



**TOWN OF MIAMI**  
**Wastewater Advisory Board Meeting**  
**Wastewater Collection System Replacement Project**

**THURSDAY, SEPTEMBER 22, 2016 AT 4:00 PM**  
MIAMI TOWN COUNCIL CHAMBERS  
500 W SULLIVAN STREET, MIAMI, ARIZONA 85539

**Meeting Minutes**

**I. Call to Order**

Meeting was called to order at 4:03 pm by Jerry Barnes.

**II. Roll Call**

PRESENT: John Trujillo, Jerry Barnes, Ray Webb

ABSENT: Rick Powers, Jay Spehar

**III. Approval of Minutes**

a. Approval of Minutes from the August 18, 2016 Meeting

- Ray Webb motioned to approve the minutes of the August 18, 2016 Meeting. Motion was seconded by John Trujillo – All in favor.

**IV. New Business**

- **Project Status Update**

Mark Ipson with HILGARTWILSON provided an update on the project.

- Phase 2 Construction:

- Phase 2 construction is a few weeks away from substantial completion, with another month after that for final completion. Mr. Ipson had asked that Kinkaid present an update on the Phase 2 construction, but no one from Kinkaid was present at the meeting to do so. Mr. Ipson asked Tim LeClair of AMEC to provide a brief update on behalf of Kinkaid. However, Joe Heatherly suggested to wait for Kinkaid to provide the construction update at a later time in the meeting when Kinkaid is present.

- Phase 3-5 Easement Acquisition and Design Update:

- Mr. Ipson provided a discussion and breakdown of the easements needed by phase. In the past month, one additional easement was acquired for Phase 5, leaving one outstanding easement in Phase 4 and

two outstanding easements in Phase 5. According to Dale Metz, each of the outstanding easements are in progress and the Town has the paperwork ready to go for all the outstanding easements. One of the easements has been sent out for a property that is owned by three brothers and a sister who live in different parts of the country. The paperwork has been sent to one of the brothers who will then forward it along to the other siblings and then return the signed copy to Dale Metz. For another property, the paperwork has been given to the owner who is having his attorney review the document and who will return it to Mr. Metz afterwards. The remaining easement is for a property in which the owner deeded half of the property to his daughter. This property co-owner has signed the document but Mr. Metz is still waiting on the signature from the daughter. It was also mentioned that the six easements in condemnation have been granted to the Town through the courts. Additional discussion was held regarding the various outstanding easements.

- Discussion was held regarding the Phase 3-5 design. AMEC is currently at 90% design on Phases 3-5. There is some field investigation work that needs to be completed prior to finalizing the design based on items observed during the Phase 2 construction. In a previous WWAB meeting, there was an item for \$100,000 identified for this investigative field work. AMEC has since identified the exact prices for this investigative work and is presenting this item in today's meeting as AMEC Contract Amendment No. 31. If approved, AMEC will commence this field investigative work immediately. Jerry Barnes asked Mr. Ipson to describe the investigative work in more detail. The investigative work consists of additional field evaluation of the site conditions that will be incorporated in the Phases 3-5 design. A concern that has come up frequently in Phase 2 is the numerous utility conflicts that have been encountered and due to this concern, further investigation needs to be done for Phases 3-5 to better depict the locations of the conflicting utilities. This effort will include additional coordination with other utility companies and site walks to verify all conflicting structures and utilities are identified in the plans. Joe Heatherly asked if this work should have already been a part of AMEC's original contract and design, regardless of the Phase 2 issues. Mr. Ipson stated that part of this field work is to identify where new gas lines may have been installed in streets, and that the field work also includes additional sewer video and pavement analysis.

- **Change Orders**

- Change Order #30, for a \$5,152.80 increase in Kinkaid Civil Construction's contract price to cover the costs of removing conflicting concrete required to install the sewer main at Kent Street, was discussed. A motion was made by John Trujillo to recommend to Council the approval of Change Order #30 for an increase in Kinkaid Civil Construction's contract price in the amount of \$5,152.80 subject to funding agency concurrence. Ray Webb seconded the motion. All in favor.

