

## METROPOLITAN UTILITIES DISTRICT

### Minutes of Committee Meetings

July 6, 2023

Chairperson Tanya Cook called to order the Committee meetings of the Metropolitan Utilities District Board of Directors at 8:15 a.m. at its headquarters building located at 7350 World Communications Drive.

Advance notice of the meeting was published in the print version of *The Omaha World-Herald* on Sunday, June 25, 2023. Notice was also provided on the MUD website at [www.mudomaha.com](http://www.mudomaha.com) and other social media platforms. Agendas and all pertinent Board materials to be presented at the meeting were emailed to Directors on June 30, 2023 and posted on the MUD website.

Chairperson Cook announced that the meeting was being livestreamed and a recording of the meeting would be uploaded to the MUD website after the meeting's conclusion.

#### **Safety Briefing**

Vice-President of Safety, Security and Business Continuity Shane Hunter provided a safety briefing for all individuals attending the meeting in-person regarding protocol at the headquarters building in the event of an emergency.

#### **Roll Call**

On a roll call vote, the following Directors acknowledged their attendance: Gwen Howard, Tim Cavanaugh, Jim Begley, Tanya Cook, Dave Friend, Bob Sidzyik, Mike McGowan.

#### **Open Meetings Act Notice**

Chairperson Cook announced that a copy of the Open Meetings Act was located on the wall in the back of the Board Room.

#### **Construction and Operations – Friend, Sidzyik, Cavanaugh**

Senior Vice-President & Chief Operations Officer Gina Langel presented the proposed capital expenditures as outlined in her letter to the Committee dated June 28, 2023.

Interim Director of Plant Engineering Adam Gartner reviewed the Acceptance of Contracts and Payment of Final Estimates as outlined in his letter to the Committee dated June 22, 2023.

Vice-President of Procurement & Enterprise Services Jon Zellars presented the bids on materials and contracts as outlined in the letter to the Committee from Director of Procurement Sherri Meisinger dated June 23, 2023.

Vice-President of Engineering Masa Niiya presented the proposed main extensions as outlined in his letter to the Committee dated June 29, 2023.

**Personnel - Begley, Sidzyik, Friend**

Vice-President of Human Resources Bonnie Savine reviewed the wage and/or salary increases and ratifications as outlined in her letter to the Committee dated June 29, 2023.

Ms. Savine presented the Salary Recommendation for the position of Manager of Diversity, Equity and Inclusion as outlined in her letter to the Committee dated June 29, 2023.

**Judicial & Legislative - Cavanaugh, Cook, Howard**

Senior Vice-President & General Counsel Mark Mendenhall presented the Condemnation Authority as outlined in his letter to the Committee dated June 25, 2023. Permanent and temporary easements in two parcels of land located near 168<sup>th</sup> and Capehart Road in Sarpy County are needed for the construction and operations of large diameter water distribution mains that will connect a new Southwest Water Reservoir to the remainder of the District's water distribution system. A map of the area and two Resolutions were included with the letter to the Committee explaining the efforts that the District has undertaken so far. The authorization to resort to condemnation will enable the District to avoid possible delays in the project though the District will continue its efforts to negotiate in good faith with the landowners.

Mr. Mendenhall reviewed the Subdivision Agreement for MUD Acres 2 as outlined in his letter to the Committee dated July 3, 2023. The land in question is approximately 50 acres near Blair High Road and State Street and is designated for development of the District's second construction center. As part of the process to develop previously undeveloped land, the District, as owner and developer, must engage with various other entities including the City of Omaha, Douglas County, neighboring SIDs and neighboring property owners. The goal of such efforts, in part, is to finalize plans for the development including the final recorded plat and any public improvements to be built during the course of construction. The purpose of the Agreement is to establish the District's obligations and costs to construct and install various public improvements, including sidewalks, street trees, curb ramps, a walking trail, a traffic signal, and roadway improvements such as a deceleration lane and stormwater facilities. Due to the significance of the costs of these improvements, a meeting of the Board's Judicial and Legislative Committee was convened to review them and recommend authorization. Some of the costs will be shared pursuant to two

interlocal cooperation agreements that will be submitted to the Board for approval in the coming months.

**Public Comment**

Chairperson Cook asked if any member of the public would like to address the Board. There were none. She then asked if there were any further comments from the Board. There were none.

At 8:46 a.m., Chairperson Cook announced the Committee Meetings had concluded and the Board would reconvene in ten minutes for the regular monthly Board Meeting.

A handwritten signature in black ink, appearing to read "Mark Doyle", with a horizontal line extending to the right.

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Mark Doyle  
President & Secretary to the Board

MM/mjm

**METROPOLITAN UTILITIES DISTRICT**  
**Minutes of the Regular Monthly Board Meeting**  
**July 6, 2023**

Chairperson Cook called to order the regular Board Meeting of the Metropolitan Utilities District Board of Directors at 9 a.m. at its headquarters building located at 7350 World Communications Drive.

Advance notice of the meeting was published in the print version of *The Omaha World-Herald* on Sunday, June 25, 2023. Notice was also provided on the MUD website at [www.mudomaha.com](http://www.mudomaha.com) and other social media platforms. Agendas and all pertinent Board materials to be presented at the meeting were emailed to Directors on June 30, 2023 and posted on the MUD website.

Chairperson Cook announced that the meeting was being livestreamed and a recording of the meeting would be uploaded to the MUD website after the meeting's conclusion.

**AGENDA NO.1**

**ROLL CALL**

On a roll call vote, the following Directors acknowledged their attendance: Gwen Howard, Tim Cavanaugh, Jim Begley, Tanya Cook, Dave Friend, Bob Sidzyik, Mike McGowan.

**AGENDA NO. 2**

**OPEN MEETINGS ACT NOTICE**

Chairperson Cook announced that a copy of the Open Meetings Act was located on the wall in the back of the Board Room.

**AGENDA NO. 3**

**PLEDGE OF ALLEGIANCE**

Chairperson Cook invited all who wished to participate to recite the Pledge of Allegiance.

**AGENDA NO. 4**

**APPROVAL OF MINUTES FOR THE COMMITTEE MEETINGS AND REGULAR MONTHLY BOARD MEETING FOR JUNE 7, 2023**

Director Cavanaugh moved to approve the minutes for the Committee Meetings and regular monthly Board Meeting for June 7, 2023, which was seconded by Director Howard and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan  
Voting No: None

#### **AGENDA NO. 5**

##### **CAPITAL EXPENDITURES**

Director Friend moved to approve the proposed capital expenditures as presented in the Committee Meetings by Senior Vice-President & Chief Operations Officer Gina Langel and as outlined in her letter to the Committee dated June 28, 2023. The motion was seconded by Director Begley and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan  
Voting No: None

#### **AGENDA NO. 6**

##### **ACCEPTANCE OF CONTRACTS AND PAYMENT OF FINAL ESTIMATES**

Director Friend moved to approve the proposed acceptance of contracts and payment of final estimates as presented in the Committee Meetings by Interim Director of Plant Engineering Adam Gartner and as outlined in his letter to the Committee dated June 22, 2023. The motion was seconded by Director Cavanaugh and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan  
Voting No: None

#### **AGENDA NO. 7**

##### **BIDS ON MATERIALS AND CONTRACTS**

Director Friend moved to approve the bids on materials and contracts as presented to the Committee by Vice-President of Procurement & Enterprise Services Jon Zellars and as outlined in the letter dated June 23, 2023, from Director of Purchasing Sherri Meisinger. The motion was seconded by Director Begley and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan  
Voting No: None

#### **AGENDA NO. 8**

##### **NOTICE OF PURCHASES BETWEEN \$25,000 AND \$50,000**

Director Friend requested that the Notice of Purchases letter dated June 26, 2023 be placed on file.

