



Albuquerque Bernalillo County Water Utility Authority

Albuquerque/Bernalillo
County
Government Center
One Civic Plaza
Albuquerque, NM 87102

Agenda

Commissioner Maggie Hart Stebbins, Chair
Councilor Trudy E. Jones, Vice Chair
Mayor Richard J. Berry
Commissioner Art De La Cruz
Councilor Rey Garduño
Commissioner Debbie O' Malley
Councilor Ken Sanchez
Trustee Pablo Rael

Wednesday, August 19, 2015

5:00 PM

Vincent E. Griego Chambers

1. **CALL TO ORDER**
2. **INVOCATION/PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES - June 17, 2015**
4. **PROCLAMATIONS AND AWARDS**
 - A. **Quarterly Employee Awards**
 - B. **NACWA Silver Peak Performance Awards**
 - C. **NACWA Gold Excellence in Management Award**
5. **PUBLIC COMMENT**
6. **ANNOUNCEMENTS/COMMUNICATIONS**
 - A. **Next Scheduled Meeting - September 23, 2015 at 5:00 pm**
7. **INTRODUCTION (FIRST READING) OF LEGISLATION**
 - A. [R-15-14](#) Authorizing an Agreement with Woodmont Paseo, LLC for the Durango Units 1, 2 and 3 Subdivision for Water and Sewer Service
 - B. [R-15-15](#) Authorizing an Agreement with Cruz Corporation for the Cruz Estates Subdivision for Water and Sewer Service
8. **CONSENT AGENDA**

(Any Board Member may request that a Consent Agenda item be placed under Approvals)

- A. [C-15-20](#) Recommendation of Award, P2015000004, Barricade Services
- B. [C-15-21](#) Recommendation of Award, On-Call Construction Services 2015-3 Small Diameter Sewer Lines; Project No. 01029
- C. [C-15-22](#) Selection Advisory Committee Recommendation: On-Call Engineering Services for Water and Wastewater Plant - Project No. 01135

9. APPROVALS

- A. [C-15-23](#) Restated and Amended Agreement between the City of Santa Fe and the Albuquerque Bernalillo County Water Utility Authority to Lease Storage Space in Abiquiu Reservoir
- B. [C-15-24](#) Reappointment of Jennifer Thatcher to the Water Protection Advisory Board

10. OTHER BUSINESS

- A. [OB-15-8](#) U.S. Department of Energy - National Nuclear Security Administration Response to Water Authority Resolution R-15-7
- B. [OB-15-9](#) Future Debt Maturity and Revenue Implications

11. ADJOURNMENT

Visit Our Website at www.abcwua.org

NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate in this meeting, please contact the Authority Office as soon as possible before the meeting date at 768-2500 or by the TTY at 1-800-659-8331.

Meeting Date: August 19, 2015
Staff Contact: Mark S. Sanchez, Executive Director

TITLE: Quarterly Employee Recognition Awards

ACTION: Information Only

SUMMARY:

The Water Authority recognizes with an award employees who have done something extraordinary for the Water Authority each quarter. Nominations can come from a fellow Water Authority employee or supervisor. A committee meets to discuss and evaluate the nominees and make recommendations on the final employees to be recognized.

The following employees are receiving incentive awards for contributions to the Water Authority above-and-beyond and for the example they have set for fellow employees:

Roland Rocha - \$400.00

Roland Rocha is a Systems Analyst. Roland is being recognized for his innovation that has contributed to success in moving the financial services away from the City of Albuquerque, Roland was instrumental in creating intricate financial reports used by the finance team to balance bank statements against the Customer Care and Billing Application (CCB). His efforts saved the Water Authority over \$100,000.

Kris Johnson - \$500.00 + 8 Hours

Kris Johnson was tasked with responding to the electrical issues at the Southside Water Reclamation Plant (SWRP). His efforts turned out to be a significant improvement to complete electrical systems and backup power capabilities at the plant. He worked with emergency on call contractors to perform a complete plant electrical evaluation/deficiency assessment and then proceeded to organize and perform repairs and preventative maintenance for all electrical facilities. This work will ensure back up power will always be available during power outages.

David Gutierrez - \$500.00 + 8 Hours

David has implemented several tools for our processes that significantly benefit the internal users as well as the public. Examples of these are as follows: Tapping Permit Database, Online Tapping Permit Request and Mini Work Order Database Upgrade. file management. This work will save significant time internally and more important externally with contractors and the public accessing these permit requests.

Angelique Maldonado - \$250.00

During the month of May, 2015, Angelique Maldonado volunteered to develop and conduct training for Utility tech employees preparing to take their State Level exam. Her efforts helped many blue collar employees pass the state exam and move up the career ladder.

Anthony Aranda - \$500.00 +8 Hours

Anthony has worked diligently on Water Authority HR, customer service, accounting and purchasing software applications to make specific changes that affect daily operations. His work has saved the Water Authority thousands of dollars and created significant efficiency improvements.

German Andrade - \$500 + 8 hours

German Andrade, Chief Engineer for Groundwater Production Operations was nominated for his accomplishments and actions during an emergency response to a broken valve in the only water transmission system that supplies the Four Hills area. German lead the Water Authority's efforts to design and coordinate installation of a 12" emergency bypass line around the broken valve over the next 4 days. Throughout this 4-day period, Water Authority customers in the Four Hills area continued to receive water without interruption while construction of the 12-inch emergency by-pass proceeded.

Scott Salvas Teresa Gonzales and Ross Pino - \$400 each

The San Juan Chama Water Treatment Plant Management team consisting of Scott Salvas, Teresa Gonzalez and Ross Pino are nominated for their accomplishments during the treatment plant shutdown of January-February 2015 and for their continued work and efforts to improve worker safety at this facility. They completed over 500 corrective maintenance and preventive maintenance work orders at the plant which improved safety and readiness for the upcoming peak demand season.

Frank Roth - \$500 + 8 Hours

Over the last year, Frank Roth has been very active and productive in helping the Water Authority advance its performance measurement efforts, enhance outreach with the community at-large through the "Customer Conversations", represent the Water Authority in several Water Research Foundation projects and has been a featured presenter at several national conferences. He has also been active in advancing innovative performance improvement for the water utility sector.

FISCAL IMPACT:

None. The award amounts are budgeted yearly.

Meeting Date: August 19, 2015
Staff Contact: Charles Leder, Plant Division Manager

TITLE: NACWA Peak Performance Silver Award

ACTION: Information Only

SUMMARY:

The Water Authority was awarded the Silver Peak Performance Award from the National Association of Clean Water Agencies (NACWA) for calendar year 2014. In order to receive the Silver Award, a utility must have five or fewer NPDES Permit violations for the calendar year. The goal for the Water Authority is to receive the Gold Award with its NPDES Permit (no violations at all) in a calendar year.

Meeting Date: August 19, 2015
Staff Contact: Frank Roth, Senior Policy Manager

TITLE: NACWA Gold Excellence in Management Award

ACTION: Information Only

SUMMARY:

The Water Authority was awarded the Gold Excellence in Management Award from the National Association of Clean Water Agencies (NACWA). This award recognizes the Water Authority's significant achievement in utility management and adopting successful management practices. The Gold Award recognizes the utility's progress in implementing the Ten Attributes of Effectively Managed Utilities as well as resource efficiency and protection activities.

Meeting Date: August 19, 2015

Staff Contact: Kristopher Cadena, Acting Principal Engineer, Utility Development

TITLE: R-15-14 – Authorizing an Agreement with Woodmont Paseo, LLC for the Durango Units 1, 2 and 3 Subdivision for Water and Sewer Service

ACTION: First Reading August 19, 2015; Final Action September 23, 2015

SUMMARY:

The development is located along the south side of Woodmont Ave., west of Rainbow Blvd. within the City Limits. The project consists of 88 individual building lots. The property lies within Pressure Zone 4W in the Corrales Trunk. The property is adjacent to existing infrastructure and development.

Water and wastewater service is contingent on the Developer constructing internal distribution and collector lines that tie to the existing infrastructure proximate to the property. All services provided within the development will be subject to current Utility Expansion and Water Supply Charges.

FISCAL IMPACT:

None.

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. R-15-14

1 **RESOLUTION**

2 **AUTHORIZING AN AGREEMENT WITH WOODMONT PASEO, LLC FOR THE**
3 **DURANGO UNITS 1, 2 AND 3 SUBDIVISION FOR WATER AND SEWER SERVICE.**

4 WHEREAS, Woodmont Paseo, LLC is the developer and owner of approximately
5 88 residential lots located west of Rainbow Blvd; and

6 WHEREAS, the property which is located outside the service area of the Water
7 Authority will require a development agreement for the extension and/or connection of
8 water and sewer lines to the Water Authority's water and sewer system; and

9 WHEREAS, the Water Authority's Water and Wastewater System Expansion
10 Ordinance requires that new service developed outside the Water Authority's service
11 area will incur no net expense to the Water Authority and be subject to provisions of
12 relevant updated planning documents as approved by the City and/or County; and
13 BE IT RESOLVED BY THE WATER AUTHORITY:

14 Section 1. Woodmont Paseo, LLC will obtain all permits, assurances, and
15 approvals from the Water Authority and the City of Albuquerque development/design
16 review process. Construction of water and/or sewer lines shall be in conformance with
17 the plans approved by the Water Authority and all applicable plans, specifications,
18 requirements, and standards of the Water Authority.

19 Section 2. The expansion of the System shall incur no net expense to the Water
20 Authority.

21 Section 3. Woodmont Paseo, LLC will be responsible for close coordination of
22 the project with the Water Authority during the design and construction phases,
23 including the review of the design details during the design process, and the approval of
24 specifications and contract documents.

25 Section 4. The Executive Director is authorized to enter into the agreement with
26 Woodmont Paseo, LLC for the provision of water and sewer service.

DEVELOPMENT AGREEMENT
Durango Units 1, 2 and 3 Subdivision

Albuquerque Bernalillo County Water Utility Authority, a New Mexico political subdivision, ("Water Authority") and Woodmont Paseo, LLC, a Nevada limited liability corporation, ("Developer") (together, "Parties"), agree as follows:

1. Recitals

- A. Woodmont Paseo, LLC is the "Developer" and owner of certain real property located in Unit 3a of The Trails subdivision (collectively, the "Property"). The Property is more particularly described and as shown on **Exhibit A** attached hereto and incorporated herein by reference. The Property at full development will consist of five phases, with Phases 1 through 3 served by pressure zone 4W, and subject to this development agreement "Agreement". The phases consist of the following lots: Unit 1 (31 lots), Unit 2 (22 lots), and Unit 3 (35 lots) for a total of 88 residential lots. Units 4 and 5 will be served by the future pressure zone 5W infrastructure and therefore subject to a separate development agreement. The Property is located in the former New Mexico Utilities, Inc. ("NMUI") service area, outside the Water Authority's currently adopted Water Service Area.
- B. The Legal Description of the Property is as follows: **Unit 1**, Lots 1 thru 31, as shown on Exhibit A-1, being a portion of Tracts 7 and 8, of the plat entitled Bulk Land Plat of The Trails Unit 3A (being a Re-plat of Tracts 1 thru 8, OS-1 and OS-2, The Trails Unit 3 and Tract 12, The Trails Unit 2) within the Town of Alameda Grant in the projected Section 16 and 17, Township 11 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico", which was recorded in the office of the Bernalillo County Clerk on December 21, 2007, Document # 2007171107, pages 1 thru 6, plat book 2007C, page 352. **Unit 2**, Lots 1 thru 22, as shown on Exhibit A-1, being a portion of Tracts 7 and 8, of the plat entitled Bulk Land Plat of The Trails Unit 3A (being a Re-plat of Tracts 1 thru 8, OS-1 and OS-2, The Trails Unit 3 and Tract 12, The Trails Unit 2) within the Town of Alameda Grant in the projected Section 16 and 17, Township 11 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico", which was recorded in the office of the Bernalillo County Clerk on December 21, 2007, Document # 2007171107, pages 1 thru 6, plat book 2007C, page 352. **Unit 3**, Lots 1 thru 35, as shown on the Exhibit A-1, being a portion of Tract 8, of the plat entitled Bulk Land Plat of The Trails Unit 3A (being a Re-plat of Tracts 1 thru 8, OS-1 and OS-2, The Trails Unit 3 and Tract 12, The Trails Unit 2) within the Town of Alameda Grant in the projected Section 16 and 17, Township 11 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico", which was recorded in the office of the Bernalillo County Clerk on December 21, 2007, Document # 2007171107, pages 1 thru 6, plat book 2007C, page 352.

- C. The Property is served by Pressure Zone 4W of the Corrales Trunk.
- D. The Parties desire to agree upon terms and conditions pursuant to which the Water Authority will provide water and sanitary sewer service to the Property. The Developer desires to construct, or cause to be constructed, extensions of existing public water and sanitary sewer lines and appurtenant infrastructure (collectively, "Line Extensions") under all applicable plans, specifications, requirements, and standards of the Water Authority. The Serviceability Statement for the Property reflecting the line extensions and other matters referred to in this Agreement is attached hereto as **Exhibit B** and incorporated herein by reference and made a term of this agreement.
- E. The expansion of the existing water distribution system to The Property will require additional arsenic treatment and water storage capacity within the Pressure Zone 4W distribution system. As such, The Property will be assessed a Facility Fee that reflects their proportional costs of the required additional system capacities.
- F. The waterline and sewer line extensions referenced in this Agreement are not considered Master Plan lines by the Water Authority. As such, reimbursement of construction costs associated with these extensions will not be available through water and sewer UEC (defined below in Section 3.B) reimbursements.

2. Design and Construction of the Waterlines and Sanitary Sewer Line

- A. The Developer will cause definitive designs and plans of the Line Extensions to be produced which will include estimates of all costs and expenses. The Developer will not connect the extension lines to the existing water and sanitary sewer lines within the City of Albuquerque ("City") public right-of-way until the Water Authority has approved the line extensions. The Developer will convey, at no expense to the Water Authority, all Line Extensions that have been approved and accepted by the Water Authority and all necessary easements for the Line Extensions at locations reasonably acceptable to the Developer, free and clear of all liens, claims, and encumbrances for the construction, operation, and maintenance of the line extension. The Developer will obtain all necessary permits, assurances, and approvals from the Water Authority and City, and the Developer will deliver a copy of such permits, assurances, and approvals to the Water Authority prior to the start of construction. Construction will be handled through the City work order process.
- B. The Developer will complete, or cause to be completed, construction of the Line Extensions as approved by the City of Albuquerque Design Review Committee and the Water Authority, and in conformance with all applicable plans, specifications, and standards of the City and the Water Authority.

- C. The Developer will be responsible for close coordination of the project with the Water Authority during the design and construction phases, including review of design details, during the design process, and the approval of specifications and contract documents. The Water Authority will review and approve in a timely manner the design plans for construction and estimated cost, to ensure the designs meet Water Authority standards and follow the guidance provided in the City's Development Process Manual ("DPM") and/or applicable Water Authority Design Manuals.
- D. To the extent relevant and applicable and to the extent there is no conflict with the terms of this Agreement, the usual procedures and documentation, including the Procedure "B", as defined in the Subdivision Ordinance and the DPM of the City, will be followed and used for the Line Extensions.

3. Service

- A. The Developer shall comply with the Water Authority's Water and Sewer System Expansion Ordinance, as amended from time to time. Connection for water service shall require the concurrent connection of sanitary sewer service to the Water Authority's wastewater system.
- B. The Developer or its successor shall pay Utility Expansion Charges (UEC) and the Water Supply Charges (WSCs) at the rates that are imposed at the time of a service connection, as provided in the Water Authority's Water and Sewer Rate Ordinance, as amended from time to time.
- C. The Developer shall pay a Facility Fee to the Water Authority in the amount of \$72,013. This fee reflects the proportional costs associated with the design and construction of supplemental arsenic treatment and distribution water storage in the Northwest Service Area which provides potable water service to the Property. No utility services will be sold to The Property until the Facility Fee is paid in whole. As the expansion of system capacity is classified as Master Plan Facility Improvements, this Facility Fee is reimbursable by the Water UEC's collected as services are established for the 88 residential lots within The Property. The UEC reimbursements will total no more than the Facility Fee amount. Reimbursement will be on a Fiscal Year basis. The Reimbursement request must be initiated by the Developer or its successor.
- D. Pursuant to Water Authority Resolution No. R-05-13, the Developer agrees that it will incorporate water conservation guidelines that will seek to achieve water usage of no more than seventy-five (75) gallons per capita per day. All new development shall be required to meet the standard water usage of 180 gallons per household per day which is equivalent to 75 gallons per capita per day. Indoor water use shall consist of 70% of total use with outdoor limited to 30%. Where available, outdoor water usage shall utilize reclaimed water.

4. Termination. If construction of the waterline extensions and sanitary sewer

extensions by the Developer has not been completed and accepted by the Water Authority within seven years of the effective date of this Agreement, this Agreement shall automatically terminate, and the Water Authority and the Developer shall have no further rights, obligations, or liabilities with respect to this Agreement, unless otherwise agreed in writing.

- 5. Water for Construction.** During the construction of the waterline extensions and sanitary sewer line extensions, water for construction may be obtained from a hydrant designated by the Water Authority as set forth on **Exhibit C** attached hereto and incorporated herein by reference. If economically feasible, the Contractor is encouraged to utilize alternative methods for dust abatement and control including compost from the Water Authority.
- 6. Indemnification.** The Developer will defend, indemnify and hold harmless the Water Authority and its officials, agents, and employees on demand from any claims, actions, suits, or other proceedings arising from the acts or omissions of the Developer, its agents, representatives, contractors, or subcontractors, or arising from the failure of the Developer, its agents, representatives, contractors, or subcontractors to perform any act or duty required of the Developer in this Agreement. The indemnification by the developer will not extend to the negligent acts of the Water Authority.
- 7. Representations and Warranties of Developer.** The Developer represents and warrants that:
 - A.** Developer is a validly existing limited liability company under the laws of the State of Nevada.
 - B.** Developer has all the requisite power and authority to enter into this Agreement and bind the Developer under the terms of the Agreement; and
 - C.** The undersigned officer of the Developer is fully authorized to execute this Agreement on behalf of the Developer.
- 8. Notices.** Any notice to be given under this Agreement will be in writing and will be deemed to have been given when deposited with the United States Postal Service, postage prepaid and addressed as follows:

If to the Water Authority:

Mark S. Sanchez Executive
Director
Albuquerque Bernalillo County Water
Utility Authority
One Civic Plaza, Room 5012
Albuquerque, New Mexico 87102

If to Developer:

Woodmont Paseo, LLC, a Nevada limited liability corporation Attn:
Kelly Calhoun, Manager

9. Assignment. This Agreement will not be assigned without the prior written consent of the Water Authority and the Developer.

10. Miscellaneous. This Agreement will be governed by and interpreted in accordance with the laws of the State of New Mexico. The headings used in this Agreement are for convenience only and shall be disregarded in interpreting the substantive provisions of the Agreement. This Agreement binds and benefits the Water Authority and their successors, assigns, and transferees and the Developer and their successors, assigns and transferees . Time is of the essence of each term of this Agreement. If any provision of this Agreement is determined by a court of competent jurisdiction to be void, invalid, illegal, or unenforceable, that portion will be severed from this Agreement and the remaining parts will remain in full force as though the invalid, illegal, or unenforceable portion had never been a part of this Agreement.

