
Wyoming Water Development Commission
Cheyenne, Wyoming
May 6, 2016

1. Chairman Sheridan Little called the meeting to order at 8:35 a.m.
2. Secretary Todd Werbelow called the roll of commissioners:

Commission Attendance:
Sheridan Little, Chairman
Nick Bettas, Vice-Chairman
Todd Werbelow, Secretary
Jeanette Sekan
Bill Resor
Karen Budd-Falen
Floyd Canfield
Rod Wagner
David Evans

Advisors in Attendance:
Abigail Boudewyns, Attorney General's Office
Greg Kerr, UW Office of Water Programs

- 3. Approval of Agenda**

Director LaBonde requested to strike Item #14 (Request from Little Snake River Conservation District to reconsider Commission actions on Small Water Projects) from the agenda as Senator Larry Hicks is unable to attend the meeting. Senator Hicks requested it be placed on the June 2016 agenda. Todd Werbelow made a motion to approve the agenda with item #14 postponed. Karen Budd-Falen seconded the motion, the motion carried unanimously.

- 4. Approval of Minutes**

Bill Resor made a motion to approve the March 3, 2016 workshop minutes, March 4, 2016 meeting minutes and March 22, 2016 special meeting minutes; seconded by Rod Wagner. The motion carried unanimously.

- 5. Audience Introductions**

- 6. Planning Amendments**

Buffalo Master Plan, Level I Study, Final Amendment

A final amendment to the Contract with Western Water Consultants, Inc. dba WWC Engineering was presented. The amendment serves to document the WWDC's

acceptance of the final report, to document the actual cost of each task, and to document the final Contract amount of \$179,819.88, a reduction of \$7,680.12

Medicine Bow River Watershed Study, Final Amendment

A final amendment to the Contract with RE/SPEC Inc. dba RESPEC was presented. The amendment serves to document the WWDC's acceptance of the final report, to document the actual cost of each task and to document the final Contract amount of \$354,701.88, a reduction of \$198.12.

Meeteetse Master Plan, Level I Study, Final Amendment

A final amendment to the Contract with James Gores and Associates, Inc. was presented. The amendment serves to document the WWDC's acceptance of the final report, to document the actual cost of each task and to document the final Contract amount of \$122,903.00.

Pavillion East Water Supply Project, Design-Build Contract, Level III, Final Amendment

A final amendment to the Contract with James Gores and Associates was presented. The amendment serves to document the WWDC's acceptance of the final report, to document the actual cost of each task and to document the final Contract amount of \$929,268.00.

Upper North Platte Watershed Study, Final Amendment

A final amendment to the Contract with Anderson Consulting Engineers, Inc was presented. The amendment serves to document the WWDC's acceptance of the final report, to document the actual cost of each task and to document the final Contract amount of \$303,568.65, a reduction or \$45,431.35.

Discussion followed. Jeanette Sekan made a motion to approve the Pavillion East Water Supply, Design-build Contract, Level III Final Contract. Bill Resor seconded the motion, motion carried unanimously.

Concern was expressed by Karen Budd-Falen the project closeout process required a presentation of the reports to the WWDC and was not being followed.

Jeanette Sekan made a motion to postpone the remaining Final Amendments until June 2016, at which time the Commission can hear final report presentations. Karen Budd-Falen seconded the motion. The motion carried unanimously.

7. Platte Alliance Water Supply Level II - Memorandum of Agreement (MOA) between WWDC and Scottsbluff, NE -

A final Memorandum of Agreement has yet to be negotiated and Director LaBonde recommends the MOA be deferred to the June 2016 meeting. Director LaBonde also suggested not proceeding with a consultant Contract until the MOA is in place.

8. Consideration of “Equitable Distribution of Contracts Among Qualified Firms”

Director LaBonde presented the results, in terms of the number of firms, for the Consultant Selection Interviews. Nineteen different firms were selected for one project only. One firm was selected for two (2) projects and one firm was selected for three (3) projects, but two of the three were in conjunction with one another. Approximately 5 “new” firms were awarded projects.