- **Public Comment on the operation, financing, and construction of the sewer project**
  - Jerry Barnes moved the Public Comment item up in the agenda to allow Freddie Rios of Arizona Water Company (AWC) to present his comments before Mr. Rios had to leave for another meeting. Mr. Rios expressed his concerns about the Town's contractor (Kinkaid) and recent work practices in coordination with how AWC has extended itself to perform courtesy system shut downs to alleviate pressure in the event that Kinkaid is working near AWC water lines. AWC has worked out details with AMEC to prepare shear replacements where ductile iron pipe (DIP) is installed in place of asbestos cement (AC) lines at known sewer crossings to prevent future water line failures during the sewer trench work. Mr. Rios noted that most recently, on Tuesday, September 13<sup>th</sup>, AWC shut down a portion of the system so that Kinkaid could perform sewer work in the Canyon Avenue and Cuprite area. In the past, AWC has shut down and received courtesy notifications from Kinkaid letting AWC know when they can reenergize the portions of water lines shut down. On September 13<sup>th</sup>, 2016 the only notification AWC received was from a concerned citizen that was without water for about 8-9 hours. An AWC customer service representative told the customer the water service would be returned once Kinkaid has given AWC notice that they had completed work in the area. The customer noted that the contractor was not working in the area and had not been since about 2:00 pm that day. AWC did not receive any notification from Kinkaid about the progress of the sewer work and when AWC could reenergize that portion of the system. Mr. Rios felt that the communication between AWC and AMEC has been effective, but was concerned about the no notification from Kinkaid. This issue required overtime man hours for AWC to reenergize the system and ensure it was fully operating and purged. Mr. Rios stated that he had expressed his concerns to Joe Heatherly that day, and that Mr. Heatherly reported back to Mr. Rios the following day that Kinkaid told him (Mr. Heatherly) that AWC should have already known about the completed construction. Mr. Rios further expressed that this type of conduct puts AWC in a tough position on a daily basis with their customers due to the fact that they perform courtesy shut offs to help the Town's project, but in return AWC receives negative publicity and from a humanitarian aspect, puts their customers at risk. Mr. Rios stated he will no longer go the extra mile to help the project due to these types of work practices that he finds unprofessional. In addition, Mr. Rios stated that today, September 22, 2016, Kinkaid requested another emergency shut off from AWC. Common practice has been to give AWC prior notification since they are governed by the Arizona Corporation Commission and Arizona Department of Environmental Quality to which they have obligations these agencies to report system shut downs for exceeding 4 hours for a major portion of the system. AWC has been practicing this and therefore cannot shut down a major portion of a main anytime Kinkaid feels a shutdown is needed. More so, during the installation of a sewer main at Loomis Avenue that same day, a section of AC water main within the area that should have been replaced with DIP became exposed and Kinkaid requested an emergency shut down due to the safety concerns of the AC pipe under high pressure. Mr. Rios does not know what information Kinkaid has in regards to AWC's obligations to replace the AC water lines, but every section identified when AWC met with the Town and AMEC has been addressed. Therefore, Mr. Rios continued, any comments from Kinkaid about AC water lines that Kinkaid believes should have been replaced with DIP is

misleading and inaccurate. Furthermore, this request was denied by AWC resulting in Kinkaid's ceasing operations until a shut down can be provided on Monday 9/26 and an email has been sent from Kinkaid to AWC and Joe Heatherly. Mr. Rios stated that he understands Kinkaid will track all additional costs and lost time and submit to the Town for payment. Mr. Rios believes this is another attempt from Kinkaid to place AWC in a bad light, and further stated that AWC is committed to help and work with the Town and the Town's contractor and engineer, however, AWC has reached a point where they can no longer be the fall guy for the entity that's not being responsible.