11. Integration; Interpretation. This Agreement contains or expressly incorporates by reference the entire agreement of the parties with respect to the matters contemplated by this Agreement and supersedes all prior negotiations . This Agreement may only be modified in writing executed by both parties.

12. Approval. This Agreement is subject to the approval of the Board of Directors of the Water Authority and will not become effective until approved by the Water Authority.

13. Effective Date. The effective date of this Agreement is the date last entered below.

In Witness Whereof, the parties hereto have executed this Agreement on the dates entered below.

Developer
Woodmont Paseo, LLC,
a Nevada limited liability corporation

By: _____
Kelly Calhoun
Manager

Date: _____

[illegible]

5

Manager of Woodmont Paseo, LLC a Nevada limited liability corporation, on behalf of said Company.

Notary Public

My Commission Expires:

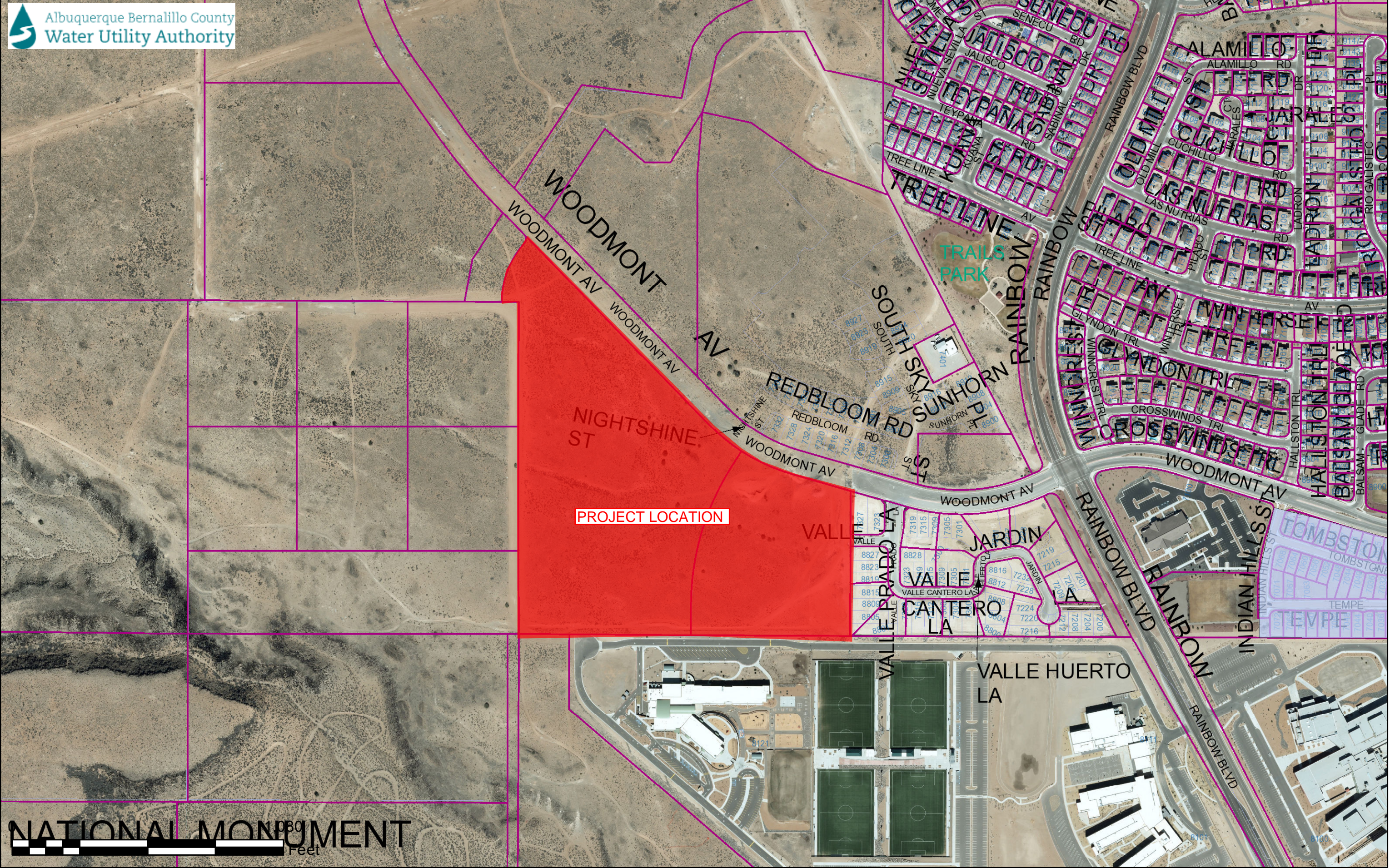
STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on _____, 20_ by Mark S. Sanchez, Executive Director of the Albuquerque Bernalillo County Water Utility Authority, a New Mexico political subdivision.

Notary Public

My Commission Expires:

EXHIBIT A



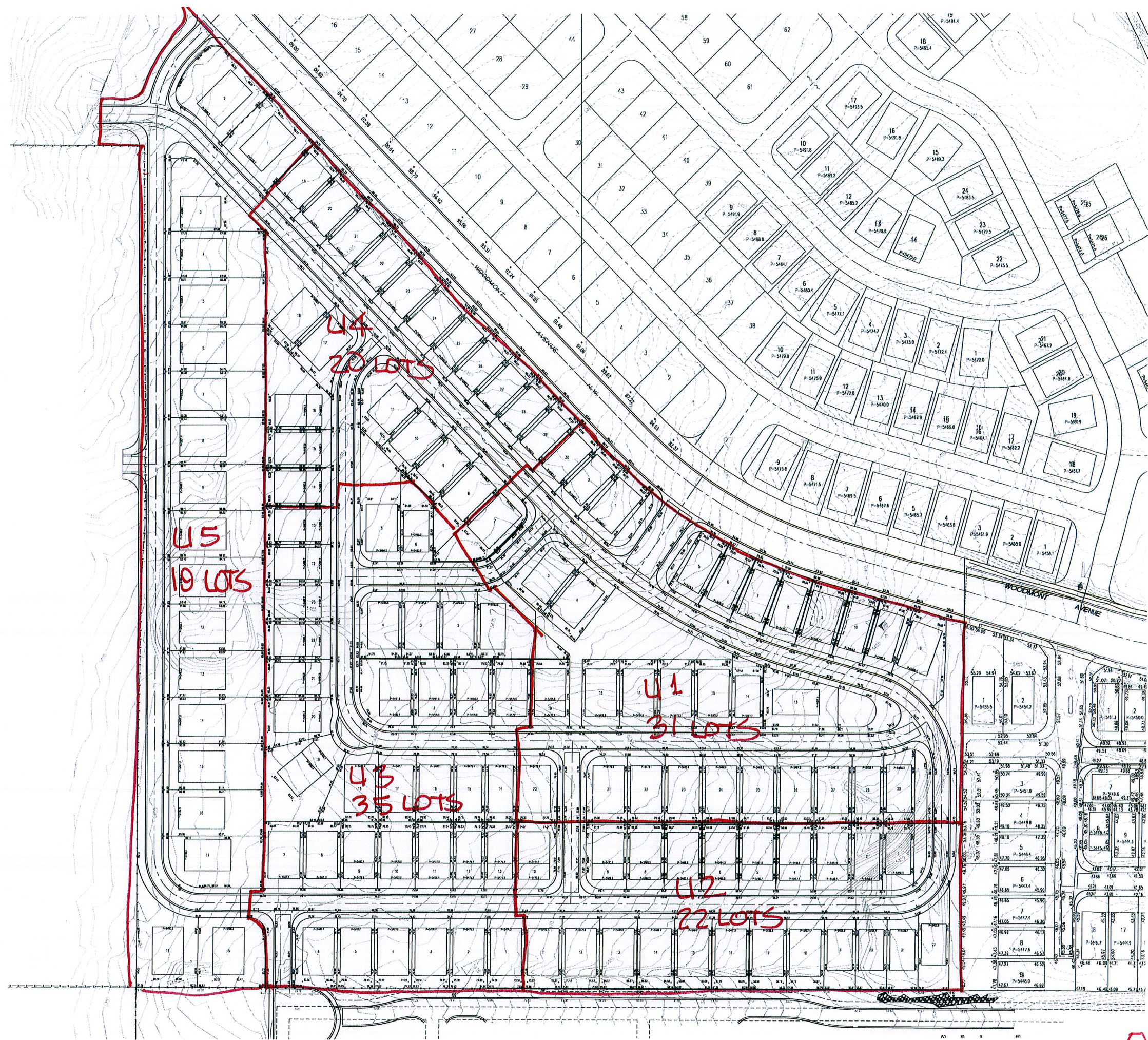


EXHIBIT A

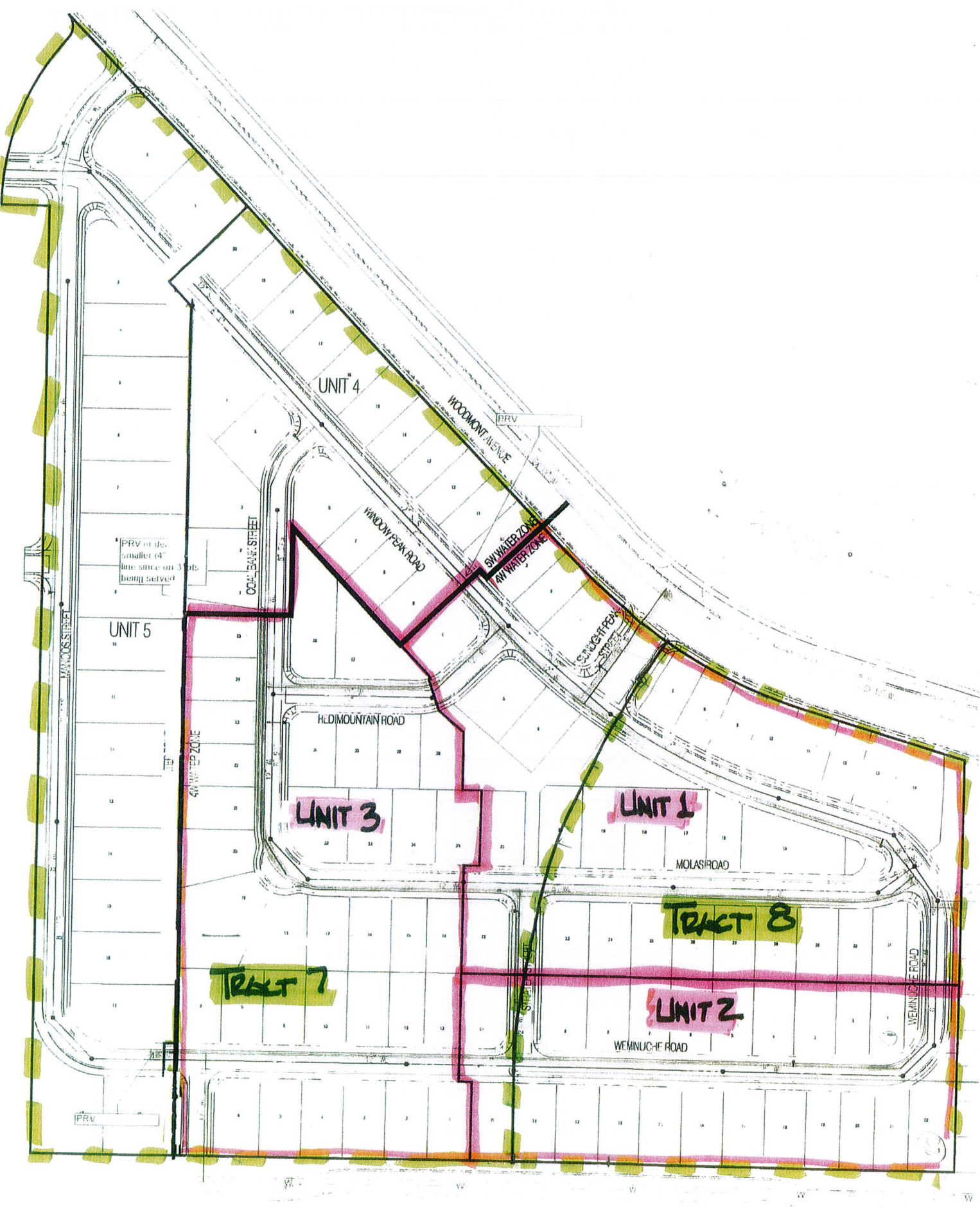


EXHIBIT A-1

April 14, 2015

ChairMaggie Hart Stebbins
County of Bernalillo
Commissioner, District 3**Vice Chair**Trudy E. Jones
City of Albuquerque
Councilor, District 8Richard J. Berry
City of Albuquerque
MayorArt De La Cruz
County of Bernalillo
Commissioner, District 2Rey Garduño
City of Albuquerque
Councilor, District 6Debbie O'Malley
County of Bernalillo
Commissioner, District 1Ken Sanchez
City of Albuquerque
Councilor, District 1*Ex-Officio Member*
Pablo R. Rael
Village of Los Ranchos
Board Trustee*Executive Director*
Mark S. Sanchez*Website*
www.abcwua.orgRick Beltramo
Gallway Construction, Inc
6330 Riverside Plaza Lane, #160
Albuquerque, NM 87120**RE: Water and Sanitary Sewer Serviceability Statement #150214**
Project Name: Tracts 7 & 8 of The Trails - Project Location: Near the corner of Woodmont Avenue & Rainbow Blvd - Zone Atlas Map: C-9

Dear Mr. Beltramo:

Project Information: The subject site is located on Woodmont Avenue west of Rainbow Blvd within the City. The proposed development consists of approximately 30 acres and the property is currently zoned SU-2 (VTRD) for residential use. The property lies within the Pressure Zone 4W & 5W in the Corrales trunk. The request for Serviceability indicates plans to develop 125 residential dwelling units to be constructed within five phases.

Development Agreement: Pursuant to the System Expansion Ordinance, this property is outside of the Water Authority service area and the Water Authority Board must approve a Development Agreement to serve this property and establish requirements as a condition of service. Contact the Utility Development Office for draft Development Agreements.

Water Supply Charge: All developments located outside of the Water Authority's service area will be assessed a Water Supply Charge (WSC) as provided in the Water Authority's Water and Sewer Rate Ordinance for the development of new water resources, rights and supplies necessary to serve the development. The WSC shall not be used for reimbursement of master planned facilities.

Existing Conditions: Water infrastructure in the area consists of the following:

- 16 inch PVC Distribution Main (Project #26-7669.82-12) in the 20 feet water line easement located south of the proposed development.
- Eight inch PVC Distribution Main (Project #26-7300.86-08) in Valle Prado Lane.
- Eight inch PVC Distribution Main (Project #26-7300.71-14) in Valle Jardin Lane.
- 12 inch PVC Distribution Main (Project #26-7300.84-05) in Woodmont Avenue.

Sanitary sewer infrastructure in the area consists of the following:

- 12 inch PVC Collector Line (Project #26-7300.86-08) in Valle Prado Lane located south of Valle Jardin Lane.

- 12 inch PVC Collector Line (Project #26-7300.86-08) in Valle Jardin Lane.
- Eight inch PVC Collector Line (Project #26-7300.71-14 in Valle Prado Lane located north of Valle Jardin Lane.

Water and Sewer Service: New metered water service to the property can be provided contingent upon a developer funded project to install a 12 inch (4W) Distribution Main that shall connect the to the existing 12 inch (4W) Distribution Main in Woodmont and the existing 16 inch Distribution Main located just south of the project location and shall be aligned to follow the 4W/5W pressure zone boundary via internal streets. The existing 12 inch (4W) Distribution Main along Woodmont Ave. shall be extended as necessary along the property frontage up to the 4W/5W pressure zone boundary. Development of water infrastructure for the project shall include an internally looped system to serve the proposed dwelling units which consists of 8 inch Distribution Mains. Service for 4W pressure zone will not be provided to any properties with elevations greater than 5485 feet as proposed in the Request for Serviceability. A portion of the proposed project lies within the 5W pressure zone which cannot currently be served without developer funded infrastructure that includes but is not limited to an appropriately sized new reservoir, transmission lines, pump stations and the disinfection facilities necessary to operate the water system. Service is also contingent upon compliance with the Fire Marshal's instantaneous fire flow requirements. Water service will not be sold without adequate fire protection. Water service will only be sold in conjunction with sanitary sewer service

Sanitary sewer service can be provided contingent upon a developer funded project to extend a 12 inch Collector Line along the property frontage along Woodmont Ave. and connect to the existing 12 inch Collector Line located in Valle Jardin Lane. The developer will also be responsible for constructing the necessary sewer infrastructure to serve the proposed dwelling units internal to the project location.

Fire Protection: The instantaneous fire flow requirements for the subject property were not submitted in the request for Serviceability; therefore, this statement may not be complete and/or valid at the time of future construction. All new required hydrants as well as their exact locations must be determined through City of Albuquerque Fire Marshal's Office and verified through the Utility Development Office prior to sale of service.

Easements: Exclusive public water and sanitary sewer easements are required for all public lines that are to be constructed outside of any dedicated Rights-of-Way. A minimum width easement of 20 feet is required for a single utility and 25 feet for water and sewer both within the same easement. Easements for water meters need to be five feet by five feet and include the length of the water service if located on private property. Actual easement widths may vary depending on the depth of the lines to be installed. Acceptable easements must be documented prior to approval of service.

Pro Rata: As described in this Serviceability Statement, the extension of public water and sanitary sewer lines may be eligible for partial reimbursement through the

Pro Rata process as detailed in the ABCWUA Water and Wastewater System Expansion Ordinance.

Pro Rata is not owed and the property can utilize the services available upon completion of the requirements of this statement to connect to water and sanitary sewer.

Design and Construction of all required improvements will be at the developer / property owner's expense. Improvements must be coordinated through the City of Albuquerque via the Work Order process. Designs must be by a licensed, New Mexico registered professional engineer. Construction must be by a licensed, bonded, public utility contractor.

Costs and Fees: In addition to installation and construction costs, any new metered water services will be subject to both water and sanitary sewer Utility Expansion Charges (UEC) payable at the time of service application. All charges and rates collected will be based on the ordinances and policies in effect at the time service is actually requested and authorized.

Water Use: All new development shall be required to meet the standard water usage of 180 gallons per household per day which is equivalent to 75 gallons per capita per day. Indoor water use shall consist of 70% of total use with outdoor limited to 30%. Where available, outdoor water usage shall utilize reclaimed water. All new commercial developments shall be subject to the requirements for water usage and water conservation requirements as defined by the Water Authority.

Closure: Changes in the proposed development may require reevaluation of serviceability and should be brought to the attention of the Utility Development Section of the Water Authority as soon as possible.

Please feel free to contact the Water Utility Development Office at (505) 289-3307, or by fax at (505) 289-3303 if you have questions regarding the information presented herein or need additional information.