9. Approval of Consultant Selection

- Basin Planning: Environmental & Recreational Use Level I Study

Karen Budd-Falen made a motion that the Director be instructed to begin negotiations for consulting services on the Basin Planning: Environmental & Recreational Use Study project in accordance with the following ranking of the firms interviewed:

1. WEST
2. Harvey Economics

The motion was seconded by Nick Bettas. The motion carried unanimously.

- Bear River Data Model Pilot Level I Study

Nick Bettas made a motion that the Director be instructed to begin negotiations for consulting services on the Bear River Data Model Pilot Study project in accordance with the following ranking of the firms interviewed:

1. Trihydro
2. RESPEC
3. SWCA

Further, the Selection Committee offers the following suggestions to the Director during the negotiations: *Accept alternate #1, creation of a GIS spatial model conversion tool and reduce the proposed total budget with scope alternate to \$118,000.00*

David Evans seconded the motion. The motion carried unanimously.

- Buckskin Extension Master Plan, Gillette Regional, Level II

Floyd Canfield made a motion that the Director be instructed to begin negotiations for consulting services on the Buckskin Extension Master Plan, Gillette Regional, Level II project in accordance with the following ranking of the firms interviewed:

1. TREC, Inc
2. Bruce Engineering
3. EnTech

Further, the Selection Committee offers the following suggestions to the Director during the negotiations: *During contracting, negotiate inclusion of the cost savings*

as identified in TREC's proposal for tasks 1 and 7. In addition, negotiate with TREC on "economy of scale" cost savings based on contract award for BOTH the Buckskin Master Plan and the Grace Land Master Plan.

The motion was seconded by Karen Budd-Falen. The motion carried unanimously.

- Cottonwood Irrigation District Master Plan, Level I

Bill Resor made a motion that the Director be instructed to begin negotiations for consulting services on the Cottonwood Irrigation District Master Plan, Level I Project in accordance with the following ranking of the firms interviewed:

1. Sunrise Engineering
2. Keller-Bliesner
3. Forsgren Associates.

The motion was seconded by Nick Bettas, the motion carried unanimously.

- Eden Valley Irrigation District Master Plan, Level I

Bill Resor made a motion that the Director be instructed to begin negotiations for consulting services on the Eden Valley Irrigation District Master Plan project in accordance with the following ranking of the firms interviewed:

1. J-U-B Engineers
2. Rio Verde
3. Lowham Walsh

Nick Bettas seconded the motion, the motion carried unanimously.

- Fontenelle Dam & Outworks Infrastructure Completion, Level II

Karen Budd-Falen made a motion that the Director be instructed to begin negotiations for consulting services on the Fontenelle Dam & Outworks Infrastructure Completion, Level II project in accordance with the following ranking of the firms interviewed:

1. Engineering Analytics
2. AECOM

The motion was seconded by Bill Resor. The motion carried unanimously.

- Fox Ridge Extension Master Plan, Gillette Regional, Level II

Floyd Canfield made a motion that the Director be instructed to begin negotiations for consulting services on the Fox Ridge Extension Master Plan, Gillette Regional, Level II project in accordance with the following rankings of the firms interviewed:

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1. DOWL
 2. HDR
 3. EnTech

Further the Selection Committee offers the following suggestions to the Director during the negotiations: *Accept scope alternates at no additional cost.*

The motion was seconded by Jeanette Sekan. The motion carried unanimously.

- Glendo Reservoir Full Utilization Project, Level II
Karen Budd-Falen made a motion that the Director be instructed to begin negotiations for consulting services on the Glendo Reservoir Full Utilization Level II project in accordance with the following rankings of the firms interviewed:
 1. Riverside
 2. WWC
 3. HDR

The motion was seconded by Floyd Canfield. The motion carried unanimously.