#### **AGENDA NO. 9**

##### **MAIN EXTENSIONS**

Director Friend moved to approve the proposed main extensions as presented by Vice-President of Engineering Masa Niiya and as outlined in his letter to the Committee

dated June 29, 2023, which was seconded by Director Cavanaugh and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan

Voting No: None

**AGENDA NO. 10**

**WAGE AND/OR SALARY INCREASES AND RATIFICATIONS**

Director Begley moved to approve the Wage and/or Salary Increases and Ratifications as outlined in the letter dated June 29, 2023 from Vice-President of Human Resources Bonnie Savine. The motion was seconded by Director Howard and carried on a roll call vote.

**AGENDA NO. 11**

**SALARY RECOMMENDATION FOR MANAGER OF DIVERSITY, EQUITY, AND INCLUSION**

Director Begley moved to approve the salary recommendation for the position of Manager of Diversity, Equity and Inclusion as presented at the Committee Meetings and outlined in the letter from Ms. Savine dated June 29, 2023.

Director Cavanaugh stated that he would be voting "no" and explained that though the goals are legitimate and laudable, the position is not necessary and a waste of taxpayer money.

The motion was seconded by Director Howard and carried on a roll call vote.

Voting Yes: Howard, Begley, Cook, Sidzyik, McGowan

Voting No: Cavanaugh, Friend

**AGENDA NO. 12**

**CONDEMNATION AUTHORITY**

Director Cavanaugh moved to approve the Condemnation Authority as presented by Mr. Mendenhall in the Committee Meetings and as outlined in his letter to the Committee dated June 25, 2023. The motion was seconded by Director McGowan and carried on a roll call vote.

**AGENDA NO. 13**

**SUBDIVISION AGREEMENT – MUD ACRES 2**

Director Cavanaugh moved to approve the Subdivision Agreement for MUD Acres as presented in the Committee Meetings and as outlined in his letter to the Committee dated July 3, 2023. The motion was seconded by Director Begley and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan  
Voting No: None

#### **AGENDA NO. 15**

##### **OTHER MATTERS OF DISTRICT BUSINESS FOR DISCUSSION**

Chairperson Cook asked whether any Directors had any matters of District business for discussion.

Senior Vice-President & Chief Financial Officer Mark Myers provided an update on the issue of providing insurance coverage for the District's vehicle fleet as discussed at the June Board meeting when he presented information on the renewal of a number of the District's other insurance policies. He reported in June that Nationwide, the existing auto insurance carrier, elected not to renew the District's policy due to a hail damage claim filed in 2022 and Aon was continuing to seek out alternatives for insuring the fleet. Management requested at that time that the Board grant the President authority to execute an insurance policy for the fleet, provided it contained at least the same amount of coverage and had an annual premium that was no more than 25% higher than the expiring premium. That search did not yield any satisfactory options resulting in Management's decision to self-insure the vehicle fleet for this year. The decision will be reevaluated next year when the insurance policies are up for renewal again.

Director Cavanaugh inquired as to whether the District would be required to set up a fund in order to be qualified to be self-insured. Mr. Myers stated that there is no such requirement, but the District has in the past created a reserve fund for various self-insured liabilities based on estimated amounts of potential losses on a five-year average of historical claims. Some examples of these self-insured liabilities include public liability claims, workers compensation claims, and collision damage for vehicles.

#### **AGENDA NO. 16**

##### **PUBLIC COMMENT**

Chairperson Cook asked whether any members of the public were present who wished to address the Board. There were none. Chairperson Cook asked whether there were any further comments from the Board. There were none.

Mr. Mendenhall reported to the Board that Mary Mancuso, assistant to the President and Senior Vice-Presidents, would be retiring from MUD by the end of the year and outlined the process that he expected to take place over the course of the next several months in order to handle the transition for her replacement.

#### **AGENDA NO. 17**

##### **CLOSED SESSION – LITIGATION, PERSONNEL & REAL ESTATE**

A Closed Session was not necessary.

Director Begley moved to adjourn the regular Board Meeting which was seconded by Director Cavanaugh and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan

Voting No: None

The regular Board Meeting was adjourned at 9:14 a.m.



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Mark Doyle  
President & Secretary to the Board

MM/mjm

**APPROVED BY BOARD**

**METROPOLITAN UTILITIES DISTRICT**

*Inter-Department Communication*

July 28, 2023

**Subject: CAPITAL EXPENDITURES**

**To:** Committee on Construction and Operations  
cc: all Board Members, Doyle, Mendenhall, Myers, Lobsiger, Ausdemore,  
Langel, and all Vice Presidents

**From:** Masa Niiya, Vice President, Engineering

The following items will be on the August 2, 2023, Committee Agenda for consideration and the Board Agenda for approval.

**SYSTEM IMPROVEMENTS**

**1. JOB #:** 100089000942

**TOTAL COST** \$ 60,000

**PURPOSE:** Purchase specific type of shoring system to be used when changing out hydrants and valves that have reached the end of their useful life.

**DESCRIPTION:** The shoring system improves safety by offering better-suited configurations to accommodate the presence of existing utilities and prevent cave-ins during excavations.

**2. JOB #:** R2052 (100053001472 - \$ 1,050,800) & (100067001452 - \$107,400) & (100062000676 - \$20,000) & (100062000677 - \$35,000) & (100054001051 - \$406,600) & (100068001047 - \$25,000)

**TOTAL COST:** \$1,644,800

**LOCATION:** South 36th St. from Sheridan Rd. to Platteview Rd. in Bellevue

**DIRECTOR SUBDIVISION:** Sidzyik

**PURPOSE:** Relocate water and gas mains and a regulator station in order to eliminate conflicts with City of Bellevue's Road improvement project involving grading, paving and storm sewers.

**DESCRIPTION:** Included in the relocation is a 12" ductile iron water main in 36<sup>th</sup> St. that will be upsized to 16" ductile iron water main between Schneekloth Rd. and Spring Blvd. to improve water service from the Schneekloth pump station. This project is anticipated to start in September 2023 and will be constructed by an MUD crew. Mains are in public right-of-way and not reimbursable.

**3. JOB # R2242:** (100054001087 - \$594,000) & (100068001069 - \$66,000) & (100051001071 - \$148,000) & (100053001544 - \$49,680) & (100067001525 - \$5,520)

**TOTAL COST:** \$ 863,200

**LOCATION:** "Q" St. from S. 49<sup>th</sup> St. to S. 44<sup>th</sup> St. and S. 48<sup>th</sup> St. from "Q" St. to Polk St.

**DIRECTOR SUBDIVISION:** Howard

**PURPOSE:** Relocate mains in order to eliminate conflicts with proposed grading, paving, & storm sewers being done for the City of Omaha's roadway project ("Q" St. & S. 48<sup>th</sup> St.).

**DESCRIPTION:** In addition to gas work, MUD crews will complete an external repair on the 54" concrete water main (100051001071) and relocate a hydrant (100053001544 & 100067001525). The concrete main repair is in response to the condition assessment work that was completed in the spring of 2022. This work is anticipated to start in September 2023 and will be constructed by M.U.D. crews.

