

RONNA ROWE GARRETT, COMMISSIONER  
DONALD L. PORTER, COMMISSIONER  
CHRISTOPHER G. DAVIS, COMMISSIONER  
RICHARD W. KING, COMMISSIONER  
TIMOTHY L. BRYANT, CEO/GENERAL MANAGER



FAYETTEVILLE PUBLIC WORKS COMMISSION  
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PUBLIC WORKS COMMISSION  
MEETING OF WEDNESDAY, JULY 10, 2024  
8:30 A.M.

AGENDA

I. REGULAR BUSINESS

- A. Call to order
- B. Pledge of Allegiance
- C. Approval of Agenda

II. INTRODUCTION OF PWC INTERNS

Presented by: Bobby Russell, HR Officer

III. CONSENT ITEMS

*(See Tab 1)*

- A. Approve Minutes of meeting of June 26, 2024
- B. Adopt PWC Resolution # PWC2024.11 – Resolution of the FPWC to Accept a State Loan Offer Under the Safe Drinking Water Act Amendments of 1996

June 2024, the North Carolina Department of Environmental Quality (DEQ) offered PWC a \$1,000,000 BIL DWSRF-LSLR Fund Loan to complete the Lead & Copper Service Line Inventory and Verification Project to the terms of 5 years, \$600,000 principal forgiveness, 0.00% interest and 2% closing fee. To accept the loan offer, PWC must adopt this resolution accepting the loan in the form provided by DEQ

**COMMENTS:** Staff recommends that the Commission adopt attached resolution (Resolution No. PWC2024.11) to accept the BIL DWSRF-LSLR Fund Loan Offer for the Project and requests the City to adopt the same.

- C. Adopt PWC Resolution # PWC2024.12 – Resolution Approving Interim Wholesale Water Agreement

END OF CONSENT

IV. GENERAL MANAGER REPORT

V. COMMISSIONER/LIAISON COMMENTS

VI. REPORTS AND INFORMATION

*(See Tab 2)*

A. Utility Payments by Payment Type – June 2024

B. Career Opportunities

VII. CLOSED SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTES  
143-318.11(A)(3) FOR LEGAL MATTERS

VIII. ADJOURN

PUBLIC WORKS COMMISSION  
MEETING OF WEDNESDAY, JUNE 26, 2024  
8:30 AM

Present: Donald L. Porter, Chairman  
Christopher G. Davis, Vice Chairman  
Ronna Rowe Garrett, Secretary  
Richard W. King, Treasurer

Others Present: Timothy L. Bryant, CEO/General Manager  
Derrick Thompson, City Council Liaison  
Sally Shutt, Assistant County Manager  
Media

Absent: Chancer McLaughlin, Interim Town Manager/Liaison

I. REGULAR BUSINESS

Chairman Donald Porter called the meeting of June 26, 2024, to order at 8:30 am.

PLEDGE OF ALLEGIANCE

Chairman Donald Porter led the Commission in the Pledge of Allegiance

APPROVAL OF AGENDA

Commissioner Ronna Rowe Garrett motioned to amend the agenda by removing Item V, and by adding a closed session for Legal Matters as Item VIII, and a Closed Session for Personnel Matters, as Item IX. Motion was seconded by Commissioner Christopher Davis, and unanimously approved.

Commissioner Christopher Davis, motioned to approve the amended agenda. The motion was seconded by Commissioner Ronna Rowe Garrett and unanimously approved.

II. RECOGNITIONS

FY24 LEAK DETECTION PROGRAM RECOGNITION

Presented by: Carolyn Justice Hinson, Chief Customer Officer

Mr. Timothy Bryant introduced Ms. Carolyn Justice Hinson, who deferred to Ms. Misty Manning. Ms. Manning stated the FY24 Non-Revenue Leak Detection Program was overseen by the WR Engineering Department, however we had a lot of assistance from our other departments. She asked the following employees to stand:

Kenny Hart	WR Construction
Billy McPhaul	WR Construction
John Junot (not present)	WR Construction
Phillip Parker (not present)	WR Construction
Michael Smith (project lead)	WR Engineering

Vance McGougan	WR Engineering
Robert Turner	WR Engineering
Terrance Thompson	Customer Care
Chad Groves	Customer Care
Harry Myles	Customer Care
Corey Brown (not present)	Customer Care

Ms. Manning stated we contracted with McKim & Creed, and we did acoustic inspections. PWC identified possible leaks; possible system notes that we needed to do. We completed quick responses on repairs; on PWC's side and also notified customers of possible leaks on their side as well. In total this year, we found a rough estimate of 81.3 million gallons we have conserved. This is a program we began as part of our Asset Management Program. This is the second year (of five years), and in total we have identified over 114 million gallons per year. The total dollar amount saved has not been totaled yet.

Commissioner Ronna Rowe Garrett stated she appreciates the employees being present. And we so care about your accomplishments and them as people. She stated the Commissioners talk about them often and their accomplishments. She encouraged them to stay hydrated and thanked them for what they do every day.

### III. CONSENT ITEMS

Commissioner Christopher Davis motioned to approve the Consent Items. Motion was seconded by Commissioner Ronna Rowe Garrett, and unanimously approved.

- A. Approve Minutes of meeting of May 22, 2024
- B. Adopt PWC Resolution # PWC2024.07 – Resolution Adopting, Amending, and Rescinding Policies, and Updating The PWC Online Document Library
- C. Adopt PWC Resolution # PWC2024.08 - Resolution of the Fayetteville Public Works Commission to Direct the Filing of an Application for State Loan Assistance
- D. Adopt PWC Resolution # PWC2024.09 - Resolution of the Fayetteville Public Works Commission to Accept the American Rescue Plan Act Offer under the State Fiscal Recovery Fund
- E. Adopt PWC Resolution # PWC2024.10 – Resolution to Declare Personal Property as Surplus and Authorize Sale of Property by Public Auction
- F. Approve bid recommendation to award bid for the purchase of Gas Turbine 6 Frame Size 5 Exhaust Plenum to Schock Manufacturing LLC, Owasso, OK, the lowest, responsive, responsible bidder, and in the best interests of PWC, in the total amount of \$140,000.00. And approve to forward this recommendation to City Council for approval.