- Goose Creek Watershed Level I Study
Floyd Canfield made a motion that the Director be instructed to begin negotiation for consulting services on the Goose Creek Watershed Study Level I Project in accordance with the following rankings of the firms interviewed:
 1. EnTech
 2. Confluence Consulting
 3. Westech

The motion was seconded by Nick Bettas. The motion carried unanimously.

- Grace Land Extension Master Plan, Gillette Regional, Level II
Floyd Canfield made a motion that the Director be instructed to begin negotiation for consulting services on the Grace Land Extension Master Plan, Gillette Regional, Level II project in accordance with the following rankings of the firms interviewed:
 1. TREC
 2. Bruce Engineering
 3. EnTech

Further, the Selection Committee offers the following suggestions to the Director during the negotiations: *During contracting, negotiate inclusion of the cost savings as identified in TREC's proposal for tasks 1, 3, 7 and 10. In addition, negotiate with TREC on "economy of scale" cost savings based on contract award for BOTH the Grace Land Master Plan and the Buckskin Master Plan.*

The motion was seconded by Todd Werbelow. The motion carried.

- Hanover Irrigation District Master Plan Level I

Nick Bettas made a motion that the Director be instructed to begin negotiation for consulting services on the Hanover Irrigation District Master Plan, Level I Project in accordance with the following rankings of the firms interviewed:

1. Western Heritage
2. Sage Civil Engineering
3. Morrison-Maierle

The motion was seconded by Todd Werbelow. The motion carried unanimously.

- Lovell Irrigation District Master Plan, Level I

Todd Werbelow made a motion that the Director be instructed to begin negotiation for consulting services on the Lovell Irrigation District Master Plan, Level I Project in accordance with the following rankings of the firms interviewed:

1. Sage Civil Engineering
2. Weston Groundwater Engineering

Jeanette Sekan seconded the motion. The motion carried unanimously.

- Lusk Water Supply Study, Level II

Jeanette Sekan made a motion that the Director be instructed to begin negotiation for consulting services on the Lusk Water Supply Study, Level II Project in accordance with the following rankings of the firms interviewed:

1. AVI PC
2. Western Research & Development
3. Baker & Associates

Further, the Selection Committee offers the following suggestions to the Director during the negotiations: *Reduction in proposed budget to \$174,000.00 total.*

Floyd Canfield seconded the motion. The motion carried unanimously.

- Manderson Water Master Plan, Level I

Karen Budd-Falen made a motion that the Director be instructed to begin negotiation for consulting services on the Manderson Water Master Plan, Level I Project in accordance with the following rankings of the firms interviewed:

1. TREC
2. Keller Associates
3. KLJ

Further, the Selection Committee offers the following suggestions to the Director during the negotiations: *Negotiate contract language within Task 3 to prioritize the engineering assessment of the town's existing water tank, and produce a technical memorandum that summarizes the findings and recommendations that would support a potential Level III application in 2017.*

Todd Werbelow seconded the motion. The motion carried unanimously.

- *Melody Ranch Water Supply Study, Level I*

Bill Resor made a motion that the Director be instructed to begin negotiation for consulting services on the Melody Ranch Water Supply Study, Level I project in accordance with the following rankings of the firms interviewed:

1. Nelson Engineering
2. Jorgensen Associates
3. Rendezvous Engineering

Further, the Selection Committee offers the following suggestions to the Director during the negotiations: *Adopt Nelson's alternative scope with well testing, using a test pump.*

Nick Bettas seconded the motion. The motion carried unanimously.

- *New Fork River Watershed Study, Level I*

David Evans made a motion that the Director be instructed to begin negotiation for consulting services on the New Fork River Watershed Study, Level I Project in accordance with the following rankings of the firms interviewed:

1. Tetra Tech
2. Anderson Consulting Engineers
3. Biota

Rod Wagner seconded the motion. The motion carried unanimously.

