

RECORD OF PROCEEDINGS

CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT

SPECIAL MEETING OF THE BOARD OF DIRECTORS

June 3, 2025

The special meeting of the Board of Directors of the Cherry Creek Valley Water and Sanitation District was held online by Microsoft Teams at 6:00 pm on June 3, 2025. The information for the public to attend the meeting was posted on the agenda posted on the District's website.

PRESENT

Mark Lampert – Chairman
Brad Rastall – Vice Chairman
Ken Jensen – Secretary/Treasurer
Frederick Norman – Assistant Secretary/Treasurer
Candace Merrell - Director
Lisa Glenn – District Manager
John Engel – Assistant Manager
Eric Hein – Merrick & Company

Chairman Lampert called the special meeting to order at 6:01 pm.

Legal counsel Darryl Farrington's absence was excused since his legal expertise was not required at this special meeting.

The Board unanimously approved the agenda, which was one item: the E Evans Ct Waterline Replacement project.

Director Merrell joined the meeting at 6:03 pm.

Diaz Construction (Diaz) was awarded the E Evans Ct Waterline Replacement project by the Board of Directors as the low bidder. Eric Hein sent the bid summary to all contractors that responded to the bid. Mr. Hein also sent a notice of award to Diaz.

Diaz was not awarded the Syracuse/Valentia Vault project even though they were the low bidder. The District Board awarded the Syracuse/Valentia Vault project to T Lowell Construction, the second highest bidder above Diaz by \$19,650. Both contractors are qualified to do the project. T Lowell specializes in facilities and vault construction and

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MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT ON June 3, 2025; CONTINUED

has performed similar work for many agencies along the front range. The benefits to selecting T Lowell: 1) would not overload Diaz with too much work that may divert their attention away from the E Evans Ct Waterline Replacement project and other smaller projects for the District, 2) enable simultaneous construction of both projects, 3) spread out the work between multiple contractors which is favorable by the contracting community, 4) would give the District exposure to a contractor the District hasn't worked with in a while. Mr. Diaz also gave the impression that they may be too busy to do the work since he asked to do the work at night.

After losing the award of the Syracuse/Valentia Vault project, Luis Diaz met with Manager Glenn and Assistant Manager Engel. Mr. Diaz said his relationship with the District is not what he thought it was. He said that choosing another contractor with a higher bid makes him look incompetent. Manager Glenn and Assistant Manager Engel told Mr. Diaz that was not the case and explained the reasons for the award as listed above, and apologized that the decision made him feel that way. Mr. Diaz stated that he would do the E Evans Ct project, but would prefer not to since he was not awarded the Syracuse/Valentia Vault project, and he would let us know if he would continue with the other smaller jobs Diaz was doing for the District. The District has not heard from Mr. Diaz since that day.

Manager Glenn and Assistant Manager Engel both recommended that, in the circumstances, Diaz should be released from the obligation to fulfill the bid on the E Evans Ct Waterline Replacement project, without penalty. Mr. Hein explained that there were three other bidders on the E Evans Ct Waterline Replacement project. The next highest bidder was Mid City Corporation at \$299,297; QP Services (Iron Woman Construction) at \$323,540; and 3E Excavating whose bid was rejected since it wasn't in the correct format. Mr. Hein said Mid City submitted resumes and recent job references that have been completed for many other agencies in the area. Mid City is also a pre-approved contractor for Denver Water. Manager Glenn said we should give them a try. The Board approved awarding the E Evans Ct Waterline Replacement project to Mid City Corporation in the amount of \$299,297.

Assistant Manager Engel is working on finding other contractors to do some repair work for the District and will contact C&L Water Solutions for emergencies.

There being no further business, the Board unanimously voted to adjourn at 6:33 pm.

READ AND APPROVED _____ DATED _____