This work is not reimbursable as the mains are in public right-of-way. Seventeen (17) residential gas services will be replaced and connected to the new gas mains under 100082000002, fifty-one (51) residential gas services will be reconnected to the new gas mains under 100082000004, and six (6) commercial gas services will be reconnected to the new gas mains under 100082000005 at an estimated cost of \$234,000.

**4. JOB #: GP2804** (100062000682 - \$35,000) & (100062000683 - \$ 20,000) & (100052001849 - \$ 235,500) & (100066002332 - \$ 36,600)

**TOTAL COST:** \$327,100

**LOCATION:** South 153<sup>rd</sup> & Q St.

**DIRECTOR SUBDIVISION:** Cavanaugh

**PURPOSE:** Replace below-ground regulator station and install 2,100 ft. of 4" and 2" gas mains.

**DESCRIPTION:** The existing below-ground regulator station at South 153<sup>rd</sup> & Q St. has significant corrosion and needs to be replaced. This was recommended for replacement by Gas Distribution and was included on their list of prioritized regulator station replacements budgeted for 2023.

The new above ground regulator station will be installed in a location to further increase the reliability of the surrounding gas system by reducing the dependence of other stations feeding the 25 psig system. This new regulator station and additional mains will also allow the District to abandon an additional below-ground regulator station at South 149<sup>th</sup> Court & Q St. and increase reliability for 92 customers by connecting to the larger system.

**5. JOB #:** R2221 (100053001546 - \$ 73,000) & (100067001517 - \$5,700) & (100054001114 - \$79,000) & (100068001096 - \$3,600)

**TOTAL COST \$** 161,300

**LOCATION:** N 164<sup>th</sup> to N 172<sup>nd</sup> St., and N 168<sup>th</sup> St. from Reynolds St. to Rachel Snowden Pkwy.

**DIRECTOR SUBDIVISION:** Friend

**PURPOSE:** Relocate mains to eliminate conflicts with proposed grading, paving, and storm sewers being done for the Douglas County roadway improvement project (C-28(405)).

**DESCRIPTION:** This project is anticipated to start in September 2023 and will be constructed by an M.U.D. crew. This work is not reimbursable as the mains are in public right-of-way. No services are impacted.

### **BUILDINGS, PLANTS & EQUIPMENT**

**1. JOB #:** WP1944 (100091000050)

**TOTAL COST \$** 800,000

**PURPOSE:** Professional services to develop the Platte West Capital Improvement Plan

**DESCRIPTION:** After 15 years of continuous operation since 2008, the District has identified the need to develop a Capital Improvement Plan (CIP) for the Platte West Water Production Facility (WPF). The plan will involve evaluating necessary improvement projects and developing cost estimates to maintain the performance of the facility, ahead of any potential critical equipment failures or obsolescence. These evaluations will be used to determine a list of projects necessary to maintain or update the facility that will be reviewed, cost estimates developed and compiled into a final long-term Capital Improvement Plan (CIP) for the Facility.

It is requested that the President be authorized to enter into a Professional Services Agreement with the team of HDR Engineering to develop the Platte West CIP. HDR Engineering has extensive experience with the Platte West WPF and is currently leading the efforts to upgrade the lime grit removal system for the Plant.

**2. JOB #:** (100071000772)

**TOTAL COST \$** 230,000

**PURPOSE:** Repair and rehabilitation of wells at Platte South WTP

**LOCATION:** Platte South WTP

**DESCRIPTION:** The Platte South WTP has employed a well maintenance program in order to maintain well field capacity. All 40 wells at Platte South are still in use, but over time, wells lose capacity due to mechanical and chemical/biological plugging of the well and surrounding aquifer. Typically, once capacity is lost it can never be fully recovered, but rehabilitation helps restore a percentage of the lost capacity. This effort of the well itself involves repair of the pump and repair of the electric motor.

Three wells at Platte South are currently in need of pump repair. Two of the three wells are experiencing extreme vibration and the third is experiencing an 80% reduction in

pumping capacity since it was last rehabbed. Layne Christensen, a well drilling company with much experience including prior work with installation and maintenance of MUD wells is recommended for the work given the complexity of the equipment and the schedule for repairs.

**3. JOB #:** WP2011 (100083001175)

**TOTAL COST** \$ 445,330

**PURPOSE:** Walnut Hill Reservoir Roof Removal

**DESCRIPTION:** The purpose of this project is to remove and to dispose of the existing roofing membrane material from the reservoirs at Walnut Hill. Roofing materials have since deteriorated, and large pieces of roofing materials have been taken out by wind and found along District property fence lines. This project will remove the roofing materials only to eliminate potential neighborhood and community area concerns with the damaged roofing materials. The project is set to be completed in 2023.



Masa Niiya  
Vice President, Engineering

Approved:



Gina Langel  
Sr. Vice President, Chief Operations Officer



Mark E. Doyle  
President

**METROPOLITAN UTILITIES DISTRICT**  
*Inter-Department Communication*

July 20, 2023

**Subject:** ACCEPTANCE OF CONTRACTS AND PAYMENT OF FINAL ESTIMATES**To:** Committee on Construction and Operations  
cc: all Board Members, Doyle, Mendenhall, Myers, Ausdemore, Langel, Lobsiger, and all Vice Presidents**From:** Adam L. Gartner, Interim Director, Plant Engineering

The following items will be on the August 2, 2023, Committee Meeting for consideration and the Board Meeting Agenda for approval. Work has been satisfactorily completed on the following contracts and final payment is recommended:

| Contract  | Contract Approval Date | Amounts         |              |
|---|------------------------|-----------------|--------------|
|   |                        | *Unit Price Bid | Actual       |
| a. Cedar Construction, WP1689, 100055001306, Install Water Mains in Antler View East – Phase 3; SW of N. 180 <sup>th</sup> St. and W. Maple Rd. | 12/2/2019              | \$333,899.00    | \$443,835.50 |

**Comments:** There was an increase of \$109,936.50 (33%) for this project due to a change order to account for material price increases between when the project was awarded in 2019 and the beginning of construction in 2021, and additional length bore to accommodate developer changes. The developer has approved these additional costs. All work required by the contract has been completed by the Contractor and is acceptable and in compliance with the Contract and Specifications.

| Contract  | Contract Approval Date | Amounts         |                |
|---|------------------------|-----------------|----------------|
|   |                        | *Unit Price Bid | Actual         |
| b. Heimes Corp., WP1736, 100093001295, 100095001221, 100097000000, 100097000001, 100041000084, Cast Iron Water Main Replacement, Ponca Rd., From Calhoun Rd. To N. 40th St. & N. 42nd St.; From Ponca Rd. To N. | 1/6/2022               | \$1,642,036.30  | \$1,455,199.26 |

**Comments:** There was an overall decrease of \$186,837.04 for this project, primarily due to a reduction of hard surface restoration required to complete the work. Additionally, there was a single change order to account for an additional service which was added after the project had begun. All work required by the contract has been completed by the Contractor and is acceptable and in compliance with the Contract and Specifications.

| Contract   | Contract Approval Date | Amounts         |                |
|--|------------------------|-----------------|----------------|
|  |                        | *Unit Price Bid | Actual         |
| c. High Plains Enterprises WP1683, 10003011818, Platte South Well Field Flood Repair | 11/7/2019              | \$3,116,255.00  | \$2,826,047.59 |

**Comments:** There was an overall decrease of \$290,207.41 for this project, primarily due to a reduction in riprap placed for riverbank restoration and sand debris removal. Additionally, there were two small change orders to account for an additional drainage at roadway ditches which were added after the project had begun. This restoration work is included in FEMA claim for District reimbursement. All work required by the contract has been completed by the Contractor and is acceptable and in compliance with the Contract and Specifications.

