

7J. APPROVAL OF THE AGREEMENT WITH EXPERT CONSTRUCTION MANAGERS, INC FOR HARMONY WATER TREATMENT PLANT SCADA TOWER REPLACEMENT (IFB-24-054)

Staff recommends approval of the Agreement, with Expert Construction Managers, Inc. for Harmony Water Treatment Plant SCADA Tower Replacement. (Cost: Not-to-Exceed \$299,000.) (Cairns)

7K. APPROVAL OF THE LOW RESPONSIVE \$3,756,637 BID AND CONTINUING CONSTRUCTION MANAGER AT RISK CONSTRUCTION CONTRACT ADDENDUM WITH VOGEL BROS. BUILDING CO. FOR THE SANDHILL WATER RECLAMATION FACILITY FILTER, BIOSOLIDS AERATION, AND REJECT DIVERSION PROJECT. THE BOARD IS ALSO REQUESTED TO APPROVE A \$300,000 CONTINGENCY FOR A TOTAL BOARD AUTHORIZATION OF \$4,056,637 [IFB-24-053]

Staff requests award and execution of the Continuing Construction Manager at Risk construction contract addendum with Vogel Bros. Building Co. in the amount of \$3,756,637 and a contingency of \$300,000 for a total not-to-exceed authorization of \$4,056,637. Staff further requests authorization for the CEO/Executive Director to execute any such documents as are necessary to expend any contingency provided that the total contract and contingency expenditures remain within the total not-to-exceed contract and contingency limit approved by the Board. (Cost: This request for Construction Contract Addendum of \$3,756,637 and requested Contingency of \$300,000, for a total this Request of \$4,056,637.) (Eversole)

7L. **APPROVAL OF A \$549,585.60 DESIGN SCOPE OF SERVICES WITH CHA CONSULTING, INC. AND A \$50,000 CONTINGENCY FOR THE TOHO EAST SOUTHSIDE WATER RECLAMATION FACILITY DEWATERING SYSTEM EXPANSION PROJECT [RFQU-22-099]**

Staff requests approval of the contract addendum and a total not-to-exceed authorization of \$599,585.60 which includes a scope of services base authorization of \$549,585.60 plus a \$50,000 contingency. Staff further requests authorization for the CEO/Executive Director to execute any such documents as are necessary to expend any contingency provided that the total contract and contingency expenditures remain within the total not-to-exceed contract and contingency limit approved by the Board. (Cost: This request for Design Scope Services of \$549,585.60 and requested Contingency of \$50,000.00 for a total this request of \$599,585.60.) (Eversole)

7M. **APPROVAL OF MARCH – 2024 ASSET DISPOSAL**

Staff recommends Board approval to dispose of the listed inventory items through donation, auction, disposal, Trade in or recycling. (Cost: None) (Mzee)

7N. **APPROVAL OF THIRD AMENDMENT TO AGREEMENT WITH OSCEOLA COUNTY COUNCIL ON AGING - TOHO ASSISTANCE PLUS PROGRAM (TAP PLUS)**

Staff seeks Board approval for the Third Amendment to the Agreement with Osceola County Council on Aging TAP Plus Program. (Cost: \$150,000 is set aside in the Toho budget to cover assistance during FY24.) (Havey)

7O. **APPROVAL OF FIRST AMENDMENT FOR IFB-23-121 SIDEWALK CURB GUTTER PAVEMENT REPAIR SERVICES**

Staff recommends approval of the 1st Amendment to the Agreement for Sidewalk Curb Gutter Pavement Repair Services IFB-23-121 for both CM Engineering Servces Florida, PLLC and Asphalt 365 INC. We are also requesting that authorization be delegated to the Executive Director/CEO to execute any such documents as are necessary to expend funds up to the total not-to-exceed amount limit approved by the Board. (Cost: Staff is requesting an increase of \$1,962,040 for a total cumulative not-to-exceed amount of \$6,162,040 for CM Engineering Servces Florida, PLLC and Asphalt 365 INC for the term of the Agreement.) (Weber)

8. Informational presentations:

8A. LEAD AND COPPER INSPECTION PROGRAM

Informational only. No action required by Board. (Cost: None)
(Cudahy)

8B. FY24 MID-YEAR SPONSORSHIP REPORT

Informational only. No action required by Board. (Cost None) (Floer)

9. Unfinished business: None

10. New business: None

11. Staff reports:

11A. INFRASTRUCTURE EMERGENCY REPAIR STATUS

Information only. No action is required by the Board. (Cost: Report only; costs exceeding the Executive Director's authorization are submitted to the Board for information if the Executive Director approves repairs as an emergency.) (Pelham)

11B. MONTHLY FINANCIAL REPORT ENDING JANUARY 31, 2024

Informational only. No action required by Board. (Cost: None)
(Villarosa)

12. Comments:

Board Officials
Executive Director
General Counsel

13. Upcoming events:

PI Day	3/14/2024
March for Meals 5K	3/16/2024
Paint the Cloud Green Parade	3/16/2024
St. Patrick's Day	3/17/2024
Financial (Government) Professionals Week	3/18/2024
Fix-A-Leak Week	3/18/2024
World Down Syndrome Day	3/21/2024
World Water Day	3/22/2024
Kowtown	3/23/2024
Walk Mile in Her Shoes	3/27/2024
Hop on Downtown	3/30/2024
Easter	3/31/2024
Autism Awareness Month	4/1/2024

Water Conservation Month	4/1/2024
April Fool's Day	4/1/2024
Arts Alive Showcase	4/5/2024
UCP Poker Tournament	4/5/2024