The Gas Turbine 6 Frame Size 5 Exhaust Plenum is budgeted in account string 001.0170.0802.2412071-01.343000...CPR1000556

Bids were received June 6, 2024, as follows:

<u>Bidders</u>	<u>Total Cost</u>	<u>Delivery</u>
Schock Manufacturing LLC, Owasso, OK	\$140,000.00	3 Weeks

**COMMENTS:** The initial bid notice was advertised through our usual channels on May 14, 2024, with a bid opening date of May 28, 2024. However, no bids were received from the initial advertisement, prompting a re-bid on May 28, 2024. The re-bid bid opening date was scheduled for June 6, 2024. Bids were solicited from three (3) vendors, and one (1) bid was received. The award is recommended to Schock Manufacturing LLC. **MWDBE/SLS Participation:** Schock Manufacturing LLC is not a MWDBE or local business. Schock is the manufacturer of this purchase and intends to perform the contract with its own workforce.

- G. Approve bid recommendation to reject all bids for the purchase of Prefabricated Relay Control Houses for Two (2) Substations: FTCC and Murray Fork Road, and forward City Council for approval.

Bids exceed the budget and are not in the best interests of PWC.

Bids were received May 24, 2024, as follows:

<u>Bidders</u>	<u>UOM</u>	<u>QTY</u>	<u>Unit Cost</u>	<u>Total Cost</u>
Birmingham Control Sys., Inc., Bessemer, AL	EA	2	\$399,995.00	\$ 799,999.00
Panelmatic, Brookfield, OH	EA	2	\$607,000.00	\$1,214,000.00

**COMMENTS:** The Commission is requested to reject all bids for the purchase of Prefabricated Relay Control Houses for two substations: FTCC and Murray Ford Rd. The bid notice was advertised through PWC's usual channels on April 30, 2024, with a bid opening date of May 24, 2024. Five vendors were solicited, and PWC received two bids, which were evaluated by the Procurement and Electric Systems Support departments. Both departments recommend rejecting the bids because they exceed the budget and are not in PWC's best interest.

- H. Approve bid recommendation to award bid for the purchase of Relay Control Houses to VFP, Inc., Roanoke, VA, the lowest, responsive, responsible bidder, in the total amount \$605,890.00, and forward to City Council for approval.

The Relay Control Houses will be bond funded via the following account strings:  
103.0000.0802.2207988-05.690161..CPR1000471 & 103.0000.0802.2102564-05.  
690161..CPR1000421

Bids were received February 1, 2024, as follows:

<u>Bidders</u>	<u>UOM</u>	<u>QTY</u>	<u>Total Cost</u>	<u>Total Cost</u>
VFP, Inc., Roanoke, VA	EA	2	\$302,945.00	\$605,890.00

**COMMENTS:** On April 10, 2024, the Commission approved an award recommendation for the purchase of relay control houses required for the reconstruction of the P.O. Hoffer 69 to 15 x 25kV Substation and the Cumberland Road 69 to 15 x 25kV Substation. The contract was awarded to the lowest responsive and responsible bidder, VFP, Inc., based in Roanoke, VA.

Subsequent to this award, the PWC Procurement Department solicited bids under bid number PWC2324070 for two additional relay houses. The lowest bid under PWC2324070 was \$194,109.00 higher than the awarded bid under PWC2324035. VFP, Inc. has agreed to provide the two (2) additional relay control houses to PWC at the

same unit cost as in the initial contract under PWC2324035. **MWDBE/Local Participation:** VFP, Inc., Roanoke, VA, is not a small local or MWDBE business.

- I. Approve bid recommendation to award bid for the purchase of Online Low Range Turbidimeter & UV-254 Replacement to Swan Analytica USA, Inc, Wheeling, IL the lowest, responsive, responsible bidder, and in the best interest of PWC in the total amount \$149,005.00, and forward to City Council for approval.

The Online Low Range Turbidimeter & UV-254 Replacement is budgeted in account string 002.0630.0802.0000000-00.323000.32300.2406304968

Bids were received May 30, 2024, as follows:

<u>Bidders</u>	<u>Total Cost</u>	<u>Delivery</u>
Swan Analytical USA, Inc.	\$149,005.00	2-3 Weeks

**COMMENTS:** The bid notice was advertised through our usual channels on May 16, 2024, with a bid opening date of May 30, 2024. Bids were solicited from two (2) vendors, and one (1) bid was received. The award is recommended to Swan Analytical USA, Inc. **MWDBE/SLS Participation:** Swan Analytical USA is not MWDBE or a local business. Swan Analytical USA, Inc, is the manufacturer of this purchase and intends to perform the contract with its own workforce.

- J. Approve bid recommendation to award contract for the Re-bid of Lift Station Rehabilitation Mechanical Jobbers Marketing, Inc., Lithonia, GA, the lowest, responsive, responsible bidder, and in the best interest of PWC in the total amount of \$397,400.00, and forward to City Council for approval.

The Re-bid Lift Station Rehabilitation is budgeted in 002.0160.0435.0000000-00.80005.CPR1000390.

Bids were received May 2, 2024, as follows:

<u>Bidders</u>	<u>Total Cost</u>
Mechanical Jobbers Marketing, Inc.	\$397,400.00
Carolina Management Team	\$514,810.00

**COMMENTS:** The bid notice was advertised through our usual channels on April 11, 2024, with a bid opening date of May 2, 2024. Bids were solicited from three (3) vendors, and two (2) bids were received. The award is recommended to Mechanical Jobbers Marketing, Inc., Lithonia, GA. **MWDBE/SLS Participation:** Mechanical Jobbers Marketing, Inc., Lithonia, GA is a North Carolina-certified Minority-Owned business. They plan to use a WBE firm for storage and housing rental needs and are actively assisting this firm with their NC HUB Certification

- K. Adopt PWCORD2024-06 – FY2024 Budget Amendment #8

PWCORD2024-06 is an Electric and W/WW Fund amendment changing the fund balances as follows: The Electric Fund is increasing by \$1,380,900 to \$309.6 million and the W/WW Fund is decreasing \$134,900 to \$156.6 million.