DocuSigned by:

Adam Gartner

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Adam L. Gartner

Interim Director, Plant Engineering

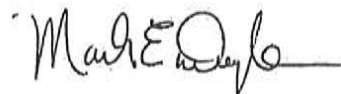
Approved:



Masa Niiya  
Vice President  
Engineering



Gina Langel  
Senior Vice President  
Chief Operations Officer



Mark E. Doyle  
President

APPROVED BY BOARD

**METROPOLITAN UTILITIES DISTRICT**

*Inter-Department Communication*

JULY 10, 2023

**SUBJECT:** CHANGE ORDER NO. 1 – INSTALL WATER MAINS IN WEST DODGE ROAD PUMP STATION TRANSMISSION MAIN; 156<sup>TH</sup> ST & WEST DODGE ROAD; JUDDS BROS. CONSTRUCTION; WP1711 (100051001046)

**To:** Committee on Construction & Operations  
Cc: All Board Members, Doyle, Langel, Myers, Mendenhall, Ausdemore, Lobsiger, and All Vice Presidents

**From:** Adam Gartner, Interim Director, Plant Engineering

On July 7, 2021, the Board awarded a contract to Judds Bros. Construction to install water mains for West Dodge Pump Station. The original contract price was \$5,183,000.00. Change Order No. 1 represents an increase of \$240,643.16 to the contract for a total cost of \$5,423,643.16.

Change Order No. 1 represents an increase cost of \$240,643.16 due to a variety of field issues and material cost increases.

- Item 1 is for the increase cost of casing material. The cost of the casing increased from the time the project was initial bid to when it was released for construction.
- Item 2 was due to upsizing a vault to accommodate the valve and pipe.
- Item 3 was for the construction of a temporary construction entrance to Life Gate Church's parking lot. This item also includes restoring the land back its original condition. A section of Life Gate's parking lot was a staging area for Judds Bros. Judds Bros and Life Gate entered into a separate lease agreement for the duration of the project. Life Gate requested that the contractor access the staging area through a separate entrance, rather than through the church parking lot.
- Item 4 was for 16" ductile iron material because there was a design revision that upsized the proposed water main from 12".
- Items 5, 6, and 9 were all due to utility conflicts. These utilities were in direct conflict with the proposed water main. Judds Bros had to realign and deepen the proposed main to avoid the conflicts. This required additional shoring and labor.
- Item 7 was for an added sleeve to make a connection to existing main.
- Item 8 was for labor and materials associated with relocating two sanitary sewer laterals that were in direct conflict with the proposed main.
- Item 10 was for sidewalk replacement that was damaged during construction. Pepperwood requested that the contractor access a section of the project outside of the easement so that businesses were not impacted.

This work has already been completed to prevent delays. Your approval is requested.

DocuSigned by:

Adam Gartner

Adam Gartner

Interim Director, Plant Engineering

**Approved:**

DocuSigned by:  
*Masa Miya*  
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Masa Miya  
Vice President,  
Engineering

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*Mark Doyle*  
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Mark Doyle  
President

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*Gina Langel*  
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Gina Langel  
Sr. Vice President,  
Chief Operations Officer

DocuSigned by:  
*Mark Mendenhall*  
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Mark Mendenhall  
Sr. Vice President,  
General Counsel

APPROVED BY BOARD

**METROPOLITAN UTILITIES DISTRICT**  
Inter-Department Communication

JULY 13, 2023

**SUBJECT:** CHANGE ORDER NO. 1 – INSTALL WATER MAINS IN ANTLER VIEW EAST – PHASE 3, SW OF N 180<sup>TH</sup> ST. & WEST MAPLE RD., CEDAR CONSTRUCTION, WP1689 (100055001306)

**To:** Committee on Construction & Operations  
Cc: All Board Members, Doyle, Langel, Myers, Mendenhall, Ausdemore, Lobsiger, and All Vice Presidents

**From:** Adam Gartner, Interim Director, Plant Engineering

On October 2, 2019, the Board awarded a contract to Cedar Construction to install water mains in Antler View East – Phase 3. The original contract price was \$333,899.00. Change Order No. 1 represents an increase of \$96,939.67 to the contract for a total cost of \$430,838.67.

Change Order No. 1 represents an increase cost of \$96,939.67 due to price increases on materials due to supply chain issues. This project was awarded in 2019 and construction took place over an extended period due to the pandemic and design grading changes by the developer. This extended timeframe led to additional costs as materials increased in price. Additional boring and casing were also required due to a storm sewer conflict after the changes to the grading. Additional work was needed for excavation and repairs on two force mains. The force mains were damaged during water main installation due to the force mains not being installed at the correct depth.

This work has already been completed to prevent delays and your approval is requested. The developer has approved these costs. ***Approval of the Final Payment is contingent upon the approval of Change Order No. 1.***

DocuSigned by:

Adam Gartner

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Adam Gartner

Interim Director, Plant Engineering

**Approved:**

DocuSigned by:

Masa Niya

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Masa Niya

Vice President,  
Engineering

DocuSigned by:

Gina Langel

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Gina Langel

Sr. Vice President,  
Chief Operations Officer

DocuSigned by:

Mark Mendenhall

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Mark Mendenhall

Sr. Vice President,  
General Counsel

DocuSigned by:

Mark Doyle

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Mark Doyle

President

QA/QC

SPD

07/13/2023

APPROVED BY BOARD

**METROPOLITAN UTILITIES DISTRICT**

*Inter-Department Communication*

July 11, 2023

**SUBJECT:** CHANGE ORDER NO. 1 – CAST IRON WATER MAIN REPLACEMENT (PIPE BURSTING); WRIGHT ST. TO HASCAL ST. & 75<sup>TH</sup> ST. TO 77<sup>TH</sup> ST. ROLOFF CONSTRUCTION; WP1723 (100093001284, 100041000072, 100097000000, 100097000001, 100095000001)

**To:** Committee on Construction & Operations

**Cc:** All Board members and Messrs. Doyle, Langel, Myers, Lobsiger, Mendenhall, Ausdemore, and All Vice Presidents

**From:** Adam Gartner, Director, Plant Engineering

On June 2, 2023, the District approved a contract with Roloff Construction to replace cast iron mains utilizing pipe bursting technologies. The original contract price was \$947,025.00. Change Order No. 1 represents an increase of \$133,970.00 to the contract for a total cost of \$1,080,995.00.

Change Order No. 1 represents an additional cost of \$133,970.00 due to a section of the project being redesigned from pipe bursting installation to parallel main installation. The section of main that was changed was determined to be under pavement and would require substantial increases of paving cuts to facilitate the pipe bursting method of installation. The cost associated with the change are due to increase in cost for the installation method and the additional service work that this change requires. The change will reduce the cost of hard surface restoration and lessen the impact of street closures. This also incorporates an entirely new set of unit quantities and schedule of values into the contract. This allows the District to pay the contractor accurately with this new set of values.

This work is in progress, your approval is requested.

DocuSigned by:

*Adam Gartner*

121946991567477...

Adam Gartner  
Director, Plant Engineering

**Approved:**

DocuSigned by:

*Masa Niiya*

98B161DE431645F...