- Mr. Barnes asked if Jameson or someone from Kinkaid would like to respond to the comments made by Mr. Rios. Derek Borum of Kinkaid stated that on September 13th, Kinkaid was not the last contractor performing work on or near AWC's water lines and that AWC's contractor, Jonovich, was the last contractor in the area performing a shear replacement. Because of that, Kinkaid felt that they were not responsible to notify AWC of their completed work and that the water line could be reenergized.
- Jameson Owen of Kinkaid stated that in regards to the email sent on September 22<sup>nd</sup>, the section of AC water main that became exposed was directly between two areas where shear replacements have been done previously. It was stated in the field when meeting with Jonovich prior to those shear replacements that additional footage above what was identified for that area would be required due to the soil conditions and known constraints in that area. Mr. Owen was unsure why the shear replacements were not extended further to include this area, however Kinkaid notified AWC once this section was exposed. The field personnel instructed Kinkaid that they could not authorize an emergency shut down to which Mr. Owen attempted unsuccessfully to reach Mr. Rios directly and spoke instead with Leonard Garcia at AWC who also confirmed they could not do a shut down. Since this was an area that was not replaced with DIP, Kinkaid could not proceed so they had to backfill. Mr. Owen mentioned that the email also contained a request to shut down water lines for Monday through Friday the following week (9/26 – 9/30) so that proper notification can be presented to the customers affected. Kinkaid is unsure of the extent of the shut down required next week since AWC did not provide the limits of shear replacements that were done in the field and Kinkaid only knows of the sections they have observed, which have not been extended to the length required for Kinkaid to complete their work. Because of this, Kinkaid has requested shutdowns for each day that week. Additional discussion was held about the shut down request for next week and how Kinkaid could have worked around this area without affecting water service if the shear replacement was completed.
- Mr. Barnes asked Mr. Owen if it was the intent of Kinkaid to bill the Town for this conflict in which Mr. Owen replied that the shear replacements were done as part of the agreements between the Town and AWC, therefore Kinkaid had lost time and at the moment didn't know if any costs were associated with this lost time. As such, Kinkaid was only providing notification that extra costs may or may not be encountered but to date nothing has been submitted.
- Mr. Barnes asked AMEC why the RPR did not let AWC know that the water line was ready to be reenergized. Tim LeClair of AMEC responded that the RPR was at another location at the time working on another issue. Additional discussion was held about the timeline of events surrounding the water line shut down and

who should be responsible to make those notifications. Mr. Rios of AWC provided additional information about when their contractor was in the affected areas, which timing was different from what Kinkaid was claiming.

- Rosemary Castaneda, as a Town citizen, shared her thoughts and said that she was one of the customers affected in the water line shut down. She stated that she was notified of the shut down a week in advance and was able to make accommodations. She noted that water line shut downs can be easy or hard, depending on the level of notification, but this particular instance was easy.

- **Payment Applications**

- Kinkaid Civil Construction's (Kinkaid) pay application in the amount of \$385,003.62 for Phase 2 construction services was reviewed and discussed in detail. Mark Ipson of HILGARTWILSON stated that they and AMEC reviewed this pay application and any comments made were incorporated before submitting to the WWAB. Joe Heatherly also stated that he reviewed this pay application and found it to be acceptable. A motion was made by John Trujillo to recommend to Council the approval of Kinkaid's pay application in the amount of \$385,003.62, subject to funding agency concurrence. Ray Webb seconded the motion. All in favor.

- **Project Status Update**

Mark Ipson with HILGARTWILSON and Derek Borum with Kinkaid provided an update on the project.

- Over the past month, Kinkaid completed a large portion of the main truck line. Work has been completed in the Public Works yard, across over to Latham and continued through the alley of the Safeway and Post Office and also near the SRP substation. Near this area, Kinkaid encountered a 4-inch live gas main running directly within the sewer alignment. The decision was made to terminate the main line at this location and tie the existing sewer main into the newly installed sewer main. Kinkaid also completed sewer work along Kent, Loomis, Latham, and the area near Latham and Highway 60 to tie-in all the main lines installed in these streets. Those lines have not been tied over to the main trunk line as this is still to be completed. On the other side of town, work has been completed along Apache, west of Canyon, along with manholes installed at the base of Canyon and Cuprite to tie-in these sewer lines. Kinkaid also paved all of Sullivan Street and is preparing to repair the pavement along Mill and Kent Street, in addition to connecting the main line from Loomis to the Public Works yard to complete the main line. Mr. Borum also mentioned that work is proceeding in Mackey's Camp for the additional 8-inch DIP and cut-off wall.
- Mr. Barnes asked Kinkaid why they didn't repave the Plaza prior to the Town's fiesta. Derek replied that there were numerous unknown services and rather than concrete over those services and then tear them up again at a later time, Kinkaid is waiting on direction from AMEC to address those services. Additional discussion was held regarding the remaining services and work to be completed throughout the town.
- Mark Ipson of HILGARTWILSON provided additional discussion about the total linear footage of sewer installed to date, substantial and final completion dates, a breakdown summary of the change orders and utility allowances, and the overall project budget.