#### **Electric Fund**

- **Electric Fund Revenue:** Total Electric Fund Revenue increased by \$1,380,900.

- Total Budgetary Appropriations increased by \$1,380,900 due to the net effect of decreasing the Appropriation from Rate Stabilization by \$141,500 and increasing the Appropriation from Electric Net Position by \$1,522,400 to support increased expenses below.
- **Electric Fund Expenditures:** Total Electric Fund Expenditures increased by \$1,380,900.
  - Operating Expenditures decreased by \$253,300 due to the transfer of funds to the PWC Foundation Reserve and GASB 96 lease adjustments.
  - Capital decreased by \$1,406,600 due to supply chain restrictions and project delays.
  - Total Budgetary Appropriations increased by \$3,040,800. This includes the increase of the Transfer to Budget Carryover Reserve by \$2,406,600, the increase of the PWC Foundation Reserve by \$339,800, and the increase of the Legal Reserve by \$294,400.

#### **W/WW Fund**

- **W/WW Fund Revenue:** Total W/WW Fund Revenue decreased by \$134,900.
  - Total Budgetary Appropriations decreased by \$134,900. This includes the increase of the Appropriation from Annexation Phase V Reserve by \$292,700, the decrease of the Transfer from Budget Carryover Reserve by \$1,060,500 due to equipment delays, and the increase of the Appropriation from W/WW Net Position by \$632,900.
- **W/WW Fund Expenditures:** Total W/WW Fund Expenditures decreased by \$134,900.
  - Operating Expenditures decreased by \$253,300 due to the transfer of funds to the PWC Foundation Reserve, GASB 96 lease adjustments, and project delays.
  - Capital decreased by \$2,532,800 due to supply chain restrictions and project delays.
  - Total Budgetary Appropriations increased by \$2,794,800. This includes the increase of the Transfer to Budget Carryover Reserve by \$2,532,800, the increase of the PWC Foundation Reserve by \$339,800, the increase of the Legal Reserve by \$264,300, and the decrease of the Appropriation to W/WW Net Position by \$342,100.

**COMMENTS:** Staff recommends that the Commission adopt the attached budget ordinance amendment PWCORD2024-06.

#### **L. Adopt PWC Ordinances – PWCORD2024-07 thru PWCORD2024-12**

The following ordinances will be effective upon adoption:

- PWCORD2024-07 amends the Electric Rate Stabilization Fund to decrease the budgeted transfer to the Electric General Fund (GF) by \$141,535 for lower catch-up energy costs, consistent with the GF budget, and to update transfer and interest income to actuals as of FY24.
- PWCORD2024-08 amends the Annexation Phase V Reserve to increase the budgeted transfer to the Water and Wastewater General Fund (GF) by \$292,700 for debt service.
- PWCORD2024-09 amends the Electric Transportation Equipment Capital Project Fund to close out long lead time purchases made in FY24.
- PWCORD2024-10 amends the Series 2021 Electric Capital Project Fund to recognize interest income of \$23,932.
- PWCORD2024-11 amends the Series 2021 Water and Wastewater Capital Project Fund to recognize interest income of \$1,206,072.
- PWCORD2024-12 amends the Water Transportation Equipment Capital Project Fund to close out long lead time purchases made in FY24.

**COMMENTS:** Staff recommends that the Commission adopt the attached CPF budget ordinances.

M. Adopt PWC Ordinances – PWCORD2024-13 thru PWCORD2024-19

The following ordinances will be effective July 1, 2024, and reflect the FY25 activity from the FY25 Annual Electric and Water/Wastewater Operating and CIP Budget:

- PWCORD2024-13 amends the Electric Rate Stabilization Fund to recognize the FY25 transfer of \$3,896,000 consistent with the GF budget and an increase in estimated interest income of \$1,300,000 in recognition of higher interest rates for investment activity.
- PWCORD2024-14 amends the Water and Wastewater Utility Rate Stabilization Fund to recognize the FY25 transfer of \$250,000 consistent with the GF budget and an increase in estimated interest income of \$90,900 in recognition of higher interest rates for investment activity.
- PWCORD2024-15 amends the Annexation Phase V Reserve to recognize the FY25 appropriations from the GF of \$8,600,900, an increase in estimated interest income of \$1,907,800 in recognition of higher interest rates for investment activity and an appropriation to the GF of \$8,097,800 for debt service, all consistent with the GF budget.
- PWCORD2024-16 amends the NCDOT CPF to add new projects and update cost estimates for existing projects based on the FY25 CIP.
- PWCORD2024-17 amends the Substation Rebuild CPF to reduce project expenditures for substation projects anticipated to be funded with Revenue bonds and update cost estimate of existing project based on the FY25 CIP.
- PWCORD2024-18 amends the Electric Transportation Equipment Capital Project Fund to revise the FY25 estimates for long lead time purchases, making the budgeting, tracking and pre-audit requirements more manageable to staff.
- PWCORD2024-19 amends the Water Transportation Equipment Capital Project Fund to revise the FY25 estimates for long lead time purchases, making the budgeting, tracking and pre-audit requirements more manageable to staff.

**COMMENTS:** Staff recommends that the Commission adopt the attached CPF budget ordinances.

END OF CONSENT

IV. ECONOMIC INCLUSION PROGRAM BRIEFING

Presented by: Candice Kirtz, Director of Supply Chain  
Nikole Bohannon, Economic Inclusion Program Manager

Ms. Rhonda Haskins introduced Ms. Candice Kirtz and Ms. Nikole Bohannon.

Ms. Kirtz stated she and Ms. Bohannon will provide a recap of the program's purpose and history; outreach efforts; vendor database growth; and connections to procurement opportunities. They will also provide an update on SLS (Small Local Supplier) spend; spend by products; spend by PWC divisions; awarded contract dollars; vendor spotlights; and future goals.

