

RESOLUTION NO. 2019-01

A RESOLUTION APPOINTING DR. JAY BARTH TO THE BOARD OF COMMISSIONERS, CENTRAL ARKANSAS WATER, AND FOR OTHER PURPOSES

WHEREAS, the term of Dr. Roby Robertson, a member of the Board of Commissioners, Central Arkansas Water ("CAW Board"), ended on June 30, 2018;

WHEREAS, the Consolidation Agreement specifically provides that each CAW Board member "shall serve until his or her successor is elected and qualified"; and

WHEREAS, Dr. Robertson remained on the CAW Board after the expiration of his term at the request of the remaining CAW Board members; and

WHEREAS, it is the duty of the remaining commissioners to nominate and appoint a commissioner when a vacancy occurs on the CAW Board, subject to confirmation by the Board of Directors of the City of Little Rock, Arkansas, and the City Council of the City of North Little Rock, Arkansas.

WHEREAS, the CAW Board accepted letters of interest from individuals interested in serving on the CAW Board; and

WHEREAS, after reviewing the letters of interest from all applicants, the CAW Board has reached an unanimous recommendation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CAW BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER that the Commissioners authorized to vote on the matter do hereby appoint Dr. Jay Barth to serve the remainder of a seven-year term ending June 30, 2025, effective as of July 11, 2019, subject to confirmation by the duly elected and qualified members of the Board of Directors of the City of Little Rock and the City Council of the City of North Little Rock.

BE IT FURTHER RESOLVED THAT the Board of Directors of the City of Little Rock and the City Council of the City of North Little Rock are hereby requested to confirm this appointment.


ADOPTED: February 4, 2019

ATTEST:



Eddie Powell, Secretary/Treasurer

APPROVED:



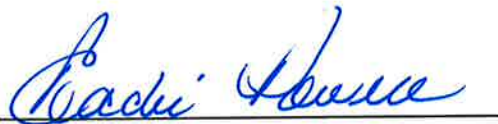
Carmen Smith, Chair

CERTIFICATE

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

I, Eddie Powell, Secretary/Treasurer of Central Arkansas Water, do hereby certify that the foregoing is a true and correct copy of Resolution 2019-01 of the Resolutions of Central Arkansas Water, entitled: **RESOLUTION APPOINTING DR. JAY BARTH TO THE BOARD OF COMMISSIONERS, CENTRAL ARKANSAS WATER, AND FOR OTHER PURPOSES**, adopted February 4, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of February, 2019.



Eddie Powell, Secretary/Treasurer
Central Arkansas Water Board of Commissioners

RESOLUTION NO. 2019-02

**RESOLUTION APPROVING ALTERNATIVE PROCEDURE OF
COMPETITIVE SEALED BIDDING FOR ACQUISITION OF
INSURANCE BROKERAGE SERVICES, INSURANCE, AND OTHER
EMPLOYEE BENEFIT PROGRAMS; AND PRESCRIBING OTHER
MATTERS RELATING THERETO**

WHEREAS, Arkansas law (Ark. Code Ann. § 14-58-303) provides that Central Arkansas Water ("CAW") shall purchase "all supplies, apparatus, equipment, materials, and other things requisite for public purposes" by competitive bidding unless waived by the Board of Commissioners where "this procedure is deemed not feasible or practical"; and

WHEREAS, according to Ark. Code Ann. 14-58-304, the provisions of Ark. Code Ann. 14-58-303 apply to the purchase of all types of insurance; and

WHEREAS, the Board of Commissioners has requested CAW staff to review alternatives for the current health insurance and other employee benefits and make a recommendation to the Board prior to the renewal or award of the health insurance and other employee benefits programs to be offered to CAW employees for calendar year 2020; and

WHEREAS, the purchase of insurance brokerage services, health insurance, and other employee benefits has become so complex and the development of comprehensive bidding specifications so broad when considering the various alternatives, sophistication, and experience provided by the respondents, and the wide range of benefits available to the utility and its employees that competitive bidding is neither feasible nor practical; and

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the utility and the ratepayers to acquire insurance brokerage services, health insurance, and other employee benefits through the process of sealed competitive proposals;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, CENTRAL ARKANSAS WATER:

Section 1. The Board of Commissioners finds that the procurement of services contemplated by this Resolution is an exceptional situation in which competitive bidding is neither feasible nor practical.

Section 2. The purchase of insurance brokerage services, health insurance, and other employee benefits shall be accomplished using "Competitive Sealed Proposals" as defined herein.