Sincerely,

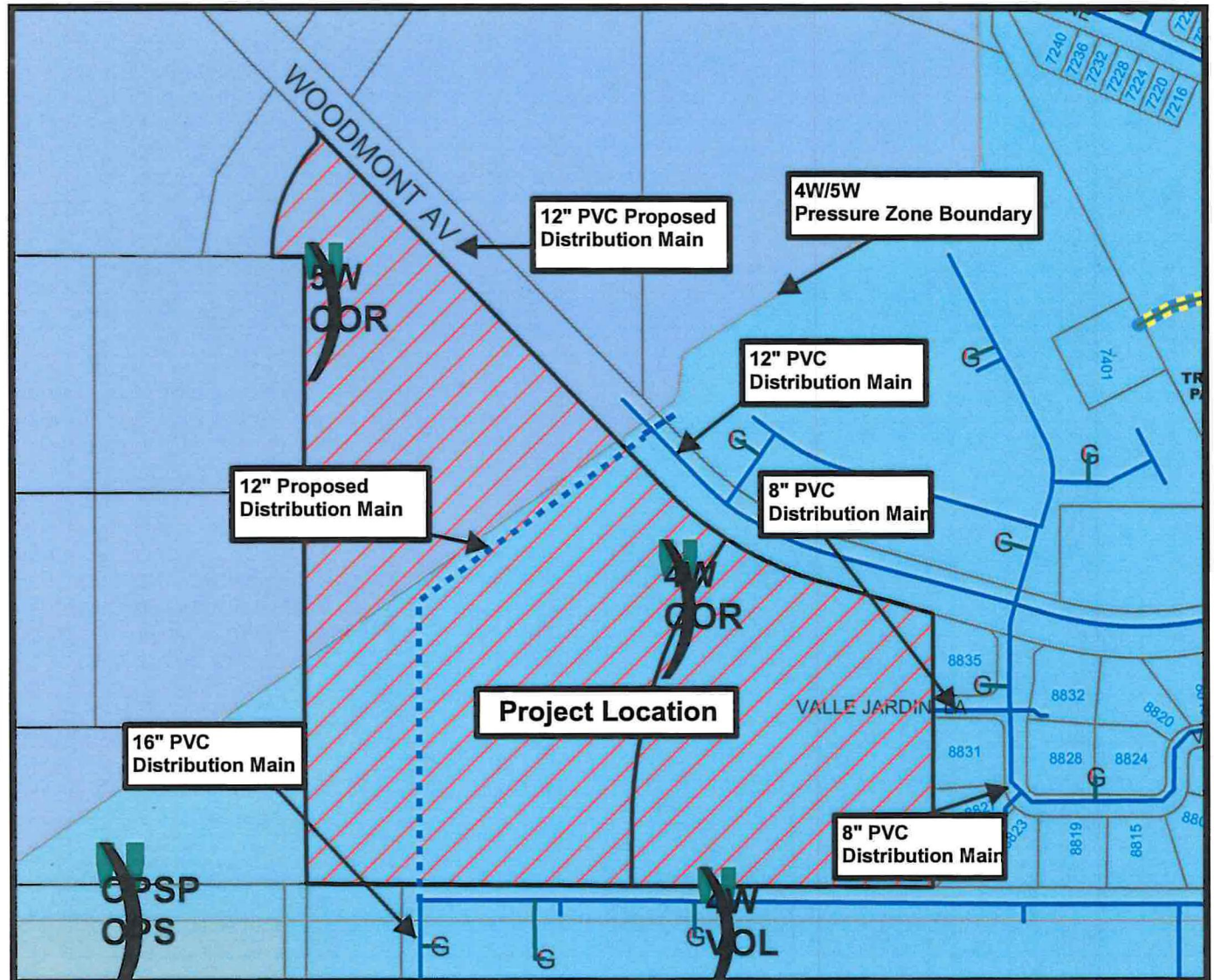
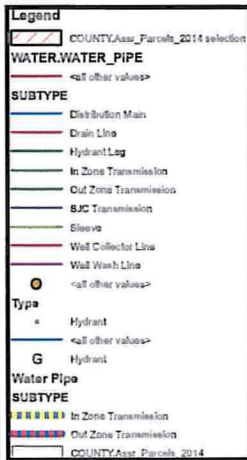


Mark S. Sanchez
Executive Director

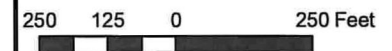
Enclosures: Infrastructure Maps (2)

f/ Serviceability C-9

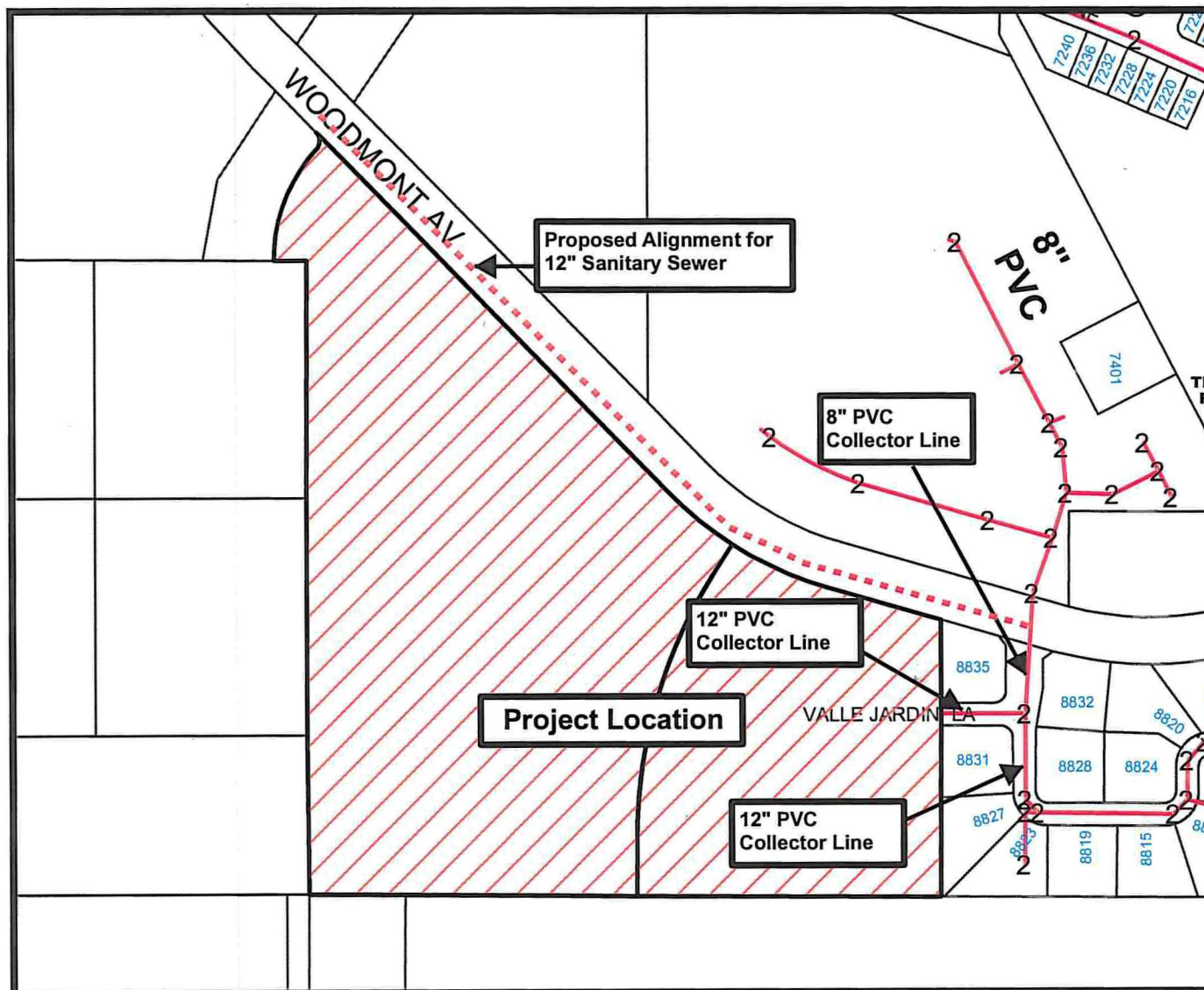
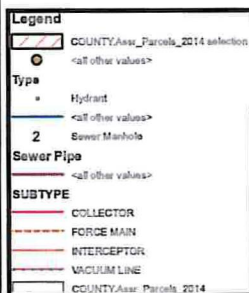
M



Availability Statement # 150214
Water Infrastructure



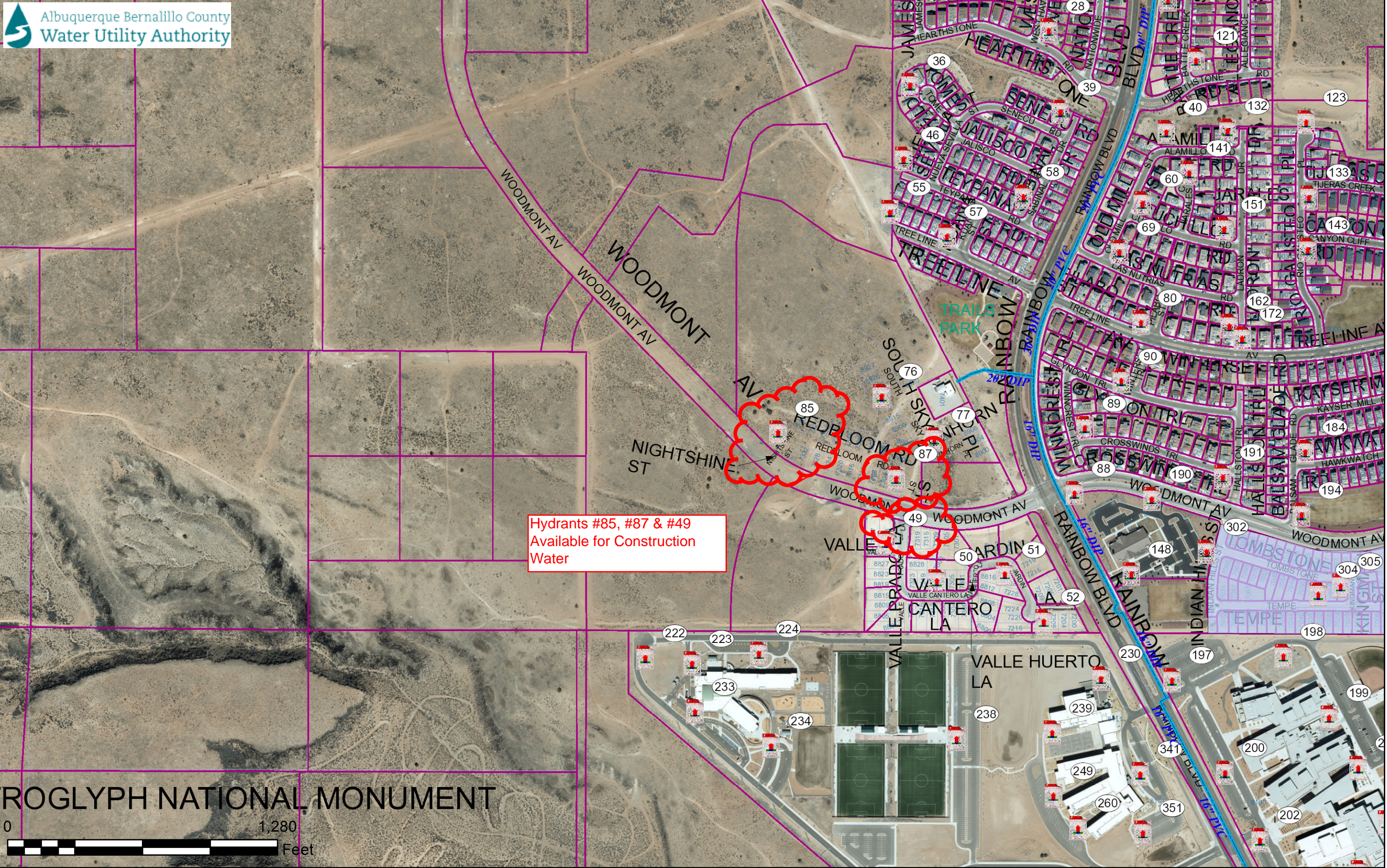
M



Availability Statement # 150214
Sewer Infrastructure

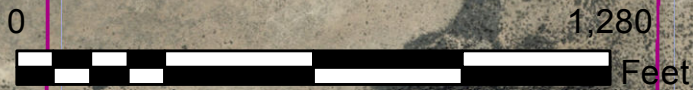


EXHIBIT C - HYDRANTS AVAILABLE FOR CONSTRUCTION WATER



Hydrants #85, #87 & #49
Available for Construction
Water

TROGLYPH NATIONAL MONUMENT



Legend



Water Hydrants

-  <all other values>
-  Air Release Hydrant, <Null>
-  Air Release Hydrant, NO
-  Air Release Hydrant, Y
-  Standard Hydrant, <Null>
-  Standard Hydrant, NO
-  Standard Hydrant, Y



Water Pump Stations

-  Water Pump Station


Water Reservoirs

-  Round Reservoir
-  Square Reservoir










Transmission Mains

-  In Zone Transmission
-  Out Zone Transmission







Availability Statements

-  Availability Statements


San Juan-Chama Pipes

-  <all other values>
-  Treated, Y
-  Treated, NO
-  Treated, <Null>
-  Raw Transmission Lines, Y
-  Raw Transmission Lines, <Null>
-  Drain Line, Y
-  Drain Line, NO
-  <Null>, Y

Non-Potable Pipe

-  <all other values>
-  Distribution Main
-  Hydrant Leg
-  Over Flow Drain Line
-  Sleeve
-  Well Wash Line

County Assessor Parcels 2014

-  County Assessor Parcels 2014

Base Map

-  Base Map

Rivers

-  Rivers

Meeting Date: August 19, 2015

Staff Contact: Kristopher Cadena, Acting Principal Engineer, Utility Development

TITLE: R-15-15 – Authorizing an Agreement with Cruz Corporation for the Cruz Estates Subdivision for Water and Sewer Service

ACTION: First Reading August 19, 2015; Final Action September 23, 2015

SUMMARY:

The development is located along the south side of Pajarito Rd., just east of the Arenal Canal within the unincorporated area of Bernalillo County. The project consists of 11 individual building lots. The property lies within Pressure Zone 0W in the Pajarito Trunk.

Water and wastewater service is contingent on the Developer constructing internal distribution and collector lines that tie to the existing infrastructure proximate to the property. All services provided within the development will be subject to current Utility Expansion and Water Supply Charges.

FISCAL IMPACT:

None.

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. R-15-15

1 **RESOLUTION**

2 **AUTHORIZING AN AGREEMENT WITH CRUZ CORPORATION FOR THE CRUZ**
3 **ESTATES SUBDIVISION FOR WATER AND SEWER SERVICE.**

4 WHEREAS, Cruz Corporation is the developer and owner of approximately 11
5 residential lots located at the Pajarito road east of Coors SW; and

6 WHEREAS, the property which is located outside the service area of the Water
7 Authority will require a development agreement for the extension and/or connection of
8 water and sewer lines to the Water Authority's water and sewer system; and

9 WHEREAS, the Water Authority's Water and Wastewater System Expansion
10 Ordinance requires that new service developed outside the Water Authority's service
11 area will incur no net expense to the Water Authority and be subject to provisions of
12 relevant updated planning documents as approved by the City and/or County; and
13 BE IT RESOLVED BY THE WATER AUTHORITY:

14 Section 1. Cruz Corporation will obtain all permits, assurances, and approvals
15 from the Water Authority and the Bernalillo County development/design review process.
16 Construction of water and/or sewer lines shall be in conformance with the plans
17 approved by the Water Authority and all applicable plans, specifications, requirements,
18 and standards of the Water Authority.

19 Section 2. The expansion of the System shall incur no net expense to the Water
20 Authority.

21 Section 3. Cruz Corporation will be responsible for close coordination of the
22 project with the Water Authority during the design and construction phases, including
23 the review of the design details during the design process, and the approval of
24 specifications and contract documents.

25 Section 4. The Executive Director is authorized to enter into the agreement with
26 Cruz Corporation for the provision of water and sewer service.

DEVELOPMENT AGREEMENT

Cruz Corporation

Albuquerque Bernalillo County Water Utility Authority, a New Mexico political subdivision, (“Water Authority”) and **Cruz Corporation, a New Mexico Corporation** (together, “Parties”), agree as follows:

1. Recitals

- A. Cruz Corporation** is the developer and owner of certain real property located at the Pajarito road east of Coors SW (collectively, the “Property”). The Property is more particularly described and as shown on **Exhibit A** attached hereto and incorporated herein by reference. The Property is located outside the Water Authority’s service area. Development on The Property will consist of a 11 lot residential subdivision.
- B.** The Legal Description of the Property is as follows: LOTS 1-11 CRUZ ESTATES BEING A REPLAT OF TRACT 96-B-2 MRGCD PROPERTY MAP 53, SECTION 23 T9N,R2E,NMPM BERNALILLO COUNTY NEW MEXICO
- C.** The Property is served by Pressure Zone 0W of the Pajarito Trunk.
- D.** The Parties desire to agree upon terms and conditions pursuant to which the Water Authority will provide water and sanitary sewer service to the Property. **Cruz Corporation** desires to construct, or cause to be constructed, extensions of existing public water and sanitary sewer lines and appurtenant infrastructure (collectively, “Line Extensions”) under all applicable plans, specifications, requirements, and standards of the Water Authority. The Availability Statement for the Property reflecting the line extensions and other matters referred to in this Agreement is attached hereto as **Exhibit B** and incorporated herein by reference.
- E.** The water line extensions referenced in this Agreement are not considered Master Plan waterlines by the Water Authority. As such, reimbursement of construction costs associated with the Line Extensions will not be available through water UEC (defined below in Section 3.B) reimbursements.

2. Design and Construction of the Waterlines and Sanitary Sewer Line

- A. Cruz Corporation** will cause definitive designs and plans of the Line Extensions to be produced which will include estimates of all costs and expenses. **Cruz Corporation** will not connect the Lines Extensions to the existing water and sanitary sewer lines within the City of Albuquerque (“City”) public right-of-way or dedicated Public Water or Sanitary Sewer Easements until the Water Authority has approved the Line Extensions.

Cruz Corporation will convey, at no expense to the Water Authority, all Line Extensions that have been approved and accepted by the Water Authority and all necessary easements for the Line Extensions at locations reasonably acceptable to **Cruz Corporation**, free and clear of all liens, claims, and encumbrances for the construction, operation, and maintenance of the line extension. **Cruz Corporation** will obtain all necessary permits, assurances, and approvals from the Water Authority and Bernalillo County, and **Cruz Corporation** will deliver a copy of such permits, assurances, and approvals to the Water Authority prior to the start of construction. Construction will be handled through the Water Authority work order process.

- B. Cruz Corporation** will complete, or cause to be completed, construction of the Line Extensions as approved by the Water Authority, and in conformance with all applicable plans, specifications, and standards of the County and the Water Authority.
- C. Cruz Corporation** will be responsible for close coordination of the project with the Water Authority during the design and construction phases, including review of design details, during the design process, and the approval of specifications and contract documents. The Water Authority will review and approve in a timely manner the design plans for construction and estimated cost, to ensure the designs meet Water Authority standards and follow the guidance provided in the City's Development Process Manual ("DPM") and/or applicable Water Authority Design Manuals.
- D.** To the extent relevant and applicable and to the extent there is no conflict with the terms of this Agreement, the usual procedures and documentation, including the Procedure "B", as defined in the Subdivision Ordinance and the DPM of the City, will be followed and used for the Line Extensions.