**Program Purpose**

- Economic Inclusion Program



Ms. Kirtz stated the Economic Inclusion Program is the umbrella terms used for describing PWC's Small Local Supplier (SLS) Program and Minority, Women, Disadvantaged, Business Enterprises (MWDBE) Program. Both of these programs have similar purposes, just for different groups, which are to support utilization, encourage capacity development and offer procurement opportunities to certified SLSs and MWDBEs.

#### History:



The Fayetteville Metropolitan Statistical Area is applicable to the SLS Program. This area consists of Harnett, Cumberland, and Hoke Counties. It is also focused on below \$30,000.

The MWDBE Geographical Statistical Area consists of Regions 3-8 & 10. The dollar thresholds are higher as well.



#### Outreach Efforts

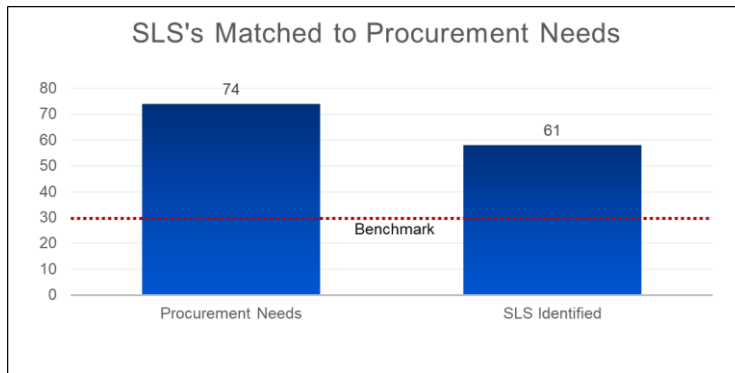
So far this fiscal year, the EI Program team has either hosted or co-hosted 17 trainings and networking events. This team has reached 422 businesses. 62 new vendors have come out of the FY24 outreach and 23 have received assistance with HUB certification through this outreach. I am happy to share that through participant surveys we have gathered that we are exceeding outreach expectations by 95%.

#### Procurement Opportunities (SLS Program)

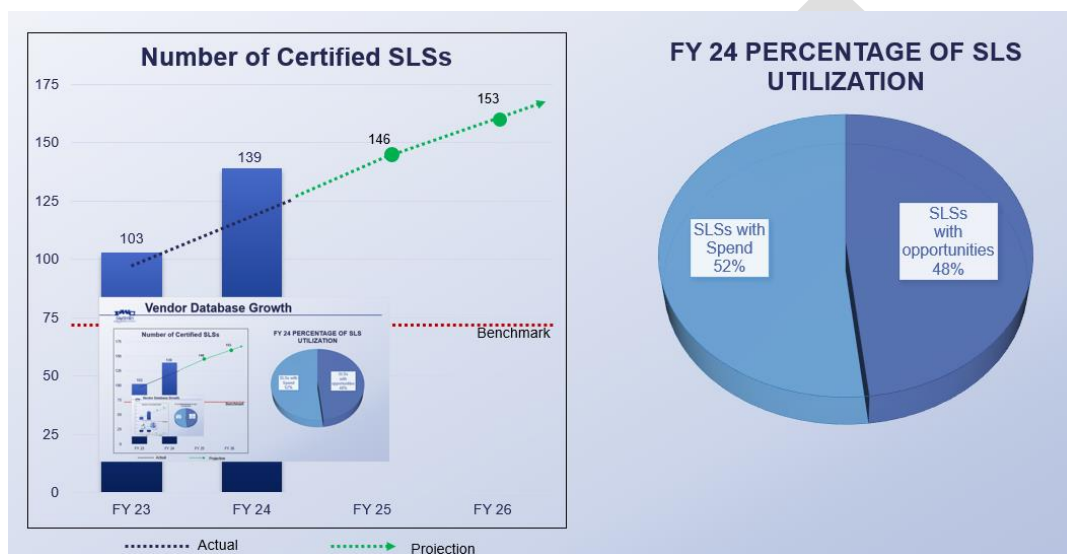
FY24 Target Goal to Identify 30 Opportunities less than \$30K

- ▶ 74 Opportunities were identified
- ▶ 61 SLS were matched to the opportunities

- 82% SLS match exceeding FY24 target of 75%



## Vendor Database Growth



Based on the efforts mentioned in the previous slides, our program is growing. In FY 23 we had 103 SLSs to self-certify during our pilot year surpassing our benchmark of 75. As of today, that number has increased to 139. Over half of these SLSs are being utilized in FY24. This means PWC has spent money with them. And 48% of our SLSs have been contacted for opportunities within their industry.

### \*FY23 Procurement Spend

SLS Spend	\$11,858,316
Local Spend	\$19,375,883
<b>Total Spend</b>	<b>\$258,679,818</b>

\*July 2022 – July 2023

### \*FY24 Procurement Spend

SLS Spend	\$11,655,309
Local Spend	\$19,854,291
<b>Total Spend</b>	<b>\$295,805,368</b>

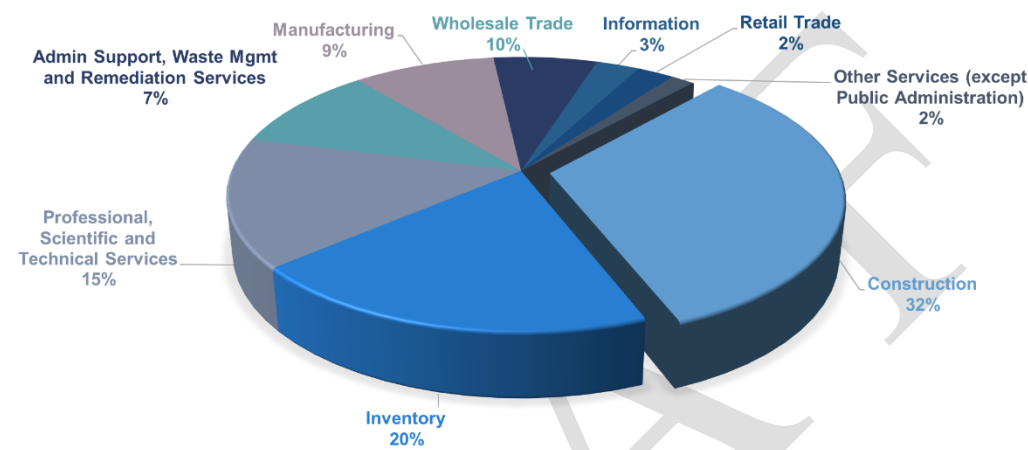
\*July 2023 – May 2024

SLS Utilization Spend

Ms. Bohannon stated, FY23 was our pilot year for the SLS program. It was a successful year with a total of SLS Procurement spend at \$11.8M reaching a 4.5% of the total Procurement spend. FY24 current Procurement spend that is reported here is from July 2023 through May 2024.