- *Northwest Rural Water Master Plan, Level I*

Todd Werbelow made a motion that the Director be instructed to begin negotiations for consulting services on the Northwest Rural Water Master Plan, Level I Project in accordance with the following rankings of the firms interviewed:

1. DOWL
2. Engineering Associates
3. Morrison-Maierle

Further, the Selection Committee offers the following suggestions to the Director during the negotiations: *Negotiate the inclusion of proposed alternatives at no added cost into contract.*

Bill Resor seconded the motion. The motion carried unanimously.

- Owl Creek Watershed Study, Level I

Jeanette Sekan made a motion that the Director be instructed to begin negotiations for consulting services on the Owl Creek Watershed Study, Level I Project in accordance with the following rankings of the firms interviewed:

1. Lowham Walsh
2. Anderson Consulting Engineers
3. Jorgensen Associates
4. Engineering Associates

Todd Werbelow seconded the motion. The motion carried unanimously.

- Platte Alliance Water Supply Study, Level II

Rod Wagner made a motion that the Director be instructed to postpone negotiation for consulting services on the Platte Alliance Water Supply Study, Level II Project, in accordance with the following rankings of the firms interviewed:

1. M.C. Schaff
2. Guernsey

Further, the Selection Committee offers the following suggestions to the Director during the negotiations: *The selection is subject to execution of a Memorandum of Agreement with the City of Scottsbluff, Nebraska, the match-funding partner for the study.*

The motion was seconded by David Evans. The motion carried unanimously.

- Rock River Water Master Plan, Level I

David Evans made a motion that the Director be instructed to begin negotiation for consulting services on the Rock River Water Master Plan, Level I Project, in accordance with the following rankings of the firms interviewed:

1. Wester-Wetstein
2. AVI PC
3. WLC

Rod Wagner seconded the motion. The motion carried unanimously.

- Shell Water Master Plan, Level I

Todd Werbelow made a motion that the Director be instructed to begin negotiations for the consulting services on the Shell Water Master Plan Study, Level I Project in accordance with the following rankings of the firms interviewed:

1. Black Willow Oars
2. James Gores & Associates

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3. TREC, Inc.
 4. Morrison-Maierle

Nick Bettas seconded the motion. The motion carried unanimously.

- South Platte River Watershed Study, Level I

Nick Bettas made a motion that the Director be instructed to begin negotiations for the consulting services on the South Platte River Watershed Study, Level I Project in accordance with the following rankings of the firms interviewed:

1. Dahlgren Consulting
2. Wenck
3. RESPEC

Further, the Selection Committee offers the following suggestions to the Director during the negotiations: *Contract amount to be \$388,000 and the GIS task is renegotiated to correct an apparent error made by the consultants, and no scope alternatives will be accepted.*

Rod Wagner seconded the motion. The motion carried unanimously.

- South Worland Water Master Plan, Level I

Jeanette Sekan made a motion that the Director be instructed to begin negotiations for the consulting services on the South Worland Water Master Plan Study, Level I Project in accordance with the following rankings of the firms interviewed:

1. James Gores & Associates
2. KLJ
3. Y2 Consultants

Todd Werbelow seconded the motion, the motion carried 8-1, Nick Bettas opposed.

- UW Irrigation Water Supply Study

Todd Werbelow made a motion that the Director be instructed to begin negotiations for the consulting services on the UW Irrigation Water Supply Study, Level II Project in accordance with the following rankings of the firms interviewed:

1. Wyoming Groundwater
2. Wester-Wetstein
3. Norwest Corporation

Further the Selection Committee offers the following suggestions to the Director during the negotiations: *Scope Alternative #1 – Move \$32,000.00 from Pump Installation to Well Construction; leaving \$2,000.00 for Well Design.*

Karen Budd-Falen seconded the motion, the motion carried unanimously.