Masa Niiya  
Vice President,  
Engineering

DocuSigned by:

*Gina Langel*

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Gina Langel  
Sr. Vice President,  
Chief Operations Officer

DocuSigned by:

*Mark Mendenhall*

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Mark A. Mendenhall  
Sr. Vice President,  
General Counsel

DocuSigned by:

*Mark Doyle*

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Mark E. Doyle  
President

REVISED

APPROVED BY BOARD

METROPOLITAN UTILITIES DISTRICT  
*Inter-Department Communication*

August 1, 2023

**Subject:** BIDS ON MATERIALS AND CONTRACTS DURING THE MONTH OF JULY

**To:** Construction & Operations Committee  
cc: All Board Members, Doyle, Ausdemore, Langel, Lobsiger, Mendenhall, Myers and all Vice Presidents

**From:** Sherri A Lightfoot, Director, Procurement

The following items will be on the August 2, 2023 Committee Agenda for consideration and the August 2, 2023 Board Agenda for approval. The recommended bid is bolded and listed first. Nonlocal bidders have been indicated in italics.

**WATER/GAS MAIN CONTRACTS**

| <u>Item</u>  | <u>Bids Sent<br/>/ Rec'd</u> | <u>Bidders</u>  | <u>Bid Amount</u>   |
|--|------------------------------|---|---|
| Install Water Mains in Giles Creek<br>Lot 1, SE. of 192 <sup>nd</sup> Street and<br>Giles Road<br>100057000536 WP 2025<br>Engineering Estimate: \$264,072.00<br>(A C&A in the amount of \$312,592.00 will be presented to the Board on August 2, 2023 for approval.)               | 18/5                         | <b>Cedar Constr.</b><br>Kersten Constr.<br><i>Pat Thomas Constr.</i><br>Castle Contracting<br>Vincentini Plumbing | <b>255,545.00</b><br>265,410.00<br>269,725.00<br>317,990.00<br>318,039.00 |
| Install Water Mains in Hanover Falls<br>Center Lots 3-8, NW. of 156 <sup>th</sup><br>Street and State Street<br>100055001450 WP 2030<br>Engineering Estimate: \$163,150.00<br>(A C&A in the amount of \$168,697.00 will be presented to the Board on August 2, 2023 for approval.) | 18/4                         | <b>Cedar Constr.</b><br><i>Pat Thomas Constr.</i><br>Kersten Constr.<br>Vincentini Plumbing                       | <b>129,950.00</b><br>136,440.00<br>136,916.00<br>147,368.80               |

|   |      |                            |                       |
|---|------|----------------------------|-----------------------|
| Install 42" Ductile Iron Water Main in<br>West Center Road from 210 <sup>th</sup> Street to<br>204 <sup>th</sup> Street<br>100057000469 100051001043<br>WP 2014 | 18/4 | <b>Judds Bros. Constr.</b> | <b>\$6,263,290.00</b> |
|   |      | Roloff Constr.             | 6,334,360.00          |
|   |      | Cedar Constr.              | 7,983,843.50          |

Engineering Estimate: \$7,177,360.00

(A C&A in the amount of \$7,102,783.00 will be presented to the Board on August 2, 2023 for approval.)

|   |      |                           |                     |
|---|------|---------------------------|---------------------|
| Install Water Mains in R & R<br>Commerce Park South Lot 4<br>SE of 156 <sup>th</sup> Street and Schram Rd.<br>100057000535 WP2010 | 18/4 | <b>Pat Thomas Constr.</b> | <b>\$236,382.80</b> |
|   |      | Castle Contracting        | 239,670.00          |
|   |      | Cedar Constr.             | 246,350.00          |
|   |      | Kersten Constr.           | 227,113.00*         |

Engineering Estimate: \$247,934.00

\*2<sup>nd</sup> Low Bid Recommended

(C&A for 100057000535 approved May 3, 2023 in the amount of \$276,562.00.)

|  |     |                        |                     |
|--|-----|------------------------|---------------------|
| Pipe Burst Water Mains in<br>S. 131 <sup>st</sup> Circle<br>100093001432 100041000223<br>WP 2051 | 1/1 | <b>Murphy Pipeline</b> | <b>\$140,247.15</b> |
|--|-----|------------------------|---------------------|

(C&A for Annual Infrastructure Replacement Program approved January 4, 2023 in the amount of \$24,195,000.00)

#### OTHER

| <u>Item</u>                                | <u>Bids Sent<br/>/ Rec'd</u> | <u>Bidders</u> | <u>Bid Amount</u>    |
|--|------------------------------|----------------|----------------------|
| One (1) Large Track Loader<br>100087000672 | 1/1                          | <b>NMC</b>     | <b>\$283,865.00*</b> |

\* State of Nebraska Bid, State Contract 15543(OC)

(C&A for Annual Construction Machines, Equipment, Vehicles and Upfitting approved January 4, 2023 in the amount of \$18,504,550.00.)

|   |     |                          |                     |
|---|-----|--------------------------|---------------------|
| Walnut Hill Reservoir Roof Removal<br>100083001175 WP2011 | 4/3 | <b>National Concrete</b> | <b>\$339,900.00</b> |
|   |     | McGill Asbestos          | 377,000.00          |
|   |     | Bockmann                 | 495,000.00          |

Engineering Estimate: \$433,600.00

(A C&A in the amount of \$445,330.00 will be presented to the Board on August 2, 2023 for approval.)

|   |     |   |   |
|---|-----|---|---|
| Operations Center Remodel<br>Painting<br>100084001324 GP 2817 | 5/3 | <b>Gerst Painting</b><br>M.S. Services<br>3 Brothers Painting | <b>\$30,801.17</b><br>35,876.96<br>13,919.00* |
|---|-----|---|---|

\*Bid Rejected, Does Not Meet Specifications

(C&A for 100084001324 approved June 7, 2023 in the amount of \$799,130.00.)

|  |     |   |                                 |
|--|-----|---|---------------------------------|
| Operations Center Remodel<br>Furniture<br>100084001324 GP 2817 | 2/2 | <b>Bold Office Solutions</b><br>Sheppard's Business | <b>\$52,456.00</b><br>57,859.07 |
|--|-----|---|---------------------------------|

(C&A for 100084001324 approved June 7, 2023 in the amount of \$799,130.00.)

### ANNUALS

| <u>Item</u>  | <u>Bids Sent<br/>/ Rec'd</u> | <u>Bidders</u>   | <u>Bid Amount</u>  |
|--|------------------------------|--|--|
| Furnish Guard Services<br>Three (3) Year Contract<br>(September 1, 2023 to August 31, 2026)  | 6/4                          | <b>Per Mar Security</b><br>GardaWorld Security<br>Allied Universal<br>Securitas Security | <b>\$9,119,852.77</b><br>9,777,400.05<br>9,793,129.01<br>10,351,373.85 |
| Ductile Iron Fittings<br>(September 1, 2023 to August 31, 2024)  | 4/2                          | <b>Omaha WinWater</b><br>Core & Main   | <b>\$328,773.03</b><br>343,233.35                                      |
| Ammonium Hydroxide (Aqua Ammonia)<br>(Approx. 384,000 lbs.) Florence WTP<br>Extension #1<br>(September 1, 2023 to August 31, 2024)     | 1/1                          | <b>Airgas Specialty</b>  | <b>\$86,784.00</b>   |
| Ammonium Hydroxide (Aqua Ammonia)<br>(Approx. 328,000 lbs.) Platte South WTP<br>Extension #1<br>(September 1, 2023 to August 31, 2024) | 1/1                          | <b>Airgas Specialty</b>  | <b>\$74,128.00</b>   |

|  |     |  |                                       |
|--|-----|--|---------------------------------------|
| Ammonium Hydroxide (Aqua Ammonia)<br>(Approx. 384,000 lbs.) Platte West WTP<br>Extension #1<br>(September 1, 2023 to August 31, 2024)                        | 1/1 | <b>Airgas Specialty</b>                        | <b>\$86,784.00</b>                    |
| Soda Ash<br>(3,500 Tons) Florence WTP<br>(September 1, 2023 to August 31, 2024)  | 6/2 | <b>DuBois Chem.</b><br><i>Univar Solutions</i> | <b>\$1,855,000.00</b><br>2,121,000.00 |
| One Ton Cylinders of Liquid Chlorine<br>Florence, Platte South, and Platte West<br>Water Treatment Plants (720 TN)<br>(September 1, 2023 to August 31, 2024) | 3/1 | <b>DPC Industries</b>                          | <b>\$1,568,880.00</b>                 |