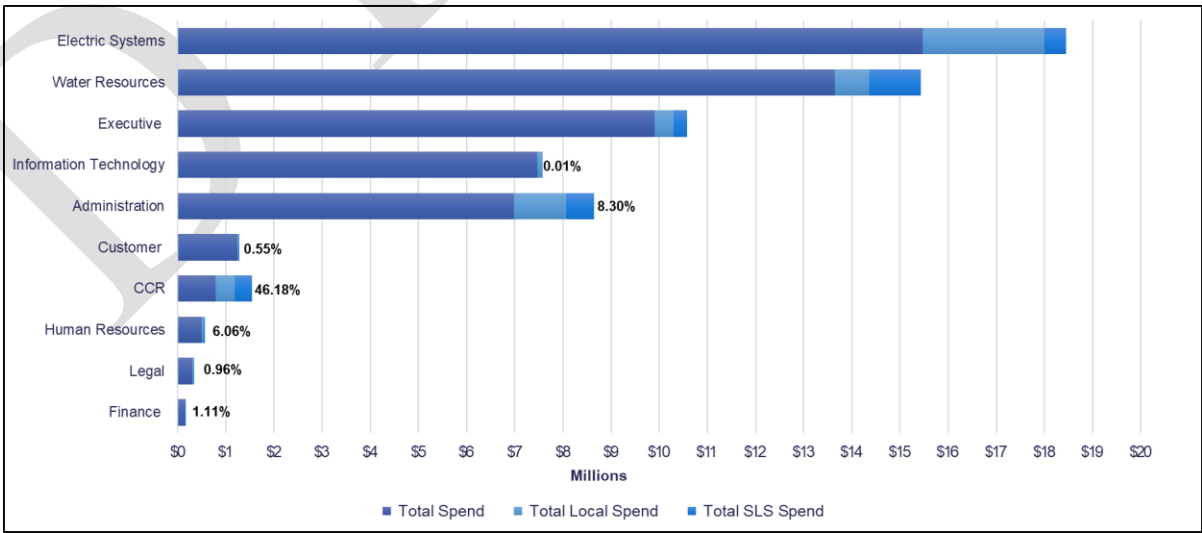
As you can see current total and local Procurement spend is trending slightly higher than FY23, You will notice a slight dip in SLS Spend from FY23 to FY24, however, FY23 spend report is not a full year, and FY23's is. With the current purchase order spend, we are trending at a 0.8% SLS Spend growth from FY23 to FY24. It is important to note, this spends does not include procurement card transactions, this incorporation is part of our future goals.

FY24 % of Spend by Products



Economic Inclusion tracks the percentage of spend by each industry. The chart above tracks FY24's spend by each industry. Construction is still our leading industry of procurements; however, it is important to note many of the trades such as roofing, concrete repairs, flooring, painting, and carpentry are classified in the construction industry and will typically have higher percentage of spend. The program staff continuously provides internal stakeholder trainings and communication to ensure each procurement is properly coded.

FY24 Spend by PWC Divisions



July 23 – May 24

The slide below is specific to the MWDBE program and the awarded contract dollars.

FY 24 Awarded Contract Dollars		% of Prime Award
Prime Awarded	\$113,113,170	
Minority, Women, Disadvantaged Business Enterprises (MWDBE) as the Prime Awarded	\$1,558,250	1.38%
Minority, Women, Disadvantaged Business Enterprises (MWDBE) with MWDBE Subcontract Awards	\$986,188	0.87%
Small Local Supplier (SLS) with SLS Subcontract Awards	\$2,638,006	2.33%

### Economic Inclusion (EI) Program Highlights

• FY 23 Spotlight – Janitorial Services for PWC's Operations Complex



**H3 Solutions**  
Certified SLS  
Certified NC MBE Firm



Certified SLS  
Certified NC MBE Firm

• FY24 Spotlight – Fayetteville PWC Walking Trail: Phase 1



**Wellco  
Contractors, Inc.**  
Certified SLS



Certified SLS



Certified SLS  
Certified NC MBE Firm

For our FY23 Spotlight - PWC's Janitorial Contract for the Operations complex was awarded to H3 Cleaning Solutions in FY23. H3 is a certified NC MBE firm and is certified as an SLS. In turn, H3 Cleaning Solutions purchases its materials and supplies from a certified SLS and certified NC WBE firm – A-1 supply. A-1 Supply has been offering janitorial, environmental, and industrial supplies for almost 30 years. This is a success story as H3 was able to learn about this opportunity through our First Annual Industry Day event.

For our FY24 Spotlight - Wellco Contractors from Spring Lake. They were awarded the Fayetteville PWC Walking Trail – Phase 1 project. In turn, they have utilized 2 certified SLS as subcontractors to complete this project. Fayetteville Landscaping & Lawn has been utilized for landscaping needs, and Hall's Tree Service who is also a Certified MBE firm is being used for tree removal services. 100% of this contract has been to Small Local Suppliers.

### Future Goals

- ▶ Incorporate Procurement Card Spend
- ▶ Re-evaluate the SLS Program's Benchmarks for Vendor Growth
- ▶ Set an Aspirational Spend Goal for the SLS Program
- ▶ Complete the MWDBE Procurement Spend Dashboard and Begin Reporting Quarterly to the PWC Officers
- ▶ Increase MWDBE Participation in Advertised Procurement Opportunities
- ▶ Begin Reporting MWDBE Actual Contract Spend

Staff responded to questions and comments from Commission, and additional discussion ensued.