10. Dams & Reservoir Investment Account Recommendations

Director LaBonde presented his recommendations for the Dams & Reservoir Investment Accounts. Bill Resor made a motion, pursuant to the authority provided in Wyoming Statute 99-99-1001(c), the Water Development Commission has determined \$7,000,000.00 of the current balance in the Buffalo Bill dam account to be excess and it shall be deposited into Water Development Account I in fiscal year 2017, and in addition request the Select Water Committee seek a statutory change to W.S. 99-99-1001(c) to include the Pathfinder modification account and Glendo reservoir account in the authorization to deposit excess funds in to Water Development Account I. Rod Wagner seconded the motion. The motion carried unanimously.

11. Protocols and Procedures for declaring Conflicts of Interest

Director LaBonde presented a memo offering several options for Commission procedures regarding Conflict of Interest declaration. Discussion followed. Jeanette Sekan made a motion to adopt procedure #2, "Upon declaring a conflict, the public official rises and moves to the audience section of the room. The official only participates in the discussion if recognized by the chairman and their input is generally restricted to providing facts regarding the issue (no advocacy). The public official then returns to sit with the board when the governing body has moved to the next agenda item. If a vote is taken on the issue, the minutes reflect that the conflicted official recused from voting." Karen Budd-Falen seconded the motion, the motion carried 8-1, Nick Bettas opposed.

12. Duties and Responsibilities of the Commission and Office

Director LaBonde presented a memo, along with 17 Business Process Descriptions for the Commission's review and approval. Discussion followed. Karen Budd-Falen suggested this topic be discussed at a later meeting after which time David Evans, Karen Budd-Falen and Abigail Boudewyns have had time to review and draft any changes. Director LaBonde agreed to place this topic on the June 1, 2016 workshop agenda.

13. Dams and Reservoirs NEPA MOUs

- Leavitt Reservoir Expansion NEPA MOU between WWDC and BLM
Director LaBonde presented the proposed MOU between the WWDC and the BLM for the Leavitt Reservoir Expansion Project.

Bill Resor made a motion to approve the MOU, Floyd Canfield seconded the motion. The motion carried unanimously.

- Authorization for Director LaBonde to sign Alkali Creek Reservoir NEPA MOU between WWDC and BLM.

Bill Resor made a motion to authorize Director LaBonde to sign the Alkali Creek Reservoir NEPA MOU between the WWDC and BLM which is similar to the MOU between the WWDC and BLM for the Leavitt Reservoir Expansion Project. Floyd Canfield seconded the motion. The motion carried unanimously.

14. Request from Little Snake River Conservation District to reconsider Commission actions on Small Water Projects

This item stricken from the agenda as approved by the Commission as Senator Larry Hicks was unable to attend this meeting. The item has been requested to be placed on the June agenda.

15. Discussion

Director LaBonde informed the Commission about a Board Member training the State of Wyoming hosts. It will be held on May 27, 2016. Please inform Director LaBonde if you are interested in attending the training.

Director LaBonde addressed Commissioner Bettas' concerns regarding the general fund agency mandated budget cuts. He outlined the funding stream that supports the Water Development Commission and Office. The Commission discussed the importance of revising and enforcing the prioritization of projects in light of potential budget concerns.

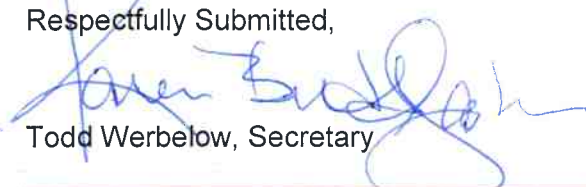
The Commissioners expressed concern over not being invited to site visits. It was determined some of them were for State sponsored projects. They requested to be invited to sit in on or call in for any in-house meetings regarding project, prior to proposals and/or consultant interviews.

16. Future Meetings Schedule

The next meeting is scheduled for June 1-2, 2016, to held here in the Office, it will be a joint meeting with SWC.

17. Adjournment – Bill Resor made a motion to adjourn 11:23 a.m., seconded by Floyd Canfield, the motion carried.

Respectfully Submitted,

for 
Todd Werbelow, Secretary