3. Service

- A. Cruz Corporation** shall comply with the Water Authority's Water and Sewer System Expansion Ordinance, as amended from time to time. Connection for water service shall require the concurrent connection of sanitary sewer service to the Water Authority's wastewater system.
- B. Cruz Corporation** or its successor shall pay Utility Expansion Charges (UECs) and the Water Supply Charges (WSCs) at the rates that are imposed at the time of a service connection, as provided in the Water Authority's Water and Sewer Rate Ordinance, as amended from time to time.
- C.** Pursuant to Water Authority Resolution No. R-05-13, the Developer agrees that it will incorporate water conservation guidelines that will seek

to achieve water usage of no more than seventy-five (75) gallons per capita per day. All new development shall be required to meet the standard water usage of 180 gallons per household per day which is equivalent to 75 gallons per capita per day. Indoor water use shall consist of 70% of total use with outdoor limited to 30%. Where available, outdoor water usage shall utilize reclaimed water.

4. **Termination.** If construction of the waterline extensions and sanitary sewer extensions by **Cruz Corporation** has not been completed and accepted by the Water Authority within seven years of the effective date of this Agreement, this Agreement shall automatically terminate, and the Water Authority and **Cruz Corporation** shall have no further rights, obligations, or liabilities with respect to this Agreement, unless otherwise agreed in writing.
5. **Water for Construction.** During the construction of the waterline extensions and sanitary sewer line extensions, water for construction may be obtained from a hydrant designated by the Water Authority as set forth on **Exhibit C** attached hereto and incorporated herein by reference. If economically feasible, the Contractor is encouraged to utilize alternative methods for dust abatement and control including compost from the Water Authority.
6. **Indemnification.** **Cruz Corporation** will indemnify and hold harmless the Water Authority and its officials, agents, and employees on demand from any claims, actions, suits, or other proceedings arising from the acts or omissions of **Cruz Corporation**, its agents, representatives, contractors, or subcontractors, or arising from the failure of **Cruz Corporation**, its agents, representatives, contractors, or subcontractors to perform any act or duty required of **Cruz Corporation** in this Agreement. The indemnification by **Cruz Corporation** will not extend to the negligent acts of the Water Authority.
7. **Representations and Warranties of Cruz Corporation.** **Cruz Corporation** represents and warrants that:
 - A. **Cruz Corporation** is a validly existing New Mexico Corporation.
 - B. **Cruz Corporation** has all the requisite power and authority to enter into this Agreement and bind **Cruz Corporation** under the terms of the Agreement; and
 - C. The undersigned officer of **Cruz Corporation** is fully authorized to execute this Agreement on behalf of **Cruz Corporation**.
8. **Notices.** Any notice to be given under this Agreement will be in writing and will be deemed to have been given when deposited with the United States Postal Service, postage prepaid and addressed as follows:

If to the Water Authority:

Mark S. Sanchez
Executive Director
Albuquerque Bernalillo County
Water Utility Authority
One Civic Plaza, Room 5012
Albuquerque, New Mexico 87102

If to **Cruz Corporation**:

Cruz Corporation
3616 San Ygnacio Rd SW
Albuquerque, NM 87121
A New Mexico Corporation

- 9. Assignment.** This Agreement will not be assigned without the prior written consent of the Water Authority and **Cruz Corporation**.
- 10. Miscellaneous.** This Agreement will be governed by and interpreted in accordance with the laws of the State of New Mexico. The headings used in this Agreement are for convenience only and shall be disregarded in interpreting the substantive provisions of the Agreement. This Agreement binds and benefits the Water Authority and their successors, assigns, and transferees and **Cruz Corporation** and their successors, assigns and transferees. Time is of the essence of each term of this Agreement. If any provision of this Agreement is determined by a court of competent jurisdiction to be void, invalid, illegal, or unenforceable, that portion will be severed from this Agreement and the remaining parts will remain in full force as though the invalid, illegal, or unenforceable portion had never been a part of this Agreement.
- 11. Integration; Interpretation.** This Agreement contains or expressly incorporates by reference the entire agreement of the parties with respect to the matters contemplated by this Agreement and supersedes all prior negotiations. This Agreement may only be modified in writing executed by both parties.
- 12. Approval.** This Agreement is subject to the approval of the Board of Directors of the Water Authority and will not become effective until approved by the Water Authority.
- 13. Effective Date.** The effective date of this Agreement is the date last entered below.

In Witness Whereof, the parties hereto have executed this Agreement on the dates entered below.

**Albuquerque Bernalillo County
Water Utility Authority**

**Cruz Corporation
A New Mexico Corporation**

By: _____
Mark S. Sanchez
Executive Director

By: _____
Joe Cruz
President

Date: _____

Date: _____

ACKNOWLEDGEMENTS

STATE OF New Mexico)
) ss
COUNTY OF Bernalillo)

This instrument was acknowledged before me on, _____, 2015 by **Authorized Signee for Cruz Corporation** on behalf of said Company.

Notary Public

My Commission Expires:

[illegible]

This instrument was acknowledged before me on _____, 20__ by Mark S. Sanchez, Executive Director of the Albuquerque Bernalillo County Water Utility Authority, a New Mexico political subdivision.

Notary Public

My Commission Expires:

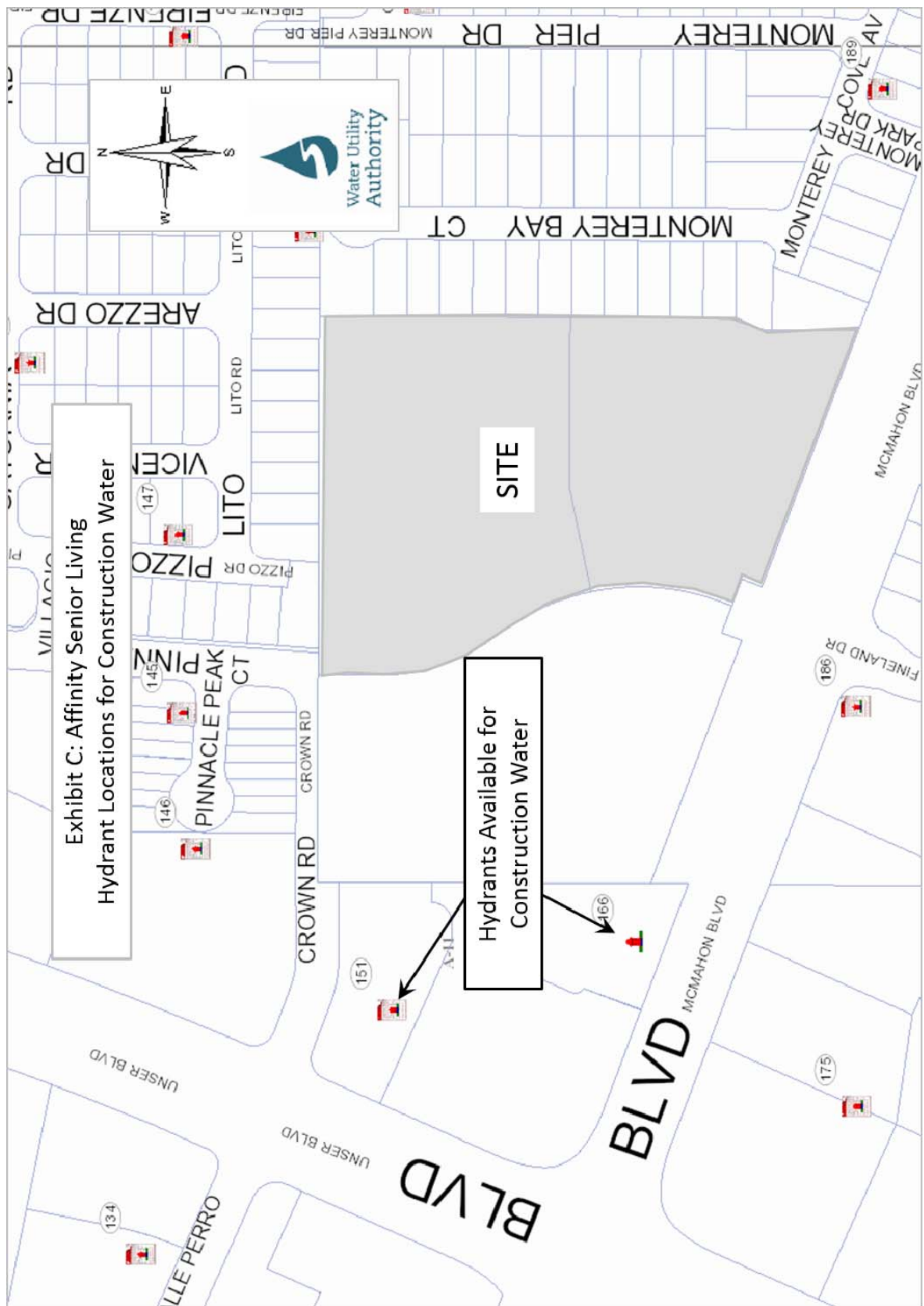


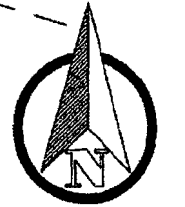
EXHIBIT A - Project Location



NOTE: ALL LOT AREAS ARE NET-GROSS

PLAT OF
LOTS 1-11
CRUZ ESTATES
BEING A RE-PLAT OF TRACT 96-B-2
M.R.G.C.D. PROPERTY MAP NO 53
SITUATED WITHIN SECTION 23
TOWNSHIP 9N, RANGE 2 EAST, N.M.P.M.
BERNALILLO COUNTY, NEW MEXICO
JANUARY 2015

A.C.S CONTROL STATION
5-111
N 1450878.156
E 1506640.460
24914.793
NAD 1983
NAVD 1983
NEW MEXICO STATE PLANE
CENTRAL ZONE
GGM = 0.99969325
DELTA ALPHA = 00°15'21.96"



0 20 40 Feet
SCALE 1"=70'

MONUMENT LEGEND

- FOUND MONUMENT "AS NOTED"
- △ ALBUQUERQUE CONTROL STATION "AS DESIGNATED"
- SET 1" PLASTIC CAP STAMPED "S 21082"
- ▲ CENTERLINE MONUMENT 3-1/2" ALUMINUM CAP STAMPED "21082"
- ANGLE POINT/POINT OF CURVATURE, OR POINT OF TANGENCY
SET 1" PLASTIC CAP STAMPED "S 21082"

NOTE: "A" HOA TRACT A FOR THE BENEFICIAL USE OF LOTS 1-11. SAID TRACT IS A PRIVATE ACCESS, PUBLIC WATERLINE AND SANITARY EASEMENT GRANTED TO THE ABOVE BY THIS PLAT. MAINTENANCE OF SAID HOA TRACT "A" IS THE RESPONSIBILITY OF THE CRUZ ESTATES HOME OWNER ASSOCIATION. SAID TRACT CONTAINS AN AREA OF 34864 SQ FT (0.80037 ACRES)

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	20.41	25.00	46.77	N33°05'13"E	19.85
C2	34.66	48.00	41.57	N35°47'18"E	33.91
C3	45.62	48.00	54.46	N12°07'21"W	43.92
C4	52.70	48.00	62.31	N70°48'19"W	50.10
C5	43.03	48.00	52.32	S51°34'40"W	42.33
C6	52.35	48.00	62.48	N5°49'34"W	49.79
C7	20.41	25.00	46.77	N13°40'59"W	19.85
C8	50.73	30.00	96.92	S58°09'52"W	44.91
C9	43.50	30.00	83.08	N31°50'08"W	39.79

THIS PROPERTY IS SUBJECT TO BERNALILLO COUNTY CODE CHAPTER 38 FLOODS. A GRADING AND DRAINAGE PLAN PREPARED BY A NEW MEXICO REGISTERED ENGINEER MAY BE REQUIRED WITH FUTURE DEVELOPMENT OF LOTS. CROSS LOT DRAINAGE MUST NOT BE INCREASED OR IMPACTED BY DEVELOPMENT OF THESE LOTS. LOTS MUST ACCEPT HISTORICAL STORM WATER RUNOFF FROM ADJACENT ROADWAY AND PROPERTIES. NO MASS GRADING, CLEARING, GRUBBING IS ALLOWED WITHOUT AN APPROVED GRADING AND DRAINAGE PLAN.



CONSTRUCTION SURVEY TECHNOLOGIES, INC.

WORKING: PO BOX 65395, ALBUQUERQUE, NM 87193 505-917-6921
OFFICE: 1606 CENTRAL AVE SE, SUITE 101, ALBUQUERQUE, NM 87106
HNSURVEYOR@ATTN.COM



November 5, 2014

Chair

Klarissa J. Peña
City of Albuquerque
Councilor, District 3

Vice Chair

Maggie Hart Stebbins
County of Bernalillo
Commissioner, District 2

Richard J. Berry
City of Albuquerque
Mayor

Art De La Cruz
County of Bernalillo
Commissioner, District 2

Rey Garduño
City of Albuquerque
Councilor, District 6

Trudy E. Jones
City of Albuquerque
Councilor, District 8

Debbie O'Malley
County of Bernalillo
Commissioner, District 1

Ex-Officio Member
Pablo R. Rael
Village of Los Ranchos
Board Trustee

Executive Director
Mark S. Sanchez

Website
www.abcwua.org

David Soule, PE
Rio Grande Engineering
PO Box 93924
Albuquerque, NM 87199

RE: Water and Sanitary Sewer Availability Statement #141002
Project Location: 2508 Pajarito Rd SW - Zone Atlas Map: R-11

Dear Mr. Soule:

Project Information: The subject site is located on Pajarito Rd. east of the Arenal Canal, in an unincorporated area of Bernalillo County. The proposed development consists of approximately +/- 12.85 acres and the property is currently zoned A-1 for residential use. The property lies within the Pressure Zone 0W in the Pajarito trunk. The request for availability indicates plans to subdivide the property into eight residential lots.

Existing Conditions: Water infrastructure in the area consists of the following:

- 36 inch CC In Zone Transmission Line (Project #26-7565.81-08) in Pajarito Rd.
- Ten inch DI Distribution Main (Project #26-7565.81-08) in Pajarito Rd.

Sanitary sewer infrastructure in the area consists of the following:

- Six inch Vacuum Line (Project #26-5367.93-06) in Pajarito Rd. with buffer tank in project site.

Water and Sewer Service: New metered water service to the property can be provided contingent upon a developer funded design and construction of a looped Distribution Line within the project site connecting to the existing ten inch Distribution Main in Pajarito Rd. Connection to the 36 inch Transmission Line is not allowable. Service is also contingent upon compliance with the Fire Marshal's instantaneous fire flow requirements. Water service will not be sold without adequate fire protection. Water service will only be sold in conjunction with sanitary sewer service

New private sanitary sewer service can be provided contingent upon a developer funded design and construction of a new gravity fed Collector Line connecting to the existing Buffer Tank and six inch Vacuum Line located at the north end of the project site. Service taps for the new lots may be made to the new Collector Line via routine connections. In accordance to Bernalillo County Waste Water Ordinance, all plumbed structures on this site must tie into the municipal sanitary sewer system.

Fire Protection: The instantaneous fire flow requirements for the subject property were not submitted in the request for availability; therefore, this statement may not be complete and/or valid at the time of future construction. All new required hydrants as well as their exact locations must be determined through Bernalillo County Fire Marshal's Office and verified through the Utility Development Office prior to sale of service.

Easements: Exclusive public water and sanitary sewer easements are required for all public lines that are to be constructed outside of any dedicated Rights-of-Way. A minimum width easement of 20 feet is required for a single utility and 25 feet for water and sewer both within the same easement. Actual easement widths may vary depending on the depth of the lines to be installed. Acceptable easements must be documented prior to approval of service. A service agreement, as part of a Home Owners Association, will be necessary for ongoing infrastructure maintenance and repairs.

Design and Construction of all required improvements will be at the developer / property owner's expense and must be coordinated through the Bernalillo County Department of Public Works and Water Authority Work Order process. Designs must be by a licensed, New Mexico registered professional engineer. Construction must be by a licensed, bonded, public utility contractor.

Costs and Fees: In addition to installation and construction costs, any new metered water services will be subject to both water and sanitary sewer Utility Expansion Charges (UEC) payable at the time of service application. All charges and rates collected will be based on the ordinances and policies in effect at the time service is actually requested and authorized.

Water Supply Charge: Newly developed properties outside the Water Authority's water service area but within the South Valley Drinking Water Project (SVDWP) area will be assessed a Water Supply Charge (WSC) as provided in the Water Authority's Water and Sewer Rate Ordinance and the SVDWP Water Service Policies for the development of new water resources, rights and supplies necessary to serve the development. The WSC shall not be used for reimbursement of master planned facilities

Water Use: The Water Authority is ready, willing, and able to provide the maximum annual requirement for the subject subdivision/project for a period of at least 70 years, as required by the Bernalillo County Subdivision Ordinance. However, the Water Authority is also committed to meeting water conservation goals and requirements. Accordingly, and regardless of the maximum annual requirement, all new residential development will be required by the Water Authority to meet the standard water usage of 180 gallons per day per household which is equivalent to 75 gallons per capita day. Indoor water use shall consist of 70% of total use with outdoor limited to 30%. Where available, outdoor water usage shall utilize reclaimed water. All new commercial developments shall be subject to the requirements for water usage and water conservation requirements as defined by the Water Authority, particularly the Water Waste Ordinance (O-07-13), Water Conservation Large Users Ordinance and Water Conservation Water by Request Ordinance.

Closure: This statement of service availability will remain in effect for a period of one year from the date of issue and applies only to the development identified herein. Its validity is, in part, contingent upon the continuing accuracy of the information supplied by the developer. Changes in the proposed development may require reevaluation of availability and should be brought to the attention of the Utility Development Section of the Water Authority as soon as possible.

Please feel free to contact the Water Utility Development Office at (505) 924-3987, or by fax at (505) 924-3864 if you have questions regarding the information presented herein or need additional information.