*REMOVED FROM AGENDA*

~~V. ANNEXATION PHASE V UPDATE~~

~~Presented by: Mick Noland, Chief Operations Officer, Water Resources  
Misty Manning, Water Resources Engineering Manager~~

V. GENERAL MANAGER REPORT

Safety

Mr. Bryant stated overall, PWC continues to work safely. The summer heat and vacation season has created some opportunities.

People

For the second year in a row, PWC supported the APPA's Light Up Navajo Mutual Aid Project. An outstanding project bringing electricity to homes of the Navajo Nation. There are 13,000+ families there who have never had electricity. We sent twelve line workers for a two-week assignment for this mutual aid project. We will formally recognize these team members at a future date.

Personnel

Ms. Susan Fritzen, our Chief Administrative Officer announced her retirement a few weeks ago, with her last day in the office being yesterday. Mr. Bryant stated because of her retirement he has reallocated the following departments. He is not backfilling her role.

- Supply Chain now reports to the CFO
- Business Services reports to the Chief Information Officer
- Facilities and Fleet report to the General Counsel.

Mr. Bryant stated he believes these departmental moves better align PWC for ongoing exceptional service to our customers as well as provide leadership opportunities for those department leaders and their teams as well as the officers who will be leading them.

Community Engagement

The Key Accounts team took the opportunity to engage the key account customers to emphasize and highlight PWC's commitment to Fayetteville and the Cumberland County area. This gathering which was held at Gates Four Golf and Country Club, truly served as an opportunity to build, and strengthen relationships between our key account customers and staff members to ensure ongoing mutual support and growth.

Running the Business

Nothing significant to bring up in this session.

VI. COMMISSIONER/LIAISON COMMENTS

**Council Member Derrick Thompson**

Council Member Thompson stated it seems like whenever he leaves here he leaves with a smile on his face. You never know what is going on behind the scenes. He commented, we cannot keep doing business the same way. We have contractors who have been the same contractors for years, and we do not divvy up that money and let the other small businesses benefit from it. He is glad that PWC has reached out and done the same thing the City is doing. The direction PWC has gone with the new CEO, the influence the commissioners have as far as setting the standard and the staff, he believes PWC is doing a great job.

**Assistant County Manager Sally Shutt**

Assistant County Manager Shutt thanked PWC for the partnership both organizations have. The County Purchasing Department has participated in those events. She reminded everyone that the temperatures will be 100 degrees and above this week and they have cooling stations open.

**Commissioner Richard King**

No Comments

**Commissioner Christopher Davis**

No Comments

**Commissioner Ronna Rowe Garrett**

Commissioner Garrett stated Independence Day is coming up which is an indicator of the history of our country. We always take time for family, be safe with the temperatures and have a great Independence Day.

**Commissioner Donald Porter**

No comments

**VII. REPORTS AND INFORMATION**

The Commission acknowledges receipt of the following reports and information.

- A. Utility Payments by Payment Type – May 2024
- B. Career Opportunities

**VIII. CLOSED SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTES 143.318.11(A)(6) FOR PERSONNEL MATTERS**

Commissioner Ronna Rowe Garrett motioned to enter closed session for Personnel Matters pursuant to North Carolina General Statutes 143-318.11(A)(6). Motion was seconded by Commissioner Christopher Davis and unanimously approved at 9:09 am.

There being no further discussion, upon motion by Commissioner Ronna Rowe Garrett, seconded by Commissioner Christopher Davis, the Commission returned to open session by unanimous consent at 9:37 am.

IX. Due to an emergency the Commission delayed the Legal Closed Session for a future meeting.

X. ADJOURNMENT

There being no further discussion, upon motion by Commissioner Ronna Rowe Garrett, seconded by Commissioner Christopher Davis, and unanimously approved, the Commission adjourned at 9:43 am.

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July 3, 2024

MEMO TO: Timothy Bryant, CEO/General Manager

MEMO FROM: Rhonda Haskins, Chief Financial Officer

SUBJECT: Resolution Accepting State Loan Offer  
Lead & Copper Service Line Inventory and Verification Project

The following resolution is for Commission action at its July 10, 2024 meeting. In June 2024, the North Carolina Department of Environmental Quality (DEQ) offered PWC a \$1,000,000 BIL DWSRF-LSLR Fund Loan to complete the Lead & Copper Service Line Inventory and Verification Project to the terms of 5 years, \$600,000 principal forgiveness, 0.00% interest and 2% closing fee. To accept the loan offer, PWC must adopt this resolution accepting the loan in the form provided by DEQ. DEQ administers the loan and PWC will make periodic draws throughout the Project upon presenting supporting documentation of eligible payments.

Staff recommends that the Commission adopt attached resolution (Resolution No. PWC2024.11) to accept the BIL DWSRF-LSLR Fund Loan Offer for the Project and requests the City to adopt the same.



**RESOLUTION OF THE FAYETTEVILLE PUBLIC WORKS COMMISSION TO ACCEPT A STATE LOAN OFFER UNDER THE SAFE DRINKING WATER ACT AMENDMENTS OF 1996**

**WHEREAS**, the Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Fund have authorized the making of loans and/or grants, as applicable, to aid eligible, drinking-water system owners in financing the cost of construction for eligible, drinking-water infrastructure, and

**WHEREAS**, the North Carolina Department of Environmental Quality (NCDEQ) has offered a BIL DWSRF-LSLR Fund Loan in the amount of \$1,000,000 for the Lead & Copper Service Line Inventory and Verification project (Exhibit A); and

**WHEREAS**, the Fayetteville Public Works Commission (COMMISSION) intends to perform said project in accordance with the agreed scope of work; and

**WHEREAS**, the loan terms for the Lead & Copper Service Line Inventory and Verification project are 5 years, \$600,000 principal forgiveness, 0.00% interest and 2% closing fee, and

**NOW THEREFORE LET IT BE RESOLVED BY THE COMMISSION THAT:**

1. The COMMISSION does hereby accept the BIL DWSRF-LSLR Fund Loan offer of \$1,000,000 as presented in Exhibit A, contingent upon approval of the same by the City Council of the City of Fayetteville pursuant to Charter Section 6A.19.