#### ANNUALS

| <u>Item</u>  | <u>Bids Sent<br/>/ Rec'd</u> | <u>Bidders</u>   | <u>Bid/Bid Value#</u>   |
|--|------------------------------|--|---|
| Quick Lime<br>(8,400 Tons by Rail) Florence WTP<br>(September 1, 2023 to August 31, 2024)      | 4/2                          | <b>Mississippi Lime</b><br><i>Pete Lien</i>                        | <b>\$1,593,900.00/</b><br>1,633,128.00<br>\$1,673,112.00/<br>1,653,288.00                               |
| Quick Lime<br>(3,876 Tons by Truck) Platte South WTP<br>(September 1, 2023 to August 31, 2024) | 4/3                          | <b>Pete Lien</b><br><i>Mississippi Lime</i><br><i>Lhoist North</i> | <b>\$759,696.00/</b><br><b>751,285.08</b><br>751,944.00/<br>766,285.20<br>1,700,711.28/<br>1,760,207.88 |

Quick Lime  
(4,400 Tons by Truck) Platte West WTP  
(September 1, 2023 to August 31, 2024)

4/3

**Pete Lien**

**\$862,400.00/**

**852,852.00**

*Mississippi Lime*

853,600.00/

869,880.00

*Lhoist North*

1,950,608.00/

2,018,192.00

#Bid Value based on percentage of available Calcium Oxide (CaO)



Sherri A. Lightfoot  
Director, Procurement  
(402) 504-7253

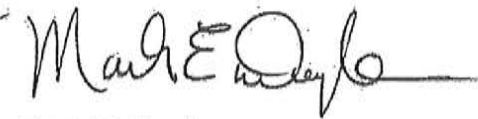
Approved:



Jon Zellars  
Vice President, Procurement and Enterprise Services



Steven E. Ausdemore  
Senior Vice President, Safety, Security and Field Operations



Mark E. Doyle  
President

**METROPOLITAN UTILITIES DISTRICT**  
*Inter-Department Communication*

July 21, 2023

**Subject:** NOTICE OF PURCHASES BETWEEN \$25,000 - \$50,000

**To:** All Board Members  
 cc: Doyle, Ausdemore, Langel, Lobsiger, Mendenhall, Myers and all Vice Presidents

**From:** Sherri A. Lightfoot, Director, Procurement

During the month of July the following items were purchased or contracted for and are being submitted to the Board to be placed on file. The purchase or contract was initiated with the low bidder which is bolded and listed first.

| <u>Item</u>                       | <u>Bids Sent<br/>/ Rec'd</u> | <u>Bidder</u>                 | <u>Amount Bid</u>  |
|-----------------------------------|------------------------------|-------------------------------|--------------------|
| Automotive and Construction       | 6/4                          | <b>NAPA Auto Parts</b>        | <b>\$30,370.77</b> |
| Equipment Filters                 |                              | Factory Motors Parts          | 30,375.52          |
| (August 1, 2023 to July 31, 2024) |                              | <i>Vehicle Maint. Program</i> | 35,162.66          |
|                                   |                              | Advance Auto Parts            | 35,891.57          |



Sherri A. Lightfoot  
 Director, Procurement  
 (402)504-7253

Approved:



Jon Zellars  
 Vice President, Procurement and Enterprise Services



Steven E. Ausdemore  
 Senior Vice President, Safety, Security and Field Operations



Mark E. Doyle  
 President

APPROVED BY BOARD

**METROPOLITAN UTILITIES DISTRICT**  
*Inter-Department Communication*

July 28, 2023

**Subject:** MAIN EXTENSIONS

**To:** Services and Extensions Committee  
cc: All Board Members, Doyle, Mendenhall, Myers, Ausdemore, Langel, Lobsiger,  
and all Vice Presidents

**From:** Masa Niiya, Vice President, Engineering

The following main extensions will be on the August 2, 2023, Committee Agenda for consideration and the Board Agenda for approval:

**1. JOB # GP 2813** (100060001484 - \$208,742) & (100066002367 - \$505)

**PROJECT COST:** \$209,247

**DEVELOPER DEFICIENCY:** \$0

**LOCATION:** Blue Sage Creek 3 Subdivision, 222<sup>nd</sup> and Grover St.

**DIRECTOR SUBDIVISION:** Cavanaugh

**PURPOSE:** Install 2,500' of 4" and 9,140' of 2" plastic gas main to serve lots 1-172 and Outlots A-C. Abandon 127' of 2" plastic gas main.

**DESCRIPTION:** This work is being done to provide gas service to 172 residential lots and 3 outlots in Blue Sage Creek 3 Subdivision. Work is requested to be completed by January 2024. This project is within the City of Omaha's zoning jurisdiction and the developer is Dave Lanoha / Lanoha Pacific, Inc. To properly expand the gas system to serve future developments, it is necessary to oversize approximately 2,500' of 2" mains to 4" mains at a District cost of \$30,617.

**2. JOB # WP 2025** (100057000536)

**PROJECT COST:** \$312,592

**DISTRICT COST:** \$0

**LOCATION:** Giles Creek Subdivision, 192nd St. southeast of Giles Rd.,

**DIRECTOR SUBDIVISION:** Cavanaugh

**PURPOSE:** Install 1,220' of 12" PVC water main

**DESCRIPTION:** This work is being done to provide domestic water service and fire protection to one school lot in Giles Creek Subdivision. Work is requested to be completed by March 2024. This project is currently within the City of Gretna's Zoning Jurisdiction and is being developed by Gretna Public Schools.

**3. JOB # WP 2007** (100055001442) **REVISED**

**PROJECT COST:** \$424,886

**DISTRICT COST:** \$0

**LOCATION:** The Hill Subdivision, northeast of 168<sup>th</sup> & State Streets

**DIRECTOR SUBDIVISION:** Friend

**PURPOSE:** Install 2,660' of 8" PVC water main to serve lots 394-400 and Outlots M, N & O.

**DESCRIPTION:** This main extension project was previously approved by the Board on 5/3/2023 to provide domestic water service and fire protection to 1 multiple-residence and 2 commercial lots

in The Hill Subdivision. Since that time, the developer added a street and additional lots to the project. This work is now being done to provide domestic water service and fire protection to one multiple-residence lot, 6 commercial lots and 3 outlots in The Hill Subdivision, all newly platted. Work is requested to be completed by November 2023. Applicant has also requested gas service. This project is currently within the City of Omaha's Zoning Jurisdiction and is being developed by Woodsonia Real Estate / Drew Snyder.