Sincerely,



Mark S. Sanchez
Executive Director

Enclosures: Infrastructure Maps (2)

f/ Availability R-11

210 105 0 210 Feet

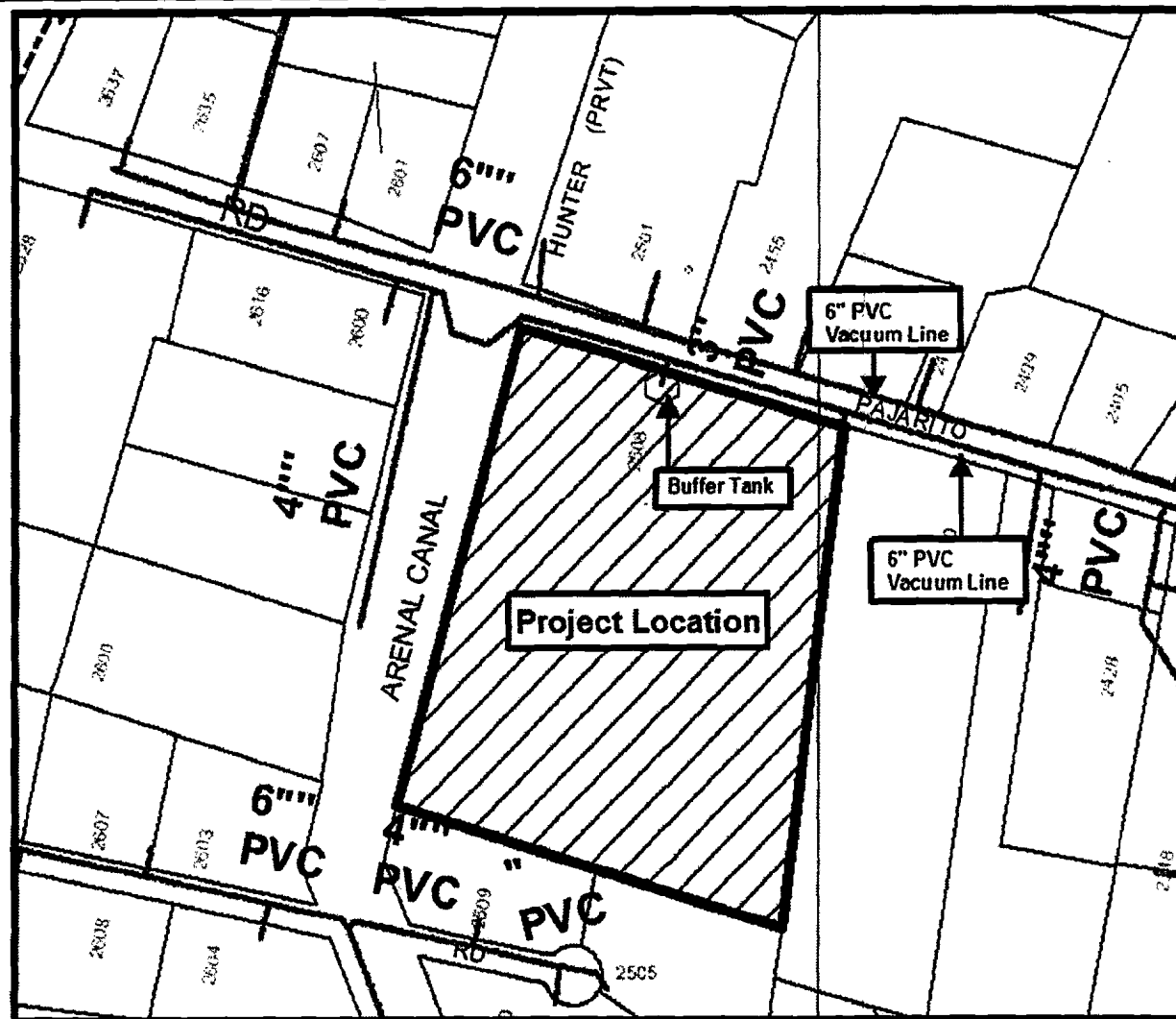


Legend

	COUNTY AND STATE HIGHWAY
	LOCAL ROAD
	PROPERTY LINE
	CONCRETE
	POSSIBLE
	INTERSECTION
	VACUUM LINE
	COUNTY AND STATE HIGHWAY



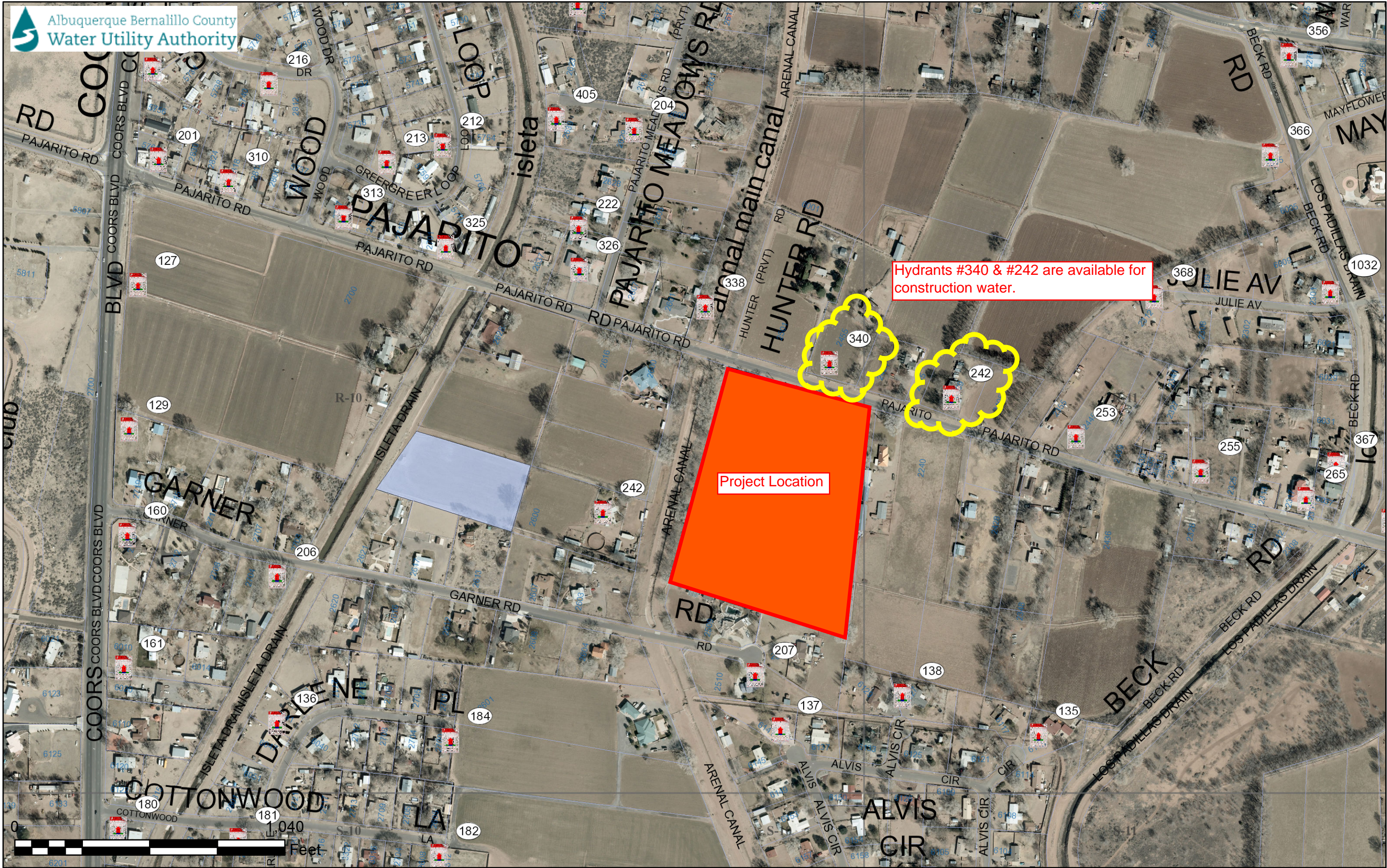
Water Utility
Authority



Availability Statement # 141002
Sanitary Sewer Infrastructure



Exhibit C - Water for Construction



Legend


Water Hydrants

-  <all other values>
-  Air Release Hydrant, <Null>
-  Air Release Hydrant, NO
-  Air Release Hydrant, Y
-  Standard Hydrant, <Null>
-  Standard Hydrant, NO
-  Standard Hydrant, Y










Municipal Limits

-  ALBUQUERQUE
-  CORRALES
-  EDGEWOOD
-  LOS RANCHOS
-  RIO RANCHO
-  TIJERAS
-  UNINCORPORATED AREAS







Availability Statements

-  Availability Statements


San Juan-Chama Pipes

-  <all other values>
-  Treated, Y
-  Treated, NO
-  Treated, <Null>
-  Raw Transmission Lines, Y
-  Raw Transmission Lines, <Null>
-  Drain Line, Y
-  Drain Line, NO
-  <Null>, Y

Non-Potable Pipe

-  <all other values>
-  Distribution Main
-  Hydrant Leg
-  Over Flow Drain Line
-  Sleeve
-  Well Wash Line

Base Map

-  Base Map

Parks

-  Parks

Rivers

-  Rivers

Page Grid

-  Page Grid

Meeting Date: August 19, 2015
Staff Contact: H. Warren, Customer Services Manager

TITLE: C-15-20 - Recommendation of Award, P2015000004, Barricade Services

ACTION: Recommend Approval

SUMMARY:

The Albuquerque Bernalillo County Water Utility Authority (Water Authority) issued the subject Request for Proposals (RFP) to solicit responses from qualified vendors to provide barricade services. The RFP was posted on the SICOMM website and advertised in the local newspapers.

Three responses were received and submitted for evaluation. On July 7, 2015, the Ad Hoc Evaluation Committee reviewed, evaluated, and scored the responses in accordance with the evaluation criteria published in the RFP.

The Ad Hoc Evaluation Committee included: Patrick Griego, ABCWUA-Field Superintendent; H. Warren, ABCWUA Customer Services Division Manager; Dennis Martinez-Field Superintendent, Victor Sanchez-Field Superintendent, and Karen Hovey-Dispatch Supervisor. Listed below are the scores for the three respondents.

<u>Offeror</u>	<u>Total Composite Score</u>
Highway Supply	4,214.7
Advantage Barricade & RoadMarks, LLC	3,239.5
Southwest Safety Services, Inc.	3,144.9

The committee recommended the award of a contract to **Highway Supply**, as that company had the highest composite score, is qualified to perform the work, and meets the requirements of the RFP.

FISCAL IMPACT:

The funding is within the Field and Customer Services Divisions' approved FY/15 budgets but will serve any other Water Authority barricading needs.



Memo

To: Mark S. Sanchez, Executive Director

From: Patrick Griego, Operations Maintenance Supervisor, WR Collections

Date: 7/13/2015

Re: Recommendation of Award, P2015000004, Barricades Services

The Albuquerque Bernalillo County Water Utility Authority issued the referenced Request for Proposals (RFP) to solicit proposals from qualified vendors to provide Barricade services.

The RFP was posted on the Sicom website and advertised in the local newspapers. Three (3) responses were received and submitted for evaluation. The ad hoc evaluation committee reviewed, evaluated, and scored the responses in accordance with the evaluation criteria published in the RFP.

Listed are all the respondents' composite scores with small and/or local preferences and the NM Resident Preference applied for the offeror with an asterisk. The largest total composite score possible without preferences applied is 5,000.

<u>Offeror</u>	<u>Total Composite Score</u>
Highway Supply	4,214.7*
Advantage Barricade & RoadMarks, LLC	3,239.5*
Southwest Safety Services, Inc.	3,144.9*

The committee recommended the award of contract to Highway Supply as that company had the highest composite score and is qualified to perform the work. I concur with the committee's recommendation.

Water Authority Board approval is required for this procurement. Negotiations with the vendor shall begin immediately upon your approval.

Approved:

Recommended:

 7/22/15
Mark S. Sanchez Date
Executive Director

 7/22/15
James H. Olsen, Jr., Ph.D, PE Date
Field Division Manager

Attachments: Composite Score Sheet
Original: Thomas Courtin, Senior Buyer
Copy: Lorraine Nunez, Purchasing Officer
File: P2015000004

BARRICADES

P2015000004

EVALUATOR	EVALUATION CRITERIA	EVALUATION FACTORS	OFFERORS		
			Advantage Safety	Highway Supply	SW Safety
PG	Personnel Experience, including adequacy of proposed project management to be utilized by the Offeror	Up to 200	60	160	100
VS			80	169	90
DM			100	150	95
KH			75	150	80
HW			150	190	170
SUB TOTAL			465	819	535
PG	Company Experience, including the Offeror's past performance on projects of similar scope and size.	Up to 300	110	250	150
VS			120	257	110
DM			150	250	150
KH			120	250	150
HW			240	290	280
SUB TOTAL			740	1297	840
PG	Proposed Approach to Tasks, including the project management plan, availability of staff and resources, and the Offeror's general approach and detailed plans to meet the objectives of each task or activity of the Scope of Services.	Up to 300	110	250	150
VS			110	268	109
DM			150	250	160
KH			140	250	175
HW			230	290	260
SUB TOTAL			740	1308	854
SUB TOTAL TECHNICAL SCORE			1945	3424	2229
PG	Cost Proposal	Up to 200	200	118	126
VS			200	118	126
DM			200	118	126
KH			200	118	126
HW			200	118	126
COST PROPOSAL TOTAL			1000	590	630
SUB TOTAL COMPOSITE SCORE		Up to 5000	2945	4014	2859
5% LOCAL BUSINESS PREFERENCE			147.3	200.7	143.0
5% NM RESIDENT PREFERENCE			0.0	0.0	0.0
5% SMALL BUSINESS PREFERENCE			147.3	0.0	143.0
TOTAL COMPOSITE SCORE			3239.5	4214.7	3144.9

Meeting Date: August 19, 2015
Staff Contact: Robert Strong, P.E., Principal Engineer

**TITLE: C-15-21 - Recommendation of Award, On-Call Construction Services
2015-3 Small Diameter Sewer Lines; Project No. 01029**

ACTION: Recommend Approval

SUMMARY:

The Water Authority solicited proposals to pre-qualify multiple contractors to perform emergency/on-call construction services as well as capital construction projects requiring installation, rehabilitation, repair and/or replacement of small diameter sewer lines (12" and smaller), manhole replacement or rehabilitation, bypass pumping and other related work.

The RFQ was posted on the Water Authority's website and advertised in the local newspaper. Five responses were received.

The responses were reviewed, evaluated and scored by an ad hoc committee consisting of Anthony L. Montoya, Jr., P.E., Chief Engineer, John Ertsgaard, P.E., Principal Engineer, Robert W. Strong, P.E., Principal Engineer, John Gabaldon, P.E., Senior Engineer, and Kris Johnson, P.E., Senior Engineer.


The ad hoc committee recommends award of contracts to the following three evaluated offerors: AUI, Inc., RMCI, Inc., and TLC Plumbing & Utility.

FISCAL IMPACT:

The funding to support this contract is appropriated for Fiscal Year 2016.



Memo

To: Mark S. Sanchez, Executive Director
From: Anthony L. Montoya, Jr. P.E., Chief Engineer 
Date: April 20, 2015
Re: **RFQ AD HOC COMMITTEE – ON-CALL CONSTRUCTION SERVICES
2015-3 Small Diameter Sewer Lines, Project No. 01029**

The following individuals are recommended to serve as members of the Ad Hoc Advisory Committee ("Committee") for the Request for Proposals for On-Call Construction Services 2015-3 Small Diameter Sewer Lines Project No. 01029. This Committee will review and evaluate the proposals and submit a ranked list of Offerors to you for selection.

Anthony L. Montoya, Jr. P.E., Chief Engineer, Committee Chair
Robert W. Strong, P.E., Principal Engineer
Jon Erstgaard, P.E., Principal Engineer
Kris Johnson, P.E., Senior Engineer
John Gabaldon, P.E., Senior Engineer

Kelli De Angelis-Craig, Contract Administrator, will manage the Request for Qualifications and serve as a procedural advisor to the Committee.

I respectfully request your approval of this Committee so that the solicitations can be published.

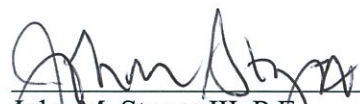
APPROVED:



Mark S. Sanchez
Executive Director

Date: 4/21/15

RECOMMENDED:



John M. Stomp III, P.E.
Chief Operating Officer

Date: 4/20/15

Original: Patty Jenkins, Executive Services Coordinator
Copy: Kelli De Angelis-Craig, Contract Administrator

Memo

To: Mark S. Sanchez, Executive Director
From: Anthony L. Montoya, Jr. P.E., Chair, Ad Hoc Committee 
Date: July 24, 2015
Re: **RECOMMENDATION OF AWARD – ON-CALL CONSTRUCTION SERVICES 2015-3
Small Diameter Sewer Lines; Project No. 01029**

The Albuquerque Bernalillo County Water Utility Authority ("Water Authority") issued the subject Request for Qualifications (RFQ) for On-Call Construction Services 2015-3 Small Diameter Sewer Lines. The purpose of the RFQ is to pre-qualify multiple contractors to perform emergency/on-call construction services as well as capital construction projects requiring installation, rehabilitation, repair and/or replacement of small diameter sewer lines (12" and smaller), manhole replacement or rehabilitation, bypass pumping and other related work.

The RFQ was advertised in the local newspaper and posted on the Water Authority's web site. A total of five (5) responses were received and were evaluated. The Ad Hoc Advisory Committee reviewed, evaluated, and scored the responses in accordance with the evaluation criteria published in the RFQ. Pursuant to the process outlined in the Regulation Governing the Award and Rejection of Bids/Offer and Debarment of Contractors for Public Works Projects of the City of Albuquerque and the subject RFQ, the Ad Hoc Advisory Committee is submitting the following list, in ranking order for your review and selection.

<u>Offeror</u>	<u>Total Composite Score</u>	<u>Total Composite Score w/Preferences</u>
AUI, Inc.	453	488
RMCI, Inc.	440	465
TLC Plumbing & Utility	434	459
Anderson Brown	304	329
Century Club Construction	240	275

The Ad Hoc Committee recommends award of contracts to the top three (3) Offerors, AUI, Inc., RMCI, Inc., and TLC Plumbing & Heating, based on results of the evaluation by the committee and estimated needs of the Water Authority.

This solicitation will be presented to the Board for approval.

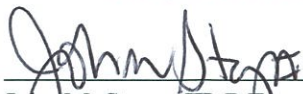
APPROVED:



Mark S. Sanchez
Executive Director

Date: 7/28/15

RECOMMENDED:



John M. Stomp III, P.E.
Chief Operating Officer

Date: 7/24/15



Albuquerque Bernalillo County
Water Utility Authority

P.O. Box 568
Albuquerque, NM 87103-0568

Attachments: Copy, Ad Hoc Advisory Committee Memo
 Copy, Composite Score Sheet
 Copy, RFQ On-Call Construction Services 2015-3 Small Diameter Sewer Lines Project
 No. 01029

Original: Patty Jenkins, Executive Services Coordinator
Copy: Kelli De Angelis-Craig, Contract Administrator

[illegible]



Meeting Date: August 19, 2015
Staff Contact: Tom Ortiz, SAC Administrator

TITLE: **C-15-22 - Selection Advisory Committee Recommendation:
On-Call Engineering Services for Water and Wastewater Plant -
Project No. 01135**

ACTION: **Recommend Approval**

SUMMARY:

The Selection Advisory Committee met on July 29, 2015 to consider the following project:

Project: On-Call Engineering Services for Water and Wastewater Plant - Project No. 01135

PROJECT DESCRIPTION:

The Albuquerque Bernalillo County Water Utility Authority (Water Authority) is seeking multiple qualified engineering firms to provide a variety of engineering services that may include new, replacement or rehabilitation of existing water and wastewater plant facilities. The facilities include, but are not limited to, the San Juan-Chama Drinking Water Project, Southside Water Reclamation Plant, Ground Water Facilities, Lift and Vacuum Stations, and Odor Control facilities. The services may include civil, structural, electrical, instrumentation and controls, or other related engineering services as determined by the Water Authority. The engineering services requested may include studies, preliminary and final design, and construction related services. In each contract, the Water Authority will issue authorization to the Engineer for providing engineering services for the project. Each authorization will include a Basic Fee, Scope of Services, and Schedule of Deliverables to be provided by the Engineer. The Water Authority does not guarantee any number of projects to be awarded under this RFP.

FISCAL IMPACT:

The estimated costs for studies, permitting, design and construction for Project No. 01135 are \$3.0 to \$6.0 million over the next four years. Funding will be provided through the Water Authority's Capital Implementation Program.

PROJECT JUSTIFICATION:

The Water Authority owns and operates over \$5 billion worth of plant assets. These assets require continuous maintenance and renewal. As part of developing the CIP as documented in the Decade Plan, Water Authority staff has identified numerous renewal and improvement projects for which engineering services are required. Having a set of qualified engineering consultants available through on-call contracts will facilitate

completing these projects. The alternative to using on-call contracts would be to advertise each CIP separately, which would add to the time to complete these projects.