2. The COMMISSION does hereby give assurance to NCDEQ that all items specified in the loan offer, Section II – Assurances will be adhered to.

3. Timothy L. Bryant, CEO/General Manager of the COMMISSION, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; to execute the promissory note; and to execute such other documents as may be required in connection with the application.

4. The COMMISSION has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

5. The COMMISSION requests that the City Council of the City of Fayetteville approve this loan pursuant to Charter Section 6A.19 by adopting a Resolution in the form attached hereto.

Adopted this 10<sup>th</sup> day of July, 2024.

FAYETTEVILLE PUBLIC WORKS COMMISSION

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Donald L. Porter, Chairman

ATTEST:

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Ronna Rowe Garrett, Secretary

STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER INFRASTRUCTURE

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Fayetteville Public Works Commission  
955 Old Wilmington Road  
Fayetteville, North Carolina 28301

Project Number: SRF-D-LSL-0022

Assistance Listing Number: 66.468  
Unique Entity ID Number: UMXDRGNCPQ7

Funding Program

Drinking Water	<input checked="" type="checkbox"/>	Additional Amount for	Previous Total	Total Offered
Stormwater	<input type="checkbox"/>	Funding Increases		
Wastewater	<input type="checkbox"/>			
BIL-DWSRF-LSLR Fund - Repayable Loan	<input checked="" type="checkbox"/>	--	--	\$400,000
BIL-DWSRF-LSLR Fund - Principal Forgiveness	<input checked="" type="checkbox"/>	--	--	\$600,000
State Reserve Loan	<input type="checkbox"/>			
State Reserve Grant	<input type="checkbox"/>			
State Reserve Earmark (S.L. 2023-134)	<input type="checkbox"/>			
American Rescue Plan Act - Choose an item.	<input type="checkbox"/>			

Project Description:

Lead & Copper Service Line Inventory and Verification

Total Financial Assistance Offer: \$1,000,000  
Total Project Cost: \$2,558,600  
Estimated Closing Fee\*: \$20,000  
*For Loans*  
Interest Rate: 0% Per Annum  
Maximum Loan Term: 5 Years

*\*Estimated closing fee calculated based on grant and loan amount.*

Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

Shadi Eskaf, Director, Division of Water Infrastructure  
North Carolina Department of Environmental Quality

DocuSigned by: 	6/17/2024
Signature	Date

On Behalf of: Fayetteville Public Works Commission  
Name of Representative in Resolution: Timothy Bryant  
Title (Type or Print): CEO/General Manager

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

Signature	Date
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**APPLICABLE STANDARD CONDITIONS\*****Project Applicant:****Project Number:**

1. **Social Authorities:** Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, The Age Discrimination Act of 1975, Section 13 of the Federal Water Pollution Control Act Amendments of 1972, and Equal Employment Opportunity (Executive Order No 11246, as amended) which prohibits activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, religion, sex, sexual orientation, gender identity, or national origin.
2. **Environmental Authorities:** National Environmental Act, National Historic Preservation Act, Archeological and Historic Preservation Act, Protection of Wetlands, Flood Plain Management, Farmland Protection Policy Act, Coastal Zone Management Act, Coastal Barriers Resources Act, Wild and Scenic Rivers Act, Endangered Species Act, Essential Fish Habitat and the Safe Drinking Water Act applicability will be determined upon submittal of an Environmental Information Document (EID) during the Engineering Report (ER) review process. Projects that do not involve construction (e.g., inventory only) are not required to prepare an ER/EID.
3. Acquisition of Real Property must comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended. The Applicant shall certify that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project using a certification form provided by DEQ.
4. Specific MBE/WBE (DBE) forms and instructions are provided that are to be included in the contract specifications. These forms will assist with documenting positive efforts made by recipients, their consultants and contractors to utilize disadvantaged businesses enterprises. Such efforts should allow DBEs the maximum feasible opportunity to compete for sub agreements and subcontracts to be performed. Documentation of efforts made to utilize DBE firms must be maintained by all recipients, and construction contractors, and made available upon request.
5. Debarment and Suspension, Executive Order No. 12549: Subrecipients shall fully comply with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Subrecipients may access suspension and debarment information at: <http://www.sam.gov>. This system allows subrecipients to perform searches determining whether an entity or individual is excluded from receiving Federal assistance.
6. The construction contract requires the contractor to adhere to Davis-Bacon and Related Acts Provisions and Procedures as listed in the Code of Federal Regulations Chapter 29 Part 5 Section 5 (29 CFR 5.5). Public Law pertaining to this is also enacted in Title 40, United States Code, Subtitle II Section 3141 through Section 3148. Projects that do not involve construction (e.g., inventory only) are generally not subject to Davis-Bacon; however, special circumstances may trigger Davis-Bacon requirements.
7. Projects funded through the BIL DWSRF-LSLR funds are required to comply with the Federal Build America, Buy America Act (BABAA). BABAA requires that iron, steel, manufactured products, and construction materials used in infrastructure projects are produced in the United States. Projects that do not involve construction (e.g., inventory only) are not subject to BABAA.
  - a. If your project qualifies for a BABAA waiver, American Iron & Steel (AIS) provisions will apply instead, as required by H.R. 3547, "Consolidated Appropriations Act, 2014" Section 436, Division G, Title IV. The State provides detailed requirements to be included in the construction contract specifications. Projects that do not involve construction (e.g., inventory only) are not subject to AIS.

8. Pursuant to 2 C.F.R. § 200.216, subrecipients cannot obligate SRF funds to: (1) procure or obtain; (2) extend or renew a contract to procure or obtain; or (3) enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services (described in Public Law 115-232, Section 889) as a substantial or essential component of any system, or as a critical technology as part of any system.