**4. JOB # WP 2014** (100051001043 - \$3,924,310) & (100057000469 - \$3,178,473)

**PROJECT COST:** \$7,102,783

**DISTRICT COST:** \$6,899,828

**LOCATION:** 204<sup>th</sup> to 210<sup>th</sup> and West Center Rd.

**DIRECTOR SUBDIVISION:** Cavanaugh

**PURPOSE:** Install 1,480' of 42" water main from 360' east of West Center Rd. to 800' west of 204<sup>th</sup> and West Center Rd. Install 1,980'+/- of 42" water main along West Center Rd. from 800' west of 204<sup>th</sup> to 210<sup>th</sup> Sts.

**DESCRIPTION:** This 42" water main extension in West Center Rd. is the final project needed to complete the West Center Road transmission pipeline from the Skyline Reservoir into Zone 2. The majority of transmission mains along West Center Rd. have been constructed with adjacent development. This project is proposed as development is proposed and before the corridor becomes more congested with other utilities and infrastructure along the highways. This project is included in the past and current water system master plans and will optimize the water delivery capabilities of Skyline reservoir/pump station and the West Dodge Pump Station improving the reliability and resiliency of a large area of our distribution system.

**5. JOB # WP 2030** (100055001450)

**PROJECT COST:** \$168,697

**DISTRICT COST:** \$0

**LOCATION:** Hanover Falls Center Subdivision northwest of 156<sup>th</sup> & State Streets

**DIRECTOR SUBDIVISION:** Friend

**PURPOSE:** Install 860' of 8" PVC water main to serve lots 3-8

**DESCRIPTION:** This work is being done to provide domestic water service and fire protection to 6 newly platted commercial lots in Hanover Falls Center Subdivision. Work is requested to be completed by November 2023. Applicant has also requested gas service. This project is currently within the City of Omaha's Zoning Jurisdiction and is being developed by Cameron General Contractors / Bob Lewis.

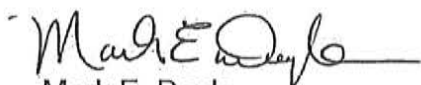
Approved:



Gina Langel  
Sr. Vice President, Chief Operations Officer



Masa Niiya  
Vice President, Engineering



Mark E. Doyle  
President

**METROPOLITAN UTILITIES DISTRICT**  
*Inter-Department Communication*

July 27, 2023

**Subject: Wage and/or Salary Increases and Ratifications, August 2023 Board Meeting**

**To:** Personnel Committee members Begley, Friend, and Sidzyik

**cc:** Board Members Cavanaugh, Cook, Howard, and McGowan  
President Doyle, and Senior Vice Presidents Ausdemore, Langel, Lobsiger, Mendenhall, and Myers

**From:** Bonnie Savine, Vice President, Human Resources

The Human Resources Department is recommending the Board of Directors approve the wage or salary increases outlined below. All positions involve District employees earning more than \$10,000 per year and therefore require your approval.

**1. Operating and Clerical (OAC) Wage Increases Due To Promotion**

The Human Resources Department is recommending the Board of Directors approve wage increases for the following Employees within the OAC classification. These wage increases are based on a job selection process, are in compliance with the Collective Bargaining Agreement, and are made following the posting and application process for a job opening in the District. The effective date for these increases will be the beginning of the next OAC pay period following Board approval.

|                                       |                                     |
|---------------------------------------|-------------------------------------|
| <b>Employee:</b>                      | <b>Jacob Cundall</b>                |
| <b>Current position (department):</b> | Machine Operator (Construction)     |
| <b>New position (department):</b>     | Utility Locator (Safety & Security) |
| <b>Current rate; step/grade:</b>      | \$38.86; Step 4                     |
| <b>Proposed rate; step/grade:</b>     | \$41.13; Step 4                     |
| <b>Percent of increase:</b>           | 5.84%                               |
| <b>District hire date:</b>            | January 6, 2003                     |

|                                       |   |
|---------------------------------------|---|
| <b>Employee:</b>                      | <b>Jessica Dimon</b>                        |
| <b>Current position (department):</b> | Customer Service Clerk I (Customer Service) |
| <b>New position (department):</b>     | Communications Clerk II (Field Services)    |
| <b>Current rate; step/grade:</b>      | \$26.52; Step 1                             |
| <b>Proposed rate; step/grade:</b>     | \$31.17; EN                                 |
| <b>Percent of increase:</b>           | 17.53%                                      |
| <b>District hire date:</b>            | May 9, 2022                                 |

|                                       |   |
|---------------------------------------|---|
| <b>Employee:</b>                      | <b>Kelsey Kracher</b>                         |
| <b>Current position (department):</b> | Communications Clerk II (Field Services)      |
| <b>New position (department):</b>     | Builder Services Clerk (Business Development) |
| <b>Current rate; step/grade:</b>      | \$33.12; Step 1                               |
| <b>Proposed rate; step/grade:</b>     | \$34.32; Step 4                               |
| <b>Percent of increase:</b>           | 3.62%   |
| <b>District hire date:</b>            | March 7, 2022                                 |

**Employee:** Cesar Rivera  
**Current position (department):** Stores Clerk II (Transportation)  
**New position (department):** Stores Clerk III (Transportation)  
**Current rate; step/grade:** \$31.23; Step 1  
**Proposed rate; step/grade:** \$33.22; Step 1  
**Percent of increase:** 6.37%  
**District hire date:** August 9, 2021

**Employee:** Mark Shepherd  
**Current position (department):** Water Plant Operator (Water Production & Pumping)  
**New position (department):** Water Plant Engineer (Water Production & Pumping)  
**Current rate; step/grade:** \$32.86; EN  
**Proposed rate; step/grade:** \$36.14; EN  
**Percent of increase:** 9.98%  
**District hire date:** April 4, 2022

## **2. Operating and Clerical (OAC) Wage Increases Due To Job Transfer**

The Human Resources Department is recommending the Board of Directors approve wage increases for the following Employees within the OAC classification. A transferring employee who is at less than Standard Wage will be moved to an equal rate in the new job classification or, if there is not an identical wage rate, to the nearest higher wage rate in the new job classification. These wage increases are based on a formal selection process, are in compliance with the Collective Bargaining Agreement, and are made following the posting and application process for a job opening in the District. The effective date for these increases will be the beginning of the next OAC pay period following Board approval.

**There are no recommendations for approval this month**

## **3. Operating and Clerical (OAC) Wage Increases Due To Job Progression**

The Human Resources Department is recommending the Board of Directors approve the following wage increases for the OAC employees who have successfully completed required training and who have been recommended by their supervisor for promotion as they progress within their job family. All increases are based on the bargaining unit wage structure. The effective date for these increases will be the beginning of the next OAC pay period following board approval.