RECOMMENDATION:

The Selection Advisory Committee unanimously agreed to select the top fourteen firms for this project. In accordance with the Selection Advisory Committee Ordinance, Section 6-1-1 et seq., the following in rank order is the consultant selection recommendation concerning the procurement of professional services for Project 01135:

1. CH2M Hill
2. Bohannon Huston, Inc.
- 3.(Tie) Carollo Engineers, Inc.
- 3.(Tie) Molzen Corbin & Associates, Inc.
5. Brown & Caldwell
6. Daniel B. Stehpen & Associates
7. CDM Smith
8. AECOM
9. MWH Americas, Inc.
10. Smith Engineering Company
- 11.(Tie) HDR Engineering, Inc.
- 11.(Tie) Wilson
13. AMEC Foster Wheeler Environment
14. EMA, Inc.

The Committee's score sheet compilation and Minutes of the Meeting are attached. This recommendation is being forwarded for Board consideration and approval.

Recommended:



Mark S. Sanchez, Executive Director

Date: 8/12/15



Minutes of the Meeting of the
Water Utility Authority Selection Advisory Committee

July 29, 2015

On-Call engineering Services for Water and Wastewater Plant
Project No: **01135**

Present:

John Stomp, Chief Operating Officer
Dave Price, Engineering Division Manager
Anthony Montoya, Chief Engineer
Jon Ertsgaard, Principal Engineer
R. Scott Sensanbaugher, Public Works Director, City of Rio Rancho

Staff:

Tom Ortiz, SAC Administrator & Chairman, Selection Advisory Committee
Miriam Moreno, Administrative Assistant, Selection Advisory Committee Staff Support
Kelli De Angelis-Craig, Contract Administrator

The SAC meeting was held on July 29, 2015. Seventeen (17) proposals were received in response to the Notice of Request for Proposals.

PROJECT DESCRIPTION:

On-Call Engineering Services for Water and Wastewater Plant - Project No. 01135

The purpose of this on-call is to select multiple qualified engineering firms to provide a variety of engineering services that may include new, replacement or rehabilitation of existing water and wastewater plant facilities. The facilities include, but are not limited to, the San Juan-Chama Drinking Water Project, Southside Water Reclamation Plant, Ground Water Facilities, Lift and Vacuum Stations, and Odor Control facilities. The services may include civil, structural, electrical, instrumentation and controls, or other related engineering services as determined by the Water Authority. The engineering services requested may include studies, preliminary and final design, and construction related services. In each contract, the Water Authority will issue authorization to the Engineer for providing engineering services for the project. Each authorization will include a Basic Fee, Scope of Services, and Schedule of Deliverables to be provided by the Engineer. The Water Authority does not guarantee any number of projects to be awarded under this RFP.

Estimated Contract Cost:

Project No: 01135 \$3.0 million to \$6.0 million over a four year period Studies, Permitting, Design & Construction
WUA Project Manager: Dave Price, P.E., Division Manager

WUA Division: Water Resources, Engineering and Planning

The Chairperson called the meeting to order at 1:02 P.M. to review responses to the Request for Proposals. He reminded the Committee members of the section of the Rules and Regulations regarding lobbying to ascertain if anyone had been lobbied to support submittals on this project. The Committee members did not make a motion.

The Chairperson asked Dave Price if he wished to provide any additional information pertinent to the project, Dave mentioned that he appreciated all the effort that the consultants in submitting their proposals. He also mentioned that if some consultants were not selected to the pool of this project that the project for field and pipelines would be coming up in the near future.

The Chairman asked each Committee member to comment on the proposals, but to withhold giving their scores for each proposal until all discussions have ended.

John Stomp thanked the consultants for their hard work in putting together their proposals. Jon Ertsgaard echoed John Stomp's comments. Scott Sensenbaugher thanked the Water Authority for the opportunity to work on the SAC and to review proposals from firms that he had worked with and who sought the opportunity to work for the Water Authority. Anthony Montoya mentioned that it was great to review the proposals of such a diverse group which included several new firms. He mentioned that there was a lot of expertise and that he was pleased with the response to the Water Authority's request for proposals.

Each Committee member provided their scoring. The Committee was advised of the scores and of the ranking according to these scores.

The Chairman asked the Committee Members if anyone wished to conduct interviews. The Committee declined.

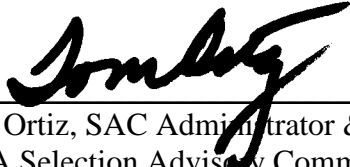
There was a motion made by Dave Price to recommend the top fourteen proposals. The motion was seconded by Anthony Montoya and unanimously approved by the Committee.

In accordance with the approved committee motion, the following fourteen firms are the Committee's recommendation to the Water Authority Board of Directors as ranked by the final scores.

1. CH2M Hill
2. Bohannon Huston, Inc.
- 3.(tie) Carollo Engineers, Inc.
- 3.(tie) Molzen Corbin & Associates, Inc.
5. Brown & Caldwell
6. Daniel B. Stehpens & Associates
7. CDM Smith
8. AECOM
9. MWH Americas, Inc.
10. Smith Engineering Company
- 11.(tie) HDR Engineering, Inc.
- 11.(tie) Wilson
13. AMEC Foster Wheeler Environment

14. EMA, Inc.

There being no further business before the Committee, the Chairperson adjourned the meeting at 1:33 P.M.

A handwritten signature in black ink, appearing to read "Tom Ortiz", is written over a horizontal line.

Tom Ortiz, SAC Administrator & Chairperson
WUA Selection Advisory Committee

Composite Selection Advisory Committee Evaluation Form

PROJECT # 01135 On-Call Engineering Services for Water & Wastewater Plant

REVISÉ DATE: 7-31-15

[illegible]

Meeting Date: August 19, 2015
Staff Contact: John Stomp, Chief Operating Officer

TITLE: C-15-23 - Restated and Amended Agreement between the City of Santa Fe and the Albuquerque Bernalillo County Water Utility Authority to Lease Storage Space in Abiquiu Reservoir

ACTION: Recommend Approval

SUMMARY:

Overview of Restated and Amended Agreement

The Water Authority has had storage agreements with the City of Santa Fe and others over the last 20 years. Under this new Agreement, the Water Authority will provide up to 15,000 acre-feet of storage space in Abiquiu Reservoir and in exchange, the City of Santa Fe (City) will provide payment of 10% of the delivered water every time the City delivers water into the Water Authority's space. In addition, the City will work with the Water Authority to develop additional storage opportunities and both parties agree to work cooperatively in developing a long-term storage agreement in Abiquiu Reservoir for the City and other water management entities for San Juan-Chama water up to elevation 6220.00 MSL subject to future Water Authority Board approval.

FISCAL IMPACT:

None

Restated and Amended Agreement between the City of Santa Fe and the
Albuquerque Bernalillo County Water Utility Authority to
Lease Storage Space in Abiquiu Reservoir

This new Agreement to Lease Storage Space in Abiquiu Reservoir (Agreement) between the Albuquerque Bernalillo County Water Utility Authority (Water Authority), a political subdivision of the State of New Mexico and the City of Santa Fe, New Mexico (City), a municipal corporation of the State of New Mexico, is made this _____ day of _____, 2015, and supersedes the agreement between the Authority and the City dated July 11, 2007.

Recitals

WHEREAS, pursuant to NMSA 1978, § 72-1-10, the Water Authority is legal successor to the interest and rights of the City of Albuquerque for storage space in Abiquiu Reservoir under Contract No. DACW47-86-C-0009 dated March 20, 1986 with the U.S. Army Corps of Engineers (Corps); and

WHEREAS, the Water Authority has the right to store up to 170,900 acre-feet under the referenced contract and has the ability to lease storage space to other parties subject to approval from the Corps; and

WHEREAS, the Water Authority has and continues to implement the San Juan-Chama Drinking Water Project to divert and fully utilize the Water Authority's 48,200 acre-feet of San Juan-Chama water for drinking water purposes; and

WHEREAS, the Authority is required under Permit No. 4830 with the Office of the State Engineer to have available 130,000 acre-feet of San Juan-Chama water in Abiquiu Reservoir prior to beginning operations of the Drinking Water Project; and

WHEREAS, the Water Authority currently has about 120,000 acre-feet of San Juan-Chama stored in Abiquiu and is awaiting delivery of the final portion of its 2014 and the full 2015 allocation of San Juan-Chama water; and

WHEREAS, the Water Authority desires to continue a good working relationship with the City on storage and other water resources matters; and

WHEREAS, the provisions regarding the storage of water in Abiquiu Reservoir in the July 11, 2007 Agreement between the Water Authority and the City have expired; and

NOW, therefore, upon the mutual consideration described by the Agreement, including the covenants and promises contained herein, the adequacy of which is acknowledged by the parties, the Water Authority and the City agree as follows:

Agreement

The Water Authority agrees:

1. To provide a total of up to 15,000 acre-feet of storage space in Abiquiu Reservoir until December 31, 2025. The actual amount of storage space available shall be determined solely by the Water Authority which shall be based on the amount of space needed by the Water Authority (see paragraph 4 below).
2. Work with the City to develop a long-term storage agreement in Abiquiu Reservoir for San Juan-Chama water up to elevation 6220.00 MSL.
3. To provide the City with as much advance notice as practicable whenever exercising the Water Authority's right to require that the City vacate its water from the leased storage space because the Water Authority becomes aware that the space the City has subleased is needed for Water Authority storage.

The City of Santa Fe agrees:

1. To provide written notification to the Water Authority when water under the terms of this Agreement is to be delivered to Abiquiu Reservoir.
2. To provide payment of 10% of the delivered water stored every time a the City deposit delivers water is made into the Water Authority's space. The 10% payment of delivered water stored by the City under this Agreement will be transferred to the Water Authority's space in Abiquiu Reservoir within 30 days of delivery. The City will provide an annual report of deposits and withdrawals from the leased space to the Water Authority by February 1st of every year.
3. Not to store San Juan-Chama water that is leased, purchased or otherwise acquired or obtained from any third party without the written approval from the Water Authority.
4. To take the necessary steps to immediately move the City's San Juan-Chama water from Abiquiu Reservoir to Elephant Butte Reservoir if the Water Authority determines that leased water storage space is not available in Abiquiu Reservoir.
5. To work with the Water Authority to develop additional storage opportunities and potentially increase the amount of storage in Abiquiu Reservoir. The City recognizes that any additional space obtained belongs solely to the Water Authority in cooperation with the Corps.
6. By September 1, August 2015, the City will provide a letter to the Water Authority supporting efforts to obtain the remaining permanent easements around Abiquiu Reservoir which will benefit the City and other entities in the Middle Rio Grande.

7. In 2015, and when possible thereafter, release and deliver water from El Vado or Heron to provide recreational benefits on the Rio Chama by releasing water from El Vado or Heron Reservoir to store in Abiquiu Reservoir during established recreational weekends in cooperation with the Water Authority and federal agencies.

8. The City is responsible for their proportional share of evaporative losses that occur on City San Juan-Chama water stored in Abiquiu including the current and any water added to the reservoir over time. The City will work with the U.S. Bureau of Reclamation to provide the records of the evaporative computation calculated on a monthly basis and ensure that these losses are deducted from the City's account.

9. The City is responsible for their proportional share of the annual cost for storage calculated based on the total amount of water deposited by the City as a percentage of the total 170,900 acre-feet charged to the Water Authority on an annual basis. The proportional share of the cost shall be based on the annual fiscal-year billing provided to the Water Authority by the Corps and shall be payable to the Water Authority..

Both parties agree:

1. The amount stored and the storage deadline may be extended by written mutual consent by the Authority's Executive Director and the City's City Manager if executed prior to December 31, 2025.

2. To work cooperatively in developing a long-term agreement in Abiquiu Reservoir for the City and other water management entities for San Juan-Chama water up to elevation 6220.00 MSL.

3. Any claim of tort liability against either the City or the Authority is subject to the privileges and immunities of the New Mexico Tort Claims Act, NMSA 1978, §§ 41-4-1 through 41-4-30.

IN WITNESS WHEREOF, the City of Santa Fe and the Albuquerque Bernalillo County Water Utility Authority have caused this Agreement to be executed and delivered by its duly authorized representatives as of the date specified below.

ALBUQUERQUE BERNALILLO COUNTY
WATER UTILITY AUTHORITY

Mark S. Sanchez, Executive Director
Albuquerque Bernalillo County Water Utility Authority

CITY OF SANTA FE

Mayor

City Clerk

City Attorney's Office, approved as to form

Finance Director

Acknowledged by:

UNITED STATES OF AMERICA

Jennifer Faler, Area Manager, Albuquerque Area Office, Bureau of Reclamation

Approved by:

U.S. ARMY CORPS OF ENGINEERS

Meeting Date: August 19, 2015
Staff Contact: Rick Shean, Water Quality Hydrologist

TITLE: C-15-24 - Reappointment of Jennifer Thatcher to the Water Protection Advisory Board

ACTION: Approval Requested

SUMMARY:

The City of Albuquerque, Bernalillo County, and the Water Authority jointly adopted an ordinance in 2006-2007 establishing the Water Protection Advisory Board (WPAB). The purpose of this ordinance was to expand the scope of the old Ground Water Protection Advisory Board to address surface water quality protection. It also included the Water Authority as a member government, allowing it to appoint two members to the WPAB. The purpose of the WPAB is to study and advise the Water Authority, City and County on surface and groundwater protection concerns, including policies necessary to enhance protection of surface and groundwater quality.

Dr. Jennifer Thacher was appointed by the Water Authority to the WPAB in February 2012 to fill a vacancy left by Susan Kelly, and reappointed for her first full-term in September 2012. Pursuant to the authorizing legislation, Ms. Thacher is eligible to serve two full terms following reappointment. She meets the WPAB membership qualifications by having technical proficiency in surface or groundwater matters. Below is Dr. Thacher's background.

Background

Jennifer Thacher is an associate professor of Economics and Graduate Director of Economics at the University of New Mexico in Albuquerque, New Mexico. She received her PhD and MA at the University of Colorado – Boulder and her BA at the University of California - Davis. Her research focuses on environmental economics and she specializes in survey methods of non-market valuation. She has participated in a wide array of survey research in topics as diverse as water utility infrastructure, management of the San Pedro and Rio Grande rivers, cleanup of the Bagmati river in Nepal, national forest use in the Southwest, depression treatment, egg production practices, ranching practices for invasive weed management, and hurricane preparedness. Her research has been funded by the Water Research Foundation, the USDA, and the National Forest Service and she has consulted for NOAA, the FAA, and New York State Energy Research and Development Authority. Professor Thacher teaches courses in Environmental Economics, Microeconomic Theory, and Mathematical Economics.

FISCAL IMPACT:

None

Meeting Date: August 19, 2015
Staff Contact: Rick Shean, Water Quality Hydrologist

TITLE: OB-15-8 - U.S. Department of Energy – National Nuclear Security Administration Response to Water Authority Resolution R-15-7

ACTION: None

SUMMARY:

On May 20, 2015, The Water Authority Board passed Resolution R-15-7, requesting the U.S. Department of Energy – National Nuclear Security Administration (DOE-NNSA) to respond to assertions made by the environmental advocacy group Citizen Action New Mexico (CANM) regarding the contents within and dangers posed by the Mixed Waste Landfill (MWL) located at the Sandia National Laboratories.

DOE-NNSA is presenting to the governing board and the Water Protection Advisory Board (in September) a response to the CANM's assertions that the MWL contains high-level nuclear mixed waste and the combustible compound metallic sodium.

DOE-NNSA states that there are no high-level wastes in the MWL, nor does it contain canisters of metallic sodium, as claimed by CANM. In addition, the DOE-NNSA states that since no high-level waste is present in the MWL, the excavation and relocation of some or all of its contents to a deep geologic repository is unnecessary as claimed by CANM.

Water Authority staff will continue to receive updates and reports about the MWL from DOE-NNSA Environmental Restoration staff.

FISCAL IMPACT:

None



Response to R-15-7 - Resolution Assertions by Citizen Action New Mexico Regarding the Existence of High-Level Radioactive Waste in the Mixed Waste Landfill

August 19 & September 11, 2015

**David Rast
U.S. Department of Energy
National Nuclear Security Administration
and
Michael M. Mitchell
Sandia National Laboratories**

1

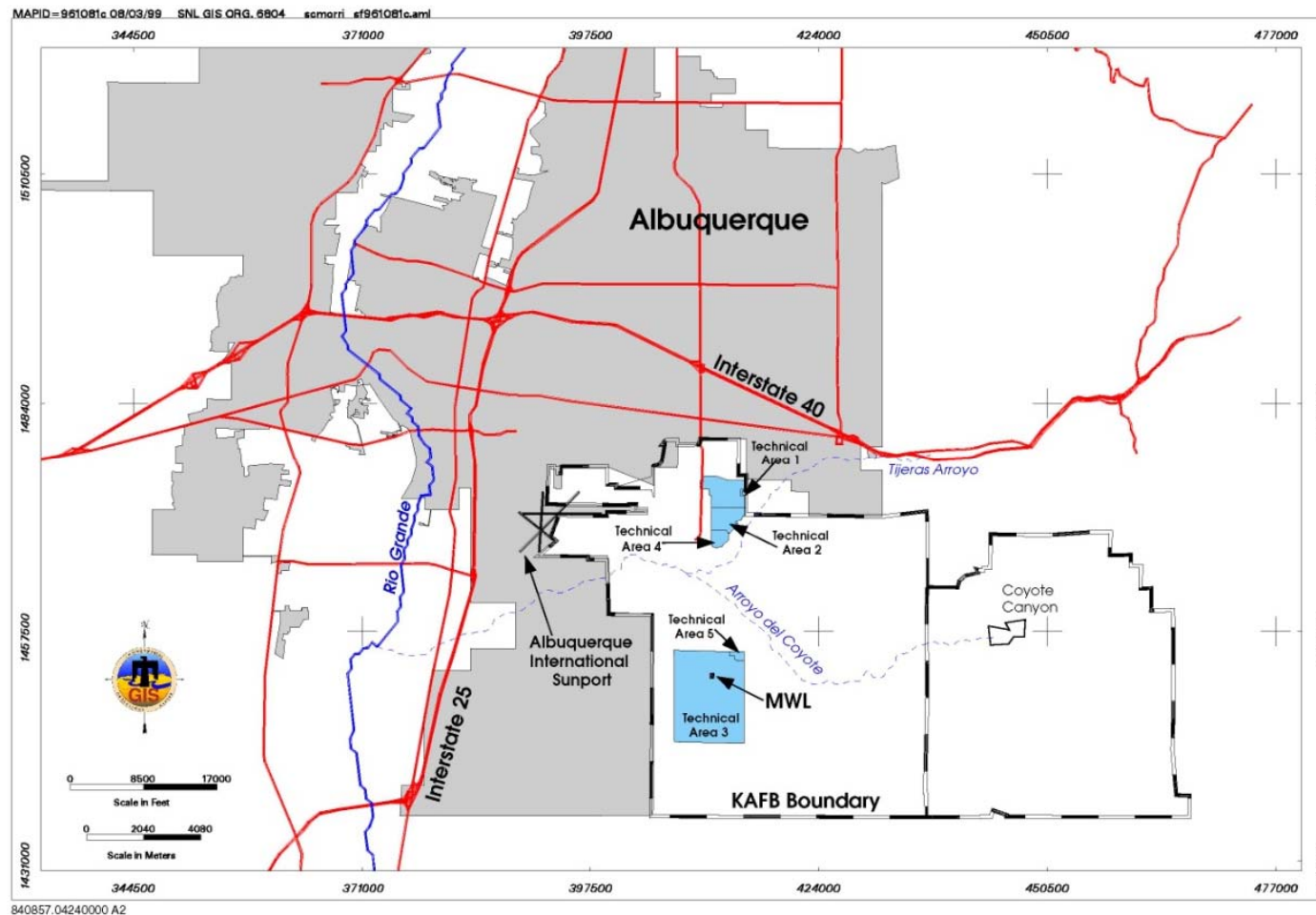


INTRODUCTION

- Resolution R-15-7 was passed on May 20, 2015
- Documents assertions made by Citizen Action New Mexico (CANM) concerning the Sandia National Laboratories (SNL) Mixed Waste Landfill (MWL)
- Purpose of today's presentation is to address each of the CANM assertions contained in Resolution R-15-7
 - Each assertion was addressed in the recent public hearing held by the New Mexico Environment Department (NMED) for its proposal to grant corrective action complete status with controls