Section 3. "Competitive Sealed Proposals" means a method of procurement which involved, but is not limited to:

- a) Solicitation of proposals through a request for proposals;
- b) Submission of cost or pricing data from the offer where required;
- c) Discussions with the responsible offeror whose proposal is determined to be the most advantageous considering price and evaluation factors set forth in the request for proposals;
- d) An award made to the responsible offeror whose proposals is determined to be the most advantageous considering price and evaluation factors set forth in the request for proposals.

Section 4. Publication of the request for proposals shall be given in the same manner as is required for invitations for competitive bidding.

Section 5. The request for proposals shall indicate the relative importance of price and other evaluation factors.

Section 6. Discussions may be conducted with responsible offers who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements.

Section 7. Regardless of the final price, an award can only be made by this Board of Commissioners, not CAW staff, and the Board of Commissioners, may make such award to the responsible offeror whose proposal is determined to be the most advantageous to CAW, its employees, and its ratepayers, taking into consideration price, the evaluation factors set forth in the request for proposals, and the results of any discussions conducted with responsible offerors.

Section 8. The request for proposals may be cancelled at any time for any reason, or all of the responses to the request for proposals may be rejected at any time for any reason by the Board of Commissioners, the Chief Executive Officer or the Purchasing Manager.

Section 9. This Resolution shall be in effect upon its adoption and approval.

ADOPTED: February 14, 2019

ATTEST:



Eddie Powell, Secretary/Treasurer

APPROVED:



Carmen Smith, Chair

CERTIFICATE

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

I, Eddie Powell, Secretary/Treasurer of Central Arkansas Water, do hereby certify that the foregoing is a true and correct copy of Resolution 2019-02 of the Resolutions of Central Arkansas Water, entitled: **RESOLUTION APPROVING ALTERNATIVE PROCEDURE OF COMPETITIVE SEALED BIDDING FOR ACQUISITION OF INSURANCE BROKERAGE SERVICES, INSURANCE, AND OTHER EMPLOYEE BENEFIT PROGRAMS; AND PRESCRIBING OTHER MATTERS RELATING THERETO**, adopted February 14, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of February 2019.



Eddie Powell, Secretary/Treasurer
Board of Commissioners, Central Arkansas Water

RESOLUTION NO. 2019-03

**RESOLUTION APPROVING ALTERNATIVE PROCEDURE OF
COMPETITIVE SEALED BIDDING FOR ACQUISITION OF ELECTRICITY
GENERATED BY SOLAR OR OTHER GREEN GENERATING SOURCE;
AND PRESCRIBING OTHER MATTERS RELATING THERETO**

WHEREAS, Arkansas law (Ark. Code Ann. § 14-58-303) provides that Central Arkansas Water ("CAW") shall purchase "all supplies, apparatus, equipment, materials, and other things requisite for public purposes" by competitive bidding unless waived by the Board of Commissioners where "this procedure is deemed not feasible or practical"; and

WHEREAS, the purchase of electricity generated by solar or other green generating source is highly complex and the development of comprehensive bidding specifications so broad when considering the various alternatives, sophistication, and experience provided by the respondents, and the wide range of benefits available to the utility that comprehensive bidding is neither feasible nor practical; and

WHEREAS, the Board of Commissioners has determined that it may be in the best interest of the utility and the ratepayers to acquire electricity generated by solar or other green generating sources through the process of sealed competitive proposals;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS, CENTRAL ARKANSAS WATER:**

Section 1. The Board of Commissioners finds that the procurement of services contemplated by this Resolution is an exceptional situation in which competitive bidding is neither feasible nor practical.

Section 2. The purchase of electricity generated by solar or other green generating source, may be accomplished using the Request for Proposals presented to the Board of Commissioners at this meeting using for "Competitive Sealed Proposals" as defined herein.

Section 3. "Competitive Sealed Proposals" means a method of procurement which involved, but is not limited to:

- a) Solicitation of proposals through a request for proposals;
- b) Submission of cost or pricing data from the offer where required;
- c) Discussions with the responsible offeror whose proposal is determined to be the most advantageous considering price and evaluation factors set forth in the request for proposals;
- d) An award made to the responsible offeror whose proposals is determined to be the most advantageous considering price and evaluation factors set forth in the request for proposals.

Section 4. Publication of the request for proposals shall be given in the same manner as is required for invitations for competitive bidding.

Section 5. The request for proposals shall indicate the relative importance of price and other evaluation factors.

Section 6. Discussions may be conducted with responsible offers who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements.