**Employee:** Nikolas Dinges  
**Current position (department):** Water Maintenance Trainee (Water Distribution)  
**New position (department):** Water Maintenance Worker (Water Distribution)  
**Current rate; step/grade:** \$29.24; Step 3  
**Proposed rate; step/grade:** \$30.78; Step 1  
**Percent of increase:** 5.27%  
**District hire date:** September 20, 2021

**Employee:** Nico Mannino  
**Current position (department):** Customer Service Technician Trainee (Field Services)  
**New position (department):** Customer Service Technician (Field Services)  
**Current rate; step/grade:** \$30.26; Step 4  
**Proposed rate; step/grade:** \$35.08; EN  
**Percent of increase:** 15.93%  
**District hire date:** May 17, 2021

**Employee:** Joseph Obal  
**Current position (department):** Customer Service Technician Trainee (Field Services)  
**New position (department):** Customer Service Technician (Field Services)  
**Current rate; step/grade:** \$30.26; Step 4  
**Proposed rate; step/grade:** \$35.08; EN  
**Percent of increase:** 15.93%  
**District hire date:** May 10, 2021

**Employee:** Josiah Pesek  
**Current position (department):** Customer Service Technician Trainee (Field Services)  
**New position (department):** Customer Service Technician (Field Services)  
**Current rate; step/grade:** \$30.26; Step 4  
**Proposed rate; step/grade:** \$35.08; EN  
**Percent of increase:** 15.93%  
**District hire date:** May 10, 2021

#### **4. Supervisory, Professional and Administrative (SPA) Salary Increases Due To Job Promotion**

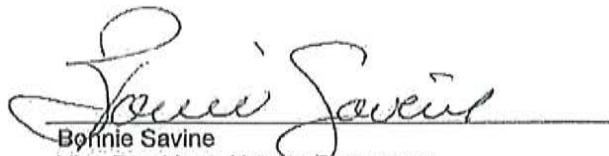
The following SPA employees are selected for promotion. It is recommended the President be authorized to increase the salary of these employees. These SPA positions have been evaluated, graded, appropriate job descriptions completed, and posting guidelines fulfilled. The effective date for these salaries will be the beginning of the next SPA pay period following board approval.

**Employee:** John Velehradsky  
**Current position (department):** Director, Facilities Management (Facilities Management)  
**New position (department):** Director, Facilities Management (Facilities Management) Job Re-Evaluation  
**Current rate; step/grade:** \$157,072; SPA – 7D  
**Proposed rate; step/grade:** \$164,926; SPA – 8D  
**Percent of increase:** 5.00%  
**District hire date:** March 10, 1997

**5. Supervisory, Professional and Administrative (SPA) New Hire Ratification**

Board of Director Ratification of salaries, for new SPA employees hired from outside the District, is required to confirm the salary within the grade established for the position. Authorization to ratify the annual salary of SPA employees hired from outside the District will be requested each month, if appropriate.

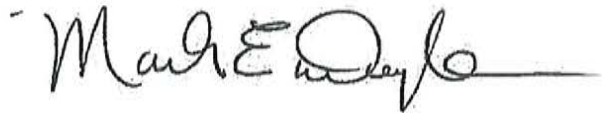
**There are no recommendations for approval this month**

  
Bonnie Savine  
Vice President, Human Resources

**APPROVED:**



Mark A. Mendenhall  
Senior Vice President, General Counsel



Mark E. Doyle  
President

APPROVED BY BOARD

**METROPOLITAN UTILITIES DISTRICT**

*Inter-Department Communication*

July 27, 2023

**Subject:** Lakewood Subdivision acquisition from Mary Kruse Trust

**To:** Judiciary and Legislative Committee

**Cc:** All Board Members; President Doyle; Senior Vice Presidents Ausdemore, Langel, Lobsiger, and Myers, and all Vice Presidents

**From:** Mark Mendenhall, General Counsel

The District entered into a purchase agreement on February 3, 2023, with representatives of the Mary Kruse Revocable Trust to acquire a small parcel and easement rights in Sarpy County near 52<sup>nd</sup> and Maass Road. This .4 acre parcel and 30 foot easement are intended to be used to construct a small pump station that was discussed at the July Board meeting. That pump station will improve and maintain water pressure in the immediate area.

Since the effective date of the purchase agreement, the District completed a variety of efforts to determine if the acquisition is appropriate. Due diligence efforts included a survey, phase 1 environmental study and engineering analysis. As a result of those efforts, Management recommends moving forward with the purchase. Accordingly, I am recommending the Board authorize Management to take necessary steps to finalize the purchase of the property and acquisition of the easement. The property and easement rights are being acquired for approximately \$48,000.

This matter is on the agenda for the Committee meeting on August 2 and the regular Board meeting to follow. I will be present to answer any questions you may have.



Mark Mendenhall  
General Counsel

Approved:



Mark Doyle  
President

APPROVED BY BOARD

METROPOLITAN UTILITIES DISTRICT

July 28, 2023

**Subject:** SETTLEMENT OF CIVIL LITIGATION

**To:** Judiciary and Legislative Committee

**Cc:** All Board Members; President Doyle; Senior Vice Presidents Ausdemore, Langel, Lobsiger and Schaffart; and all Vice Presidents

**From:** Mark Mendenhall, Senior Vice President/ General Counsel

An action was filed against the Metropolitan Utilities District of Omaha ("District") in the Douglas County District Court in 2016. The action has been in litigation since the date the Complaint was filed and remains in litigation as to other parties.

The District's Law Department, including its outside counsel, have reached a settlement agreement with the law firm of White & Jorgensen. This settlement is pending this Board's approval. The settlement amount is being withheld pursuant to Neb. Rev. Stat. § 84-713(2). This settlement amount brings the Complaint to a close and all outstanding claims are now resolved. Pursuant to Neb. Rev. Stat. & 84-713, a separate memorandum detailing the amounts paid to all claimants will be presented to be placed on file.

Pursuant to Neb. Rev. Stat. § 84-713(3), this matter must be placed upon the agenda, and we have done so with this memorandum that does not go into the details of the District's legal position, which is a matter that is allowed to be kept confidential under Neb. Rev. Stat. § 84-713(2).

If the Board desires, further discussion of this matter can be held in a Closed Session.

If you have any questions, please feel free to contact me.

*Mark Mendenhall*

Approved:

Mark Mendenhall  
SVP/ General Counsel

*Mark E. Doyle*

Mark Doyle  
President

APPROVED BY BOARD

**METROPOLITAN UTILITIES DISTRICT**

*Inter-Department Communication*

July 28, 2023

**Subject:** SETTLEMENT OF WORKER'S COMPENSATION CLAIM: MARK SCHENDT

**To:** Judiciary and Legislative Committee (Directors Cook, Cavanaugh, and Howard)

**Cc:** All Board Members, President Doyle, Senior Vice Presidents Ausdemore, Mendenhall, Myers, Langel, and Lobsiger

**From:** Joseph Kehm, Assistant General Counsel

In December 2022, former District Safety Specialist Mark Schendt filed a workers' compensation lawsuit alleging that he sustained on-the-job injuries as a result of an October 2, 2019 motor vehicle accident. Mr. Schendt alleges the accident caused permanent, severe physical injuries to his body as a whole. Mr. Schendt claims he is entitled to temporary total disability benefits, permanent total disability benefits, vocational rehabilitation, past and future hospital and medical expenses, mileage, attorneys fees, penalties, interest, and costs.

The Law Department has reached a proposed lump sum settlement agreement. In exchange for payment in the amount of \$185,000, Mr. Schendt will release all claims for indemnity, medical, and all other workers' compensation benefits and dismiss the lawsuit with prejudice.

This matter will be on the August 2, 2023 Committee Agenda for discussion and the Board Agenda for consideration. The Board may go into a closed session during the Board Meeting for additional discussion if necessary.

  
Joseph Kehm  
Assistant General Counsel

Approved:



Mark Mendenhall  
SVP, General Counsel

Approved:



Mark Doyle  
President