- **Payment Applications**
  - Gust Rosenfeld's pay application in the amount of \$6,650.86 for legal services was reviewed and discussed. Mark Ipson stated that he and Joe Heatherly reviewed this pay application and found it to be acceptable. A motion was made by Ray Webb to recommend to Council the approval of Gust Rosenfeld's pay application in the amount of \$6,650.86, subject to funding agency concurrence. John Trujillo seconded the motion. All in favor.
  - Amec Foster Wheeler's (AMEC) pay application in the amount of \$50,703.10 for engineering design and construction management services was reviewed and discussed. Mark Ipson stated that he and Joe Heatherly reviewed this pay application and found it to be acceptable. A motion was made by Ray Webb to recommend to Council the approval of AMEC's pay application in the amount of \$50,703.10, subject to funding agency concurrence. John Trujillo seconded the motion. All in favor.
  
- **AMEC Contract Amendment No. 30**
  - AMEC Contract Amendment No. 30, for a \$32,200.00 increase in AMEC's contract price to cover funds for additional Resident Project Representative (RPR) services for the completion of Phase 2 construction, was discussed. Tim LeClair of AMEC provided a discussion of the contract amendment. Additional discussion was held about the RPR's work performance in Phase 2 construction and clarification was provided on how this contract amendment differs from previous contract amendments for additional RPR funds. A motion was made by John Trujillo to recommend to Council the approval of AMEC Contract Amendment No. 30 in the amount of \$32,200.00, subject to funding agency concurrence. Ray Webb seconded the motion. All in favor.
  
- **AMEC Contract Amendment No. 31**
  - AMEC Contract Amendment No. 31, for a \$106,250.00 increase in AMEC's contract price to cover funds for additional investigative work to be used to finish the design of Phases 3-5, was discussed. Discussion was held regarding the amount of sewer that was originally taped by ProPipe back in 2010 and how portions of the sewer system were not videoed at the time. The advisory board noted that they felt AMEC should have been responsible to ensure that all sections of sewer that were to be replaced were videoed, however this was before Tim LeClair became involved with the project and he stated he was unsure of what decisions were made at the time. It was suggested to refilm portions of the sewer that were labeled as being in good condition in 2009-2010 to ensure they still do not need to be replaced and to also film sections that were not previously filmed. Additional discussion was held about the services included in the contract amendment. A motion was made by John Trujillo to recommend to Council the approval of AMEC Contract Amendment No. 31 in the amount of \$106,250.00, subject to funding agency concurrence, with the caveat that it does not exceed that amount. Ray Webb seconded the motion. All in favor.
  
- **AMEC Contract Amentment No. 32**
  - AMEC Contract Amendment No. 32, for a \$65,914.00 increase in AMEC's contract price to cover funds for additional Program Management services through the completion of the Phase 2 construction, was discussed. Mark Ipson

of HILGARTWILSON provided an overview and discussion of the contract amendment. Discussion was held regarding the work already completed and the remaining Phase 2 program management work to be completed under this contract amendment. A motion was made by Ray Webb to recommend to Council the approval of AMEC Contract Amendment No. 32 in the amount of \$65,914.00, subject to funding agency concurrence. John Trujillo seconded the motion. All in favor.

- **Review of Phases 3-5 Construction Management Request for Qualifications (RFQ)**
  - The draft RFQ for Construction Management services for Phases 3-5 of the sewer project was discussed. Joe Heatherly provided information about the RFQ, which has also been discussed with USDA. The idea is to have a construction manager (CM) oversee the construction of Phases 3-5. The CM services will include, but not be limited to, field construction oversight, daily reporting, budget comparisons, coordinating with other utilities, and other field related activities. Joe Heatherly hopes to get this RFQ out to the public within the next couple of weeks. The WWAB members offered to review the RFQ and provide feedback to Mr. Heatherly, if desired.
  
- **Public Comment on the Operation, Financing and Construction of the Sewer Project**
  - No other public comments were given.

**V. Adjournment:**

- John Trujillo motioned to adjourn the meeting. Seconded by Ray Webb. All in favor. The meeting was adjourned at 5:35 pm.