Location of Solid Waste Management Unit 76, Mixed Waste Landfill





BACKGROUND

- MWL extensively investigated and monitored since 1990
- Operational history, inventory, and investigation and monitoring results were all addressed in the December 2004 Public Hearing associated with the Class 3 Permit Modification request for Corrective Measures (Remedy Selection)
- Hearing Officer's Report (April 2005) to the NMED Secretary and NMED Secretary's Final Order (May 2005) document remedy selection and conditions for the MWL



2005 HEARING OFFICER'S REPORT & NMED SECRETARY FINAL ORDER

Hearing Officer's Report:

- Inventory is reasonably accurate and complete; MWL does not contain high level waste
- Groundwater not contaminated by releases from the MWL
- Sandia's risk assessments are adequate and investigation data and CMS Report are high quality

Final Order:

- Remedy: vegetative soil cover with a biointrusion barrier, with additional conditions
 - Institutional and physical controls
 - Fate & transport modeling
 - Long-term monitoring & associated triggers levels
 - 5-year reports

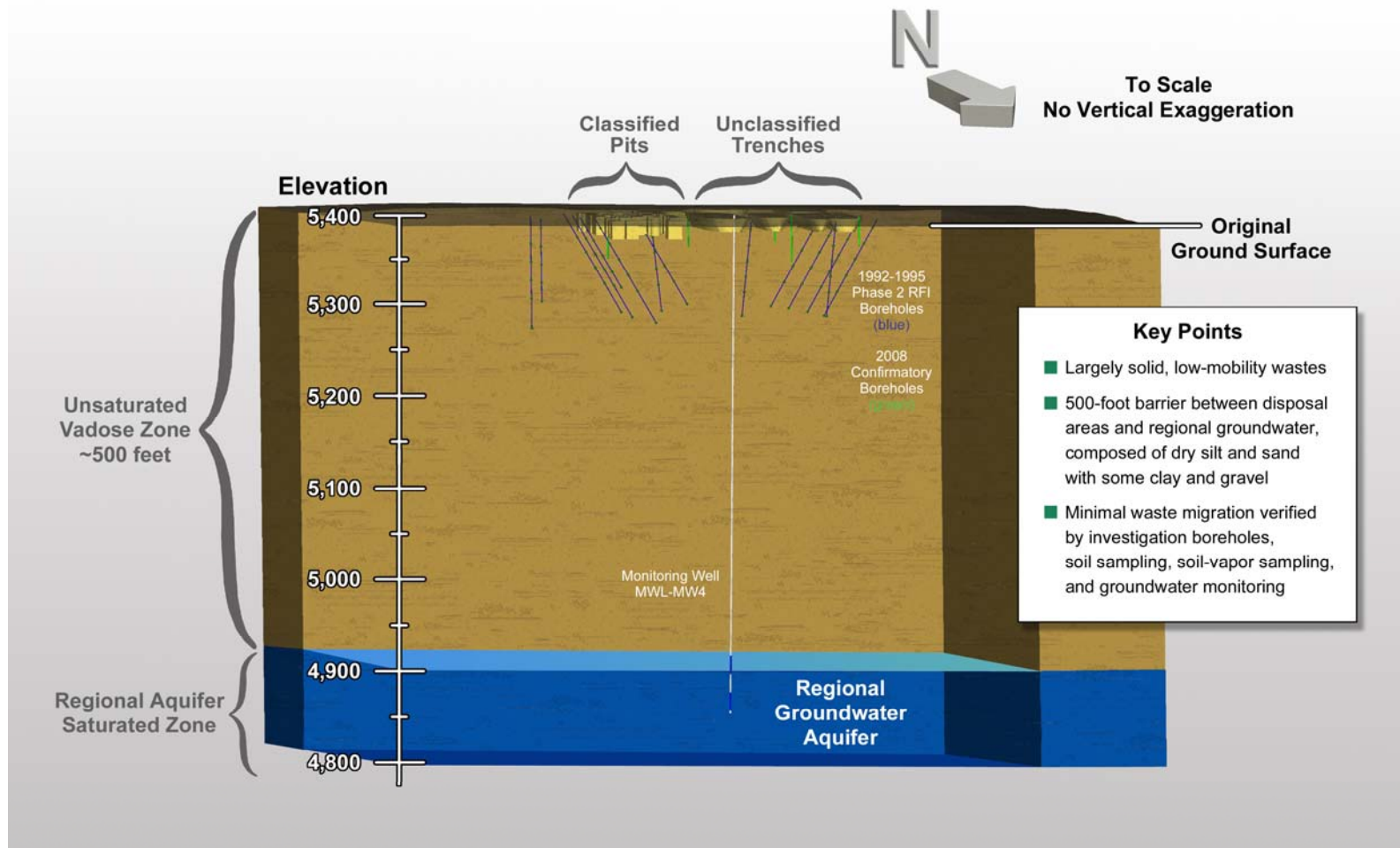


2015 PUBLIC HEARING

- All Final Order corrective action conditions completed by September 2014
- NMED issued Corrective Action Complete certificate on October 8, 2014
- DOE and Sandia requested a Class 3 Permit Modification for Corrective Action Complete with Controls on October 20, 2014
 - DOE and Sandia held a public meeting on November 18, 2014 at the Manzano Mesa Multigenerational Center
 - NMED held a public hearing for its proposal to grant corrective action complete status with controls from July 8-11, 2015

Mixed Waste Landfill - Key Points Summary

Disposal Areas – Vadose Zone – Regional Aquifer





RESPONSES TO R-15-7

Assertion #1

1. CANM asserts that it [MWL] is unique and will remain extremely dangerous to Albuquerque residents for millennia to come if the wastes are not excavated, properly stored and disposed of in a deep geologic repository.

RESPONSE

- *MWL conditions are protective of human health and the environment based upon extensive investigations, 25 years of monitoring, fate & transport modeling, and risk assessments.*
- *The remedy, a vegetative soil cover with a biointrusion barrier combined with institutional and physical controls, ensures the long-term protection of SNL and KAFB site workers and Albuquerque residents.*
- *Required monitoring, trigger levels, and reporting ensure future conditions remain protective and that the public is informed.*
- *See Assertion #6 response regarding deep geologic repository.*



RESPONSES TO R-15-7

Assertion #2

2. CANM asserts that Sandia's records show that the MWL contains 119 barrels of plutonium- and americium-contaminated waste; tons of depleted uranium; and high-level mixed nuclear wastes from nuclear reactor meltdown experiments, nuclear weapons testing, and the 1979 nuclear accident Three Mile Island.

RESPONSE

- The MWL does not contain high-level nuclear mixed waste, which is the highly radioactive material resulting from the reprocessing of spent nuclear fuel.*
- The MWL inventory does contain plutonium- and americium-contaminated waste; depleted uranium; and items/material contaminated from nuclear reactor experiments conducted at SNL, nuclear weapons testing, and some items from Three Mile Island.*



RESPONSES TO R-15-7

Assertion #3

3. CANM asserts that Sandia management memoranda from 1997 to 2001, along with thousands of radioactive and hazardous waste disposal sheets, state that canisters containing metallic sodium and high-level nuclear waste were disposed of in shallow pits and trenches at the MWL.

RESPONSE

- There are no disposal sheets or other records that document disposal of metallic sodium and high-level nuclear waste (HLW) in the MWL.*
- Sandia memoranda from 1997 to 2001 discussed four empty canisters buried in Pits #35 and 36 that may have been contaminated from nuclear reactor experiments conducted in Technical Area V. During the 2004 hearing, Sandia testified that these canisters did not contain metallic sodium and nuclear fuel material, clarifying the information in the earlier memos.*
- There is no HLW in the MWL as confirmed by the NMED Oversight Bureau in June 2003, the Hearing Officer's Report to the NMED Secretary in 2005, and as presented in testimony by Sandia during the 2015 hearing.*

10



RESPONSES TO R-15-7

Assertion #4

4. CANM asserts that Metallic sodium is explosive in the presence of water, so there is the potential for an explosion causing a breach in the MWL's dirt cover and spread radiation into Albuquerque's air and groundwater.

RESPONSE

- *There is no potential for a sodium explosion that would cause a breach in the MWL vegetative soil cover.*
 - *Metallic sodium combined with HLW was not disposed in the MWL.*
 - *The MWL disposal area subsurface soils have a very low moisture content and are protected from percolation and infiltration of soil moisture by the robust, engineered, vegetative soil cover designed specifically for this purpose.*
 - *If there was potential for an explosive reaction, it would have occurred during the MWL operational period.*

11



RESPONSES TO R-15-7

Assertion #5

5. CANM asserts that Sandia's own records show that the MWL is leaking radioactive waste, solvents and heavy metals from shallow, unlined pits and trenches into Albuquerque's drinking water aquifer.

RESPONSE

- *During the 2004 and 2015 public hearings, DOE and Sandia presented sampling, monitoring and modeling documentation demonstrating that the MWL has not impacted Albuquerque's drinking water aquifer, located approximately 500-feet below the ground surface beneath the MWL.*



RESPONSES TO R-15-7

Assertion #6

6. CANM asserts that High-level nuclear waste such as that buried at MWL requires deep geological disposal in an engineered facility, not shallow disposal in unlined pits and trenches.

RESPONSE

- *The MWL does not contain HLW as stated in the 2005 Hearing Officer's Report to the NMED Secretary, and as presented in direct and rebuttal testimony by Sandia at the 2015 hearing.*
- *The MWL wastes are appropriately described as “low-level radioactive and mixed wastes.”*
- *The MWL wastes do not require disposal in a deep geological repository.*



RESPONSES TO R-15-7

Assertion #7

7. CANM asserts that MWL's buried wastes lie above Albuquerque's aquifer stored in plastic bags, cardboard boxes, steel drums, canisters that will eventually decay and corrode.

RESPONSE

- The various types of containment used for MWL wastes were documented during the Phase 2 RCRA Facility Investigation and were addressed at the 2004 public hearing.*
- The degradation of waste containers does not impact the protection of human health and the environment based on investigation results and a conservative fate & transport model.*
- The majority of the MWL wastes are comprised of solid, low-mobility wastes that have not migrated.*
- Long-term monitoring requirements and trigger levels address the more mobile contaminants and ensure long-term protection.*



RESPONSES TO R-15-7

Assertion #8

8. CANM asserts that Groundwater monitoring for the MWL dump has been inadequate and does not support the decision to leave the wastes under a dirt cover.

RESPONSE

- *The extensive administrative record documents the NMED determination that both historic and current MWL groundwater monitoring have been adequate.*



RESPONSES TO R-15-7

Assertion #9

9. CANM asserts that No complete inventory of the MWL wastes was made.

RESPONSE

- The MWL inventory was a major topic at the 2004 hearing, and the extensive set of records and supporting information that the MWL inventory is based upon were discussed at length. These records and supporting information, approximately 5,800 pages, were provided to CANM in 2001-2002.*
- The Hearing Officer's Report to the NMED Secretary stated that the MWL inventory is "...reasonably accurate and complete considering the age of the records, length of time the landfill operated, and the types of wastes routinely disposed of in the landfill."*
- Inventory completeness was also addressed at the 2015 hearing.*

16



RESPONSES TO R-15-7 Assertion #10

10. CANM asserts that Sandia possesses the technology to safely excavate and store the MWL wastes.

RESPONSE

- The NMED remedy decision from the 2004 public hearing is based on the protection of human health and the environment.*
- The MWL in its current state, unexcavated with the vegetative soil cover and monitoring systems in place, is protective of human health and the environment.*



CONCLUSIONS & RECOMMENDATION

Conclusions:

- DOE and Sandia are in full compliance with all regulatory requirements that apply to the MWL.
- Vegetative soil cover with biointrusion barrier is protective, and monitoring and inspections ensure current and future conditions will remain protective.
- Annual and 5-Year Reports ensure that the public and the Water Authority remain informed of conditions.

Recommendation:

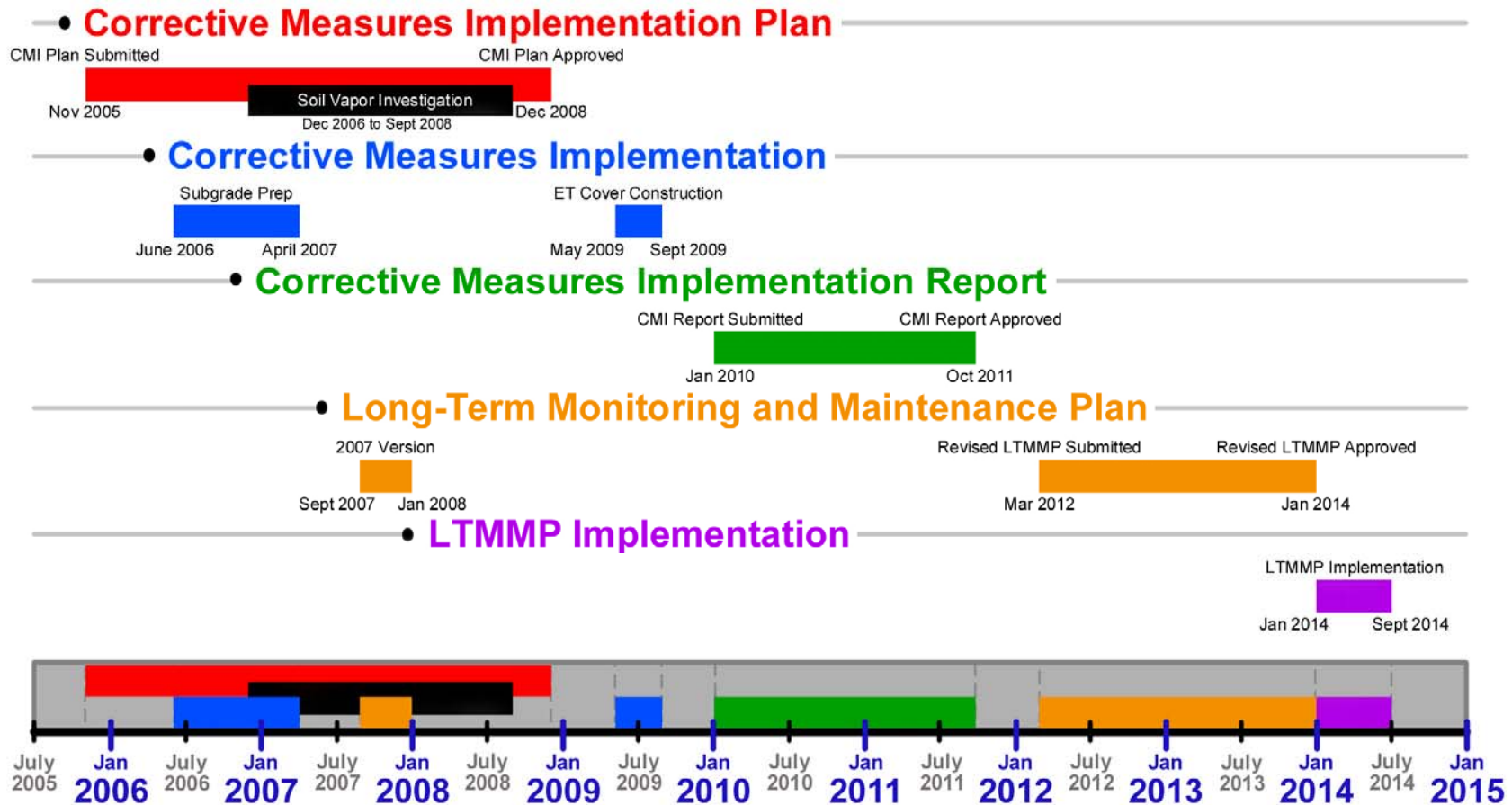
- Follow-up as appropriate.



BACK-UP SLIDE



Timeline for Completion of Final Order Conditions



Meeting Date: August 19, 2015
Staff Contact: Stan Allred, Chief Financial Officer

TITLE: OB-15-9 – Future Debt Maturity and Revenue Implications

ACTION: None

SUMMARY:

During the discussion on the Water Authority's 10-year financial plan, Commissioner O'Malley requested an analysis of extending the term of the debt as a strategy to offset the need for future rate increases to fund the adopted increases in infrastructure spending.

RBC Capital Markets, as financial advisor to the Water Authority was requested to undertake this analysis. They evaluated the existing policy and term of 12 years as well as terms of 20, 25 and 30 years for basic capital spending. For each scenario, they identified the potential annual savings as well as the increased cost of funds and interest costs over the life of the debt. The report also identifies the criteria which is utilized by the rating agencies since any change would likely affect the Water Authority's credit rating.

The conclusion is simply that extending the term of the Water Authority's debt would have nominal savings in annual debt service. However, the increased cost of funds, increased cash reserves required and additional interest costs would out way the savings. The Water Authority's current conservative basic capital model of 12-year terms with 50% cash match requirement is a best practice and allows for rapid pay down and sustained investment in infrastructure spending.

Albuquerque Bernalillo County
Water Utility Authority

August 19, 2015



Future Debt | Maturity and Revenue Implications

Overview of Water Authority Financial Policies

- On average, and at a minimum, cash fund capital projects using 50% from rate revenue (cash funded)
- On average, up to 50% of the capital projects can be funded with bonds or loans
- Amortize bonds or loans for basic needs and rehabilitation projects within 12 years and 25 years or less for special projects
- Manage financial operations to maintain the Water Authority's high investment grade credit rating

Current Ratings:	Senior Lien	Subordinate Lien	Outlook
Moody's:	Aa2	Aa3	Stable
Standard and Poor's:	AA+	AA	Stable
Fitch	AA	AA	Stable

Rate Revenue Covenant:	Board Policy	Legal Requirement
Senior Lien:	1.50x	1.33x
Subordinate Lien:	1.33x	1.25x
Super Subordinate Lien:	1.00x	1.00x

- Target 1/12th cash reserves goal per rate ordinance

Bond Credit Rating

- The Authority and other Joint Utility issuers are rated by credit rating agencies using a four tier scale which include:
 - **System Characteristics – typically 30% of rating**
 - **Financial Strength – typically 40% of rating**
 - **Management – typically 20% of rating**
 - **Legal – typically 10% of rating**
- Issuers typically have high control over metrics such as Management and Legal.
- Issuers have less control over System Characteristics, financial performance, with the exception of asset condition which can be controlled through proper capital planning.