*\*Note: Condition 1 does not require anything to be submitted. Details on all of these conditions can be found in the EPA Cross-Cutter handbook.*

## ASSURANCES

**Project Applicant:**

**Project Number:**

1. The Applicant intends to complete the project in accordance with the application for financial assistance approved by the Division. The Applicant acknowledges that in the event a milestone contained in the most recent BIL DWSRF-LSLR Fund Intended Use Plan and/or the Letter of Intent to Fund is missed, the Department of Environmental Quality may rescind this Funding Offer.
2. The Applicant is responsible for paying for the costs ineligible for BIL DWSRF-LSLR funding.
3. All aspects of the project, including the letting of contracts in connection therewith, conform to the applicable requirements of State and local laws and ordinances.
4. The Applicant will provide and maintain adequate engineering supervision and inspection.
5. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the course of the project and these records will be retained and made available for a period of at least three years following completion of the project.
6. All BIL DWSRF-LSLR funds loaned shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
7. The Applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.
8. **The Applicant acknowledges that loan funds contained in this Funding Offer require approval from the North Carolina Local Government Commission before they can be disbursed.**

**RESOLUTION APPROVING  
INTERIM WHOLESALE WATER AGREEMENT**

WHEREAS, PWC has agreed to sell, and the County of Hoke, North Carolina (“Hoke County”) has agreed to purchase from PWC, pursuant to a written Interim Wholesale Water Agreement by and between PWC and Hoke County (the “Agreement”), certain quantities of wholesale water for a period of two years, such term to automatically renew for successive one-year terms, subject to certain termination rights of the parties.

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby approves the Agreement and authorizes CEO/General Manager Timothy Bryant to execute and deliver the Agreement on behalf of PWC.

**ADOPTED** this \_\_\_\_ day of July, 2024.

FAYETTEVILLE PUBLIC WORKS COMMISSION

\_\_\_\_\_  
Donald L. Porter, Chair

ATTEST:

\_\_\_\_\_  
Ronna Rowe Garrett, Secretary

## Customer Utility Payments By Payment Type

Payment Type	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Kiosk	969	866	889	952	898	857	757	749	740	826	739	879	755
Mail	14,537	13,841	14,606	17,496	14,219	18,326	13,218	14,648	14,263	13,935	13,225	12,721	11,582
Walk Ins	0	0	0	0	0	0	0	0	0	0	0	0	0
Drive Thru	4,576	4,265	4,538	4,415	4,489	4,473	4,089	4,306	4,487	4,122	4,457	4,364	3,981
Depository	356	380	273	337	305	342	273	320	321	270	326	315	310
Bank Draft	21,769	21,802	21,793	21,895	21,925	21,929	21,941	22,043	22,176	22,204	22,300	22,473	22,614
Bill2Pay IVR	16,611	15,668	16,451	16,843	16,726	15,747	15,770	16,102	16,685	16,514	16,707	16,669	15,589
Bill2Pay WEB	47,688	46,045	47,706	49,210	47,515	47,863	47,221	48,244	50,068	50,844	48,445	51,157	49,499
Western Union	3,137	3,011	2,886	3,155	3,048	2,885	2,635	2,538	2,636	2,645	2,821	3,068	2,941
Online Banking / EBox	9,877	8,439	9,933	9,310	9,061	9,255	8,912	8,937	9,222	8,809	9,283	9,229	8,081
<b>Totals</b>	119,520	114,317	119,075	123,613	118,186	121,677	114,816	117,887	120,598	120,169	118,303	120,875	115,352



# CAREER OPPORTUNITIES

## W/R TREAT PLT OPER (10333)

### Job Info

#### Organization

Fayetteville Public Works Commission

#### Job Grade

407

#### Locations

Fayetteville, NC, United States

#### Work Locations

PWC GLENVILLE LAKE WATER TREATMENT FACILITY

#### Posting Date

6/27/24

#### Posting Expiration

7/12/24 11:59 PM

#### Posting Visibility

External

#### Full or Part Time

Full time

#### Schedule

12 HOUR ROTATING SHIFT (7AM-7PM & 7PM-7AM)

#### Salary Range

406; \$22.44-\$29.56



# CAREER OPPORTUNITIES

## GIS TECH (Water Resources) (10347)

### Job Info

#### Organization

Fayetteville Public Works Commission

#### Job Grade

407

#### Locations

Fayetteville, NC, United States

#### Work Locations

PWC OPERATIONS COMPLEX

#### Posting Date

6/25/24

#### Apply Before

7/9/24 9:54 AM

#### Posting Visibility

Internal and External

#### Full or Part Time

Full time

#### Schedule

Monday-Friday 8AM-5PM

#### Salary Range

407; \$25.30- \$33.33





# CAREER OPPORTUNITIES

## SENIOR MACHINIST (10348)

### Job Info

#### Organization

Fayetteville Public Works Commission

#### Job Grade

406

#### Locations

Fayetteville, NC, United States

#### Work Locations

PWC OPERATIONS COMPLEX

#### Posting Date

7/02/24

#### Apply Before

7/17/24 5:00 PM

#### Posting Visibility

Internal

#### Full or Part Time

Full time

#### Schedule

Monday through Friday 7am to 4pm

#### Salary Range

406 - \$23.29 to \$30.68 hourly



# CAREER OPPORTUNITIES

## COMMUNITY RELATIONS MANAGER (10349)

### Job Info

#### Organization

Fayetteville Public Works Commission

#### Job Grade

415

#### Locations

Fayetteville, NC, United States

#### Work Locations

PWC OPERATIONS COMPLEX

#### Posting Date

7/02/24

#### Apply Before

7/17/24 5:00 PM

#### Posting Visibility

Internal and External

#### Full or Part Time

Full time

#### Schedule

Monday through Friday 8am to 5pm extended hours as needed

#### Salary Range

415 - \$92,151.15 to \$121,409.14



# CAREER OPPORTUNITIES

## COMMUNICATIONS MANAGER (10350)

### Job Info

#### Organization

Fayetteville Public Works Commission

#### Job Grade

415

#### Locations

Fayetteville, NC, United States

#### Work Locations

PWC OPERATIONS COMPLEX

#### Posting Date

7/02/24

#### Apply Before

7/17/24 5:00 PM

#### Posting Visibility

Internal and External

#### Full or Part Time

Full time

#### Schedule

Monday through Friday 8am to 5pm extended hours as needed

#### Salary Range

415 - \$92,151.15 to \$121,409.14