Summary of Scenarios

	Existing Plan (12 Years)	20 Year Amortization	25 Year Amortization	30 Year Amortization
Additional Interest Cost	N/A	\$454,851,000	\$788,218,000	\$1,092,346,000
Average Revenue Increase (every other year) 2018 - 2027	5.00%	3.55% (1.45% Savings)	3.50% (1.50% Savings)	3.45% (1.55% Savings)
Average Revenue Increase (every other year) After 2028	1.58%	3.55% (1.97% Cost)	3.50% (1.92% Cost)	3.45% (1.87% Cost)
Capital Needs (assumes no growth)	\$2,784,000,000	\$2,784,000,000	\$2,784,000,000	\$2,784,000,000
Bonds Issued through 2045:	\$1,392,000,000	\$1,392,000,000	\$1,392,000,000	\$1,392,000,000
Pay-as-you-go Capital through 2045:	\$1,392,000,000	\$1,392,000,000	\$1,392,000,000	\$1,392,000,000
Change in Debt Policy (Basic Needs):	No Change	TERM Longer than 12 years	TERM Longer than 12 years	TERM Longer than 12 years

Financing Scenarios

APPENDIX I

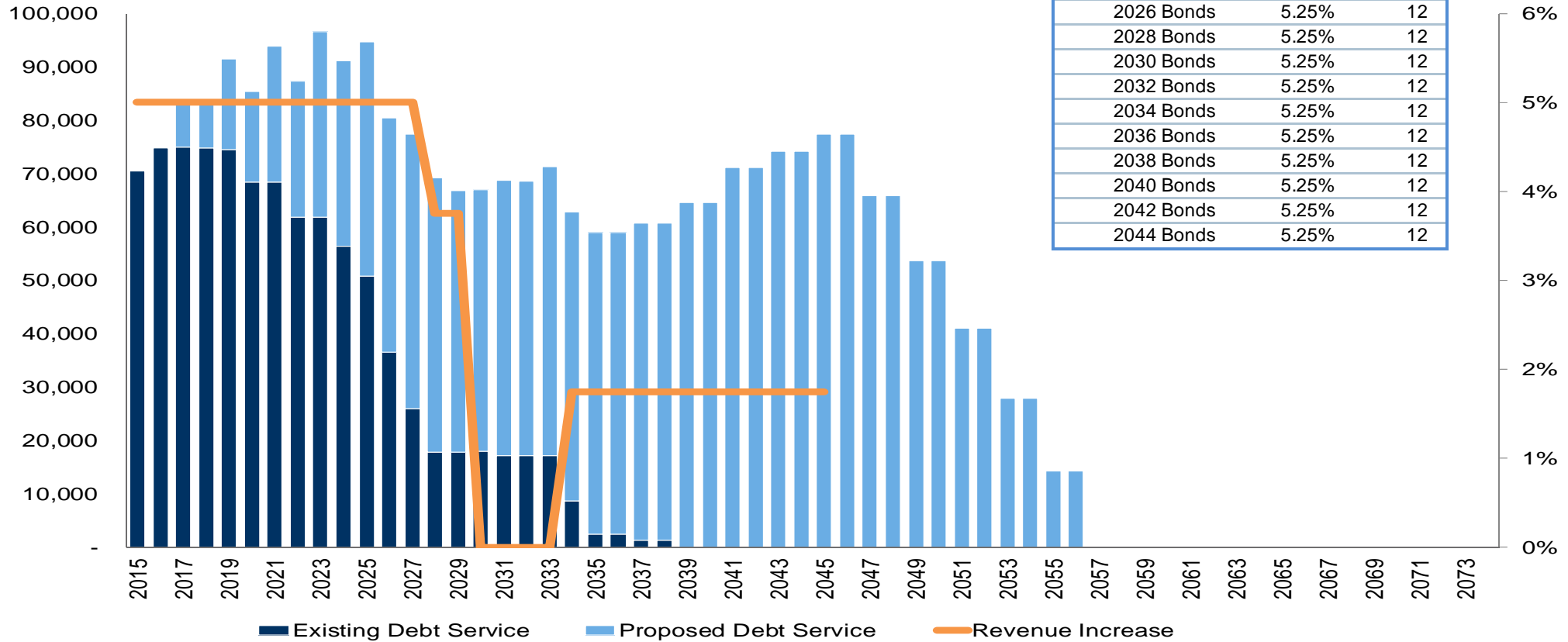


RBC Capital Markets

12 Year Scenario

- 12 Year Amortization of basic needs and rehabilitation
- Total Debt Service: \$2,805,232,000

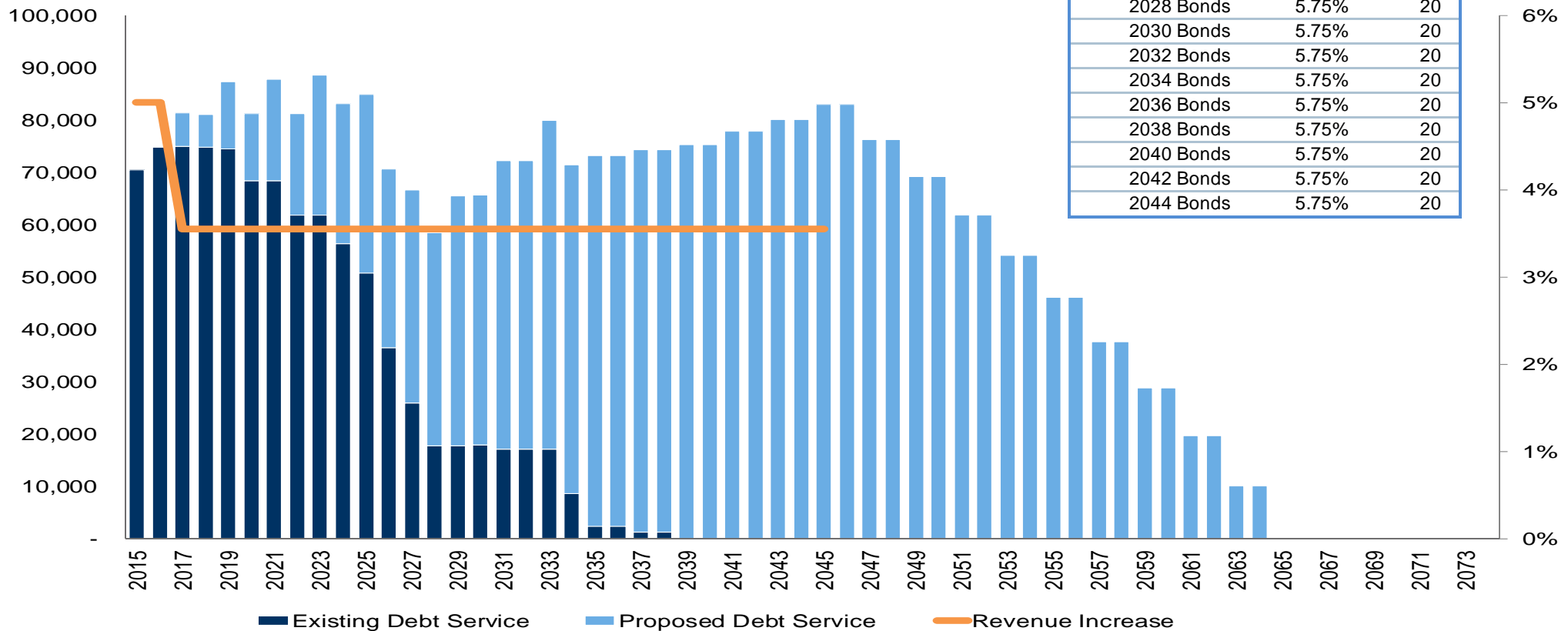
BONDS	Rate	Term
2016 Bonds	4.25%	12
2018 Bonds	4.50%	12
2020 Bonds	4.75%	12
2022 Bonds	5.00%	12
2024 Bonds	5.25%	12
2026 Bonds	5.25%	12
2028 Bonds	5.25%	12
2030 Bonds	5.25%	12
2032 Bonds	5.25%	12
2034 Bonds	5.25%	12
2036 Bonds	5.25%	12
2038 Bonds	5.25%	12
2040 Bonds	5.25%	12
2042 Bonds	5.25%	12
2044 Bonds	5.25%	12



20 Year Scenario

- Does not meet Final Term Policy
- Additional Interest Cost of \$454,851,000
- Total Debt Service: \$3,260,083,000

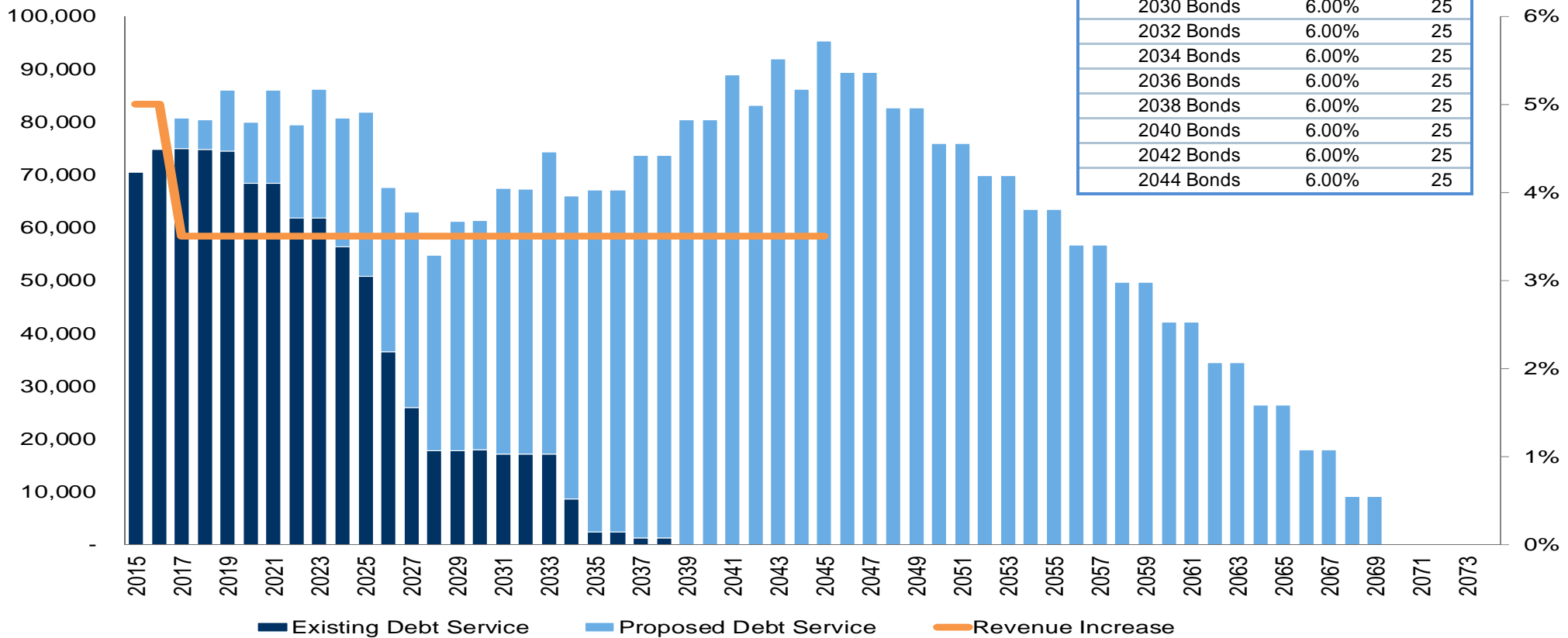
BONDS	Rate	Term
2016 Bonds	4.75%	20
2018 Bonds	5.00%	20
2020 Bonds	5.25%	20
2022 Bonds	5.50%	20
2024 Bonds	5.75%	20
2026 Bonds	5.75%	20
2028 Bonds	5.75%	20
2030 Bonds	5.75%	20
2032 Bonds	5.75%	20
2034 Bonds	5.75%	20
2036 Bonds	5.75%	20
2038 Bonds	5.75%	20
2040 Bonds	5.75%	20
2042 Bonds	5.75%	20
2044 Bonds	5.75%	20



25 Year Scenario

- Does not meet Final Term Policy
- Additional Interest Cost of \$788,218,000
- Total Debt Service: \$3,593,450,000

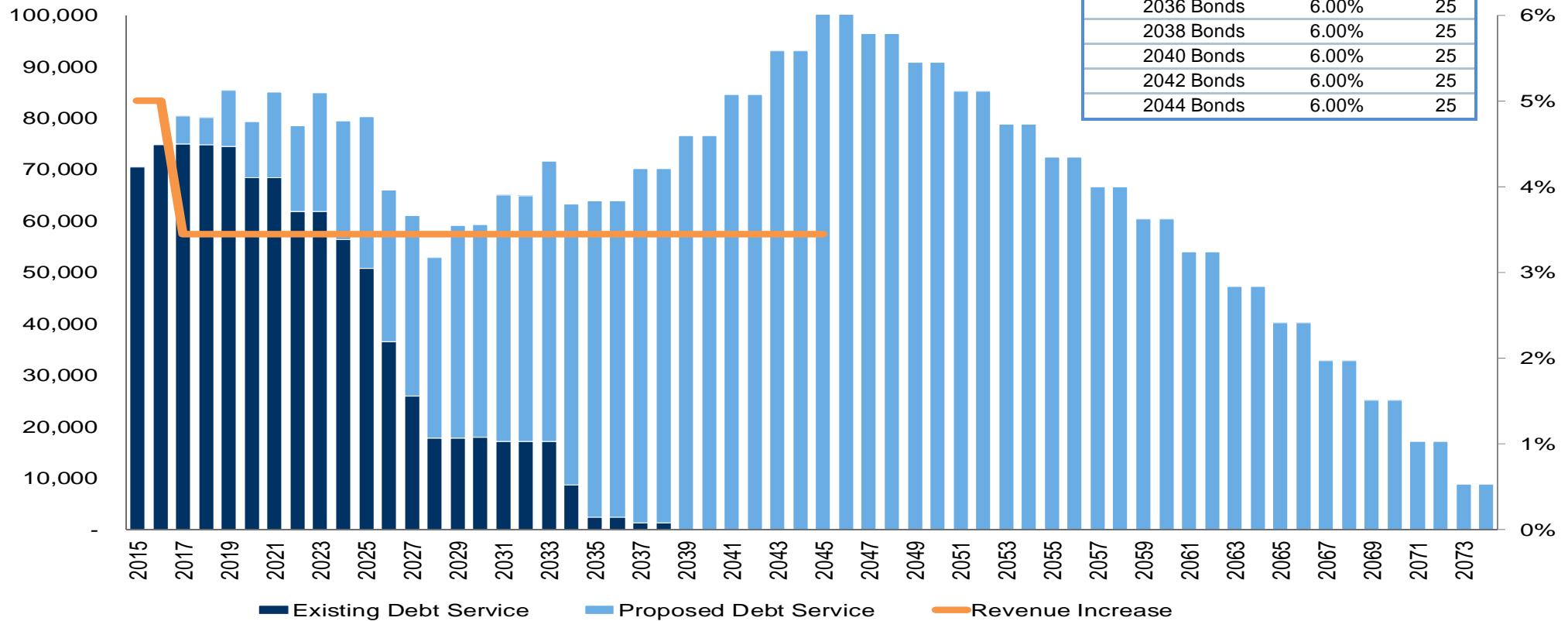
BONDS	Rate	Term
2016 Bonds	5.00%	25
2018 Bonds	5.25%	25
2020 Bonds	5.50%	25
2022 Bonds	5.75%	25
2024 Bonds	6.00%	25
2026 Bonds	6.00%	25
2028 Bonds	6.00%	25
2030 Bonds	6.00%	25
2032 Bonds	6.00%	25
2034 Bonds	6.00%	25
2036 Bonds	6.00%	25
2038 Bonds	6.00%	25
2040 Bonds	6.00%	25
2042 Bonds	6.00%	25
2044 Bonds	6.00%	25



30 Year Scenario

- Does not meet Final Term Policy
- Additional Interest Cost of \$1,092,346,000
- Total Debt Service: \$3,897,578,000

BONDS	Rate	Term
2016 Bonds	5.00%	25
2018 Bonds	5.25%	25
2020 Bonds	5.50%	25
2022 Bonds	5.75%	25
2024 Bonds	6.00%	25
2026 Bonds	6.00%	25
2028 Bonds	6.00%	25
2030 Bonds	6.00%	25
2032 Bonds	6.00%	25
2034 Bonds	6.00%	25
2036 Bonds	6.00%	25
2038 Bonds	6.00%	25
2040 Bonds	6.00%	25
2042 Bonds	6.00%	25
2044 Bonds	6.00%	25



Credit Rating Overviews

APPENDIX II



RBC Capital Markets

Ratings Defined

Moody's	Standard and Poor's	Fitch	
Aaa	AAA	AAA	Highest possible rating - principal and interest payments considered extremely secure.
Aa1/Aa2/Aa3	AA+/AA/AA-	AA+/AA/AA-	High quality - differs from highest rating only in the degree of protection provided bondholders.
A1/A2/A3	A-/A/A+	A-/A/A+	Good ability to pay principal and interest although more susceptible to adverse effects due to changing conditions.
Baa1/Baa2/Baa3	BBB-/BBB/BBB+	BBB-/BBB/BBB+	Adequate ability to make principal and interest payments -- adverse changes are more likely to affect the ability to service debt.

Current Ratings:	Senior Lien	Subordinate Lien	Outlook
Moody's:	Aa2	Aa3	Stable
Standard and Poor's:	AA+	AA	Stable
Fitch	AA	AA	Stable

Bond Ratings – Moody's (Aa2 (Senior Lien) Aa3 (Subordinate Lien) Stable Outlook)

- What Could Make the Rating Go Up
 - Trend of improved debt service coverage ratios
 - Significantly improved liquidity

- What Could Make the Rating Go Down
 - Additional deterioration of liquidity
 - Failure to increase and maintain debt service coverage above debt covenants

- Strengths
 - Sizable service area with adequate future capacity
 - Stability of customer base from government and higher education institutions
 - **Rapid pay down of debt (71.5% within ten years) helping to keep elevated debt burden manageable**

- Challenges
 - Limited debt service coverage ratios
 - Narrow liquidity position in comparison to similarly rated entities

Bond Ratings – Standard and Poor's (AA+ (Senior Lien) AA (Subordinate Lien) Stable Outlook)

■ Strengths

- Service area that includes the state's primary economic center, with an employment base that was resilient through the recession;
- Robust planning efforts that ensures that operational and financial requirements are well-aligned, including resource management and sustainability, financial policies that establish aggressive levels of pay-as-you-go funding and operations that reflect a long-term water supply from a mix of both surface and groundwater; and,
- **Combined water and sewer rates that remain very affordable even with a number of recent and planned upcoming rate adjustments.**

■ Challenges

- Service system's financial risk profile that continues to rebound from several consecutive years of weakened performance.
- The financial profile is still thin for the rating and will be further challenged as the Authority becomes more aggressive in addressing its system rehabilitation needs, whether on a prioritized basis or as a result of unfunded regulatory mandates. However, strong financial and operational planning – including identification of critical system needs and overall risk management – should temper any pressure downward pressure on the rating.

Bond Ratings – Fitch (AA (Senior Lien) AA (Subordinate Lien) Stable Outlook)

■ Strengths

- Service area that includes the state's primary economic center,
- Moderately high debt burden to fall due to rapid debt amortization
- Ample water supply
- Improved financing reporting capability as the Authority no longer operates as a component unit of the city of Albuquerque
- Improved financial metrics expected
- Capital needs slowing down
- Rate flexibility

■ Challenges

- Weak debt service coverage in recent years but has begun to strengthen with recent rate increases
- **Authority's financial metrics are below average for the rating category, improvement in the metrics is expected over the medium term due to its declining capital needs and debt amortization**
- Financial reporting delays hindered management