Section 7. Regardless of the final price, an award can only be made by the Board of Commissioners, not CAW staff, and the Board of Commissioners may make such award to the responsible offeror whose proposal is determined to be the most advantageous to CAW and its ratepayers, taking into consideration price, the evaluation factors set forth in the request for proposals, and the results of any discussions conducted with responsible offerors.

Section 8. The request for proposals may be cancelled at any time for any reason, or all of the responses to the request for proposals may be rejected at any time for any reason by the Board of Commissioners, the Chief Executive Officer or the Purchasing Manager.

Section 9. This Resolution shall be in effect upon its adoption and approval.

ADOPTED: February 14, 2019

ATTEST:



Eddie Powell, Secretary/Treasurer

APPROVED:



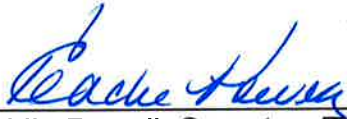
Carmen Smith, Chair

CERTIFICATE

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

I, Eddie Powell, Secretary/Treasurer of Central Arkansas Water, do hereby certify that the foregoing is a true and correct copy of Resolution 2019-03 of the Resolutions of Central Arkansas Water, entitled: **RESOLUTION APPROVING ALTERNATIVE PROCEDURE OF COMPETITIVE SEALED BIDDING FOR ACQUISITION OF ELECTRICITY GENERATED BY SOLAR OR OTHER GREEN GENERATING SOURCE; AND PRESCRIBING OTHER MATTERS RELATING THERETO**, adopted February 14, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of February 2019.



Eddie Powell, Secretary/Treasurer
Board of Commissioners, Central Arkansas Water

RESOLUTION 2019-04

A RESOLUTION RE-APPOINTING MR. EDDIE POWELL TO THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER AND FOR OTHER PURPOSES

WHEREAS, the term of Mr. Eddie Powell, a member of the Board of Commissioners of Central Arkansas Water ("CAW Board"), expires on June 30, 2019; and

WHEREAS, by law it is the duty of the remaining Commissioners to nominate and appoint a Commissioner when a vacancy occurs on the CAW Board, subject to confirmation by the City Council of the City of North Little Rock, Arkansas, and the Board of Directors of the City of Little Rock, Arkansas.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER THAT the remaining Commissioners do hereby reappoint Mr. Eddie Powell to a seven-year term, subject to confirmation by the duly elected and qualified members of the City Council of the City of North Little Rock and the Board of Directors of the City of Little Rock, and that his term of office shall be through June 30, 2026.

BE IT FURTHER RESOLVED THAT the City Council of North Little Rock and the Board of Directors of Little Rock are hereby requested to confirm this appointment.

ADOPTED: May 16, 2019

Attest:

APPROVED:



Kandi Hughes, Vice Chair



Carmen Smith, Chair

CERTIFICATE

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

I, Kandi Hughes, Vice Chair of Central Arkansas Water, do hereby certify that the foregoing is a true and correct copy of Resolution 2019-04 of the Resolutions of Central Arkansas Water, entitled: **A RESOLUTION RE-APPOINTING MR. EDDIE POWELL TO THE BOARD OF COMMISSIONERS OF CENTRAL ARKANSAS WATER AND FOR OTHER PURPOSES**, adopted May 16, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of May, 2019.



Kandi Hughes, Vice Chair
Central Arkansas Water Board of Commissioners

RESOLUTION NO. 2019-05

RESOLUTION TO ESTABLISH CENTRAL ARKANSAS WATER RETIREMENT PLAN COMMITTEE CHARTER; AND PRESCRIBING OTHER MATTERS RELATING THERETO

WHEREAS, Central Arkansas Water maintains the Central Arkansas Water 401(a) Employee Savings Plan and the Central Arkansas Water 457(b) Deferred Compensation Plan; and

WHEREAS, the Board of Commissioners has previously formed and appointed members to the Retirement Plan Committee (the "Committee") and delegated certain duties and authority to the Committee.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS, CENTRAL ARKANSAS WATER, THAT:

Section 1. Central Arkansas Water hereby adopts the Central Arkansas Water Retirement Plan Committee Charter (the "Charter") spelling out duties and responsibilities of the Committee;

Section 2. Central Arkansas Water hereby delegates such duties and responsibilities to the Committee pursuant to the Charter;

Section 3. The appointed members of the Committee are hereby authorized and directed to do all acts necessary or appropriate to oversee and administer the Central Arkansas Water 401(a) Employee Savings Plan and the Central Arkansas Water 457(b) Deferred Compensation Plan.

Section 4. All Resolutions, or part of the same, that are inconsistent with the provisions of this Resolution, are hereby repealed to the extent of such inconsistency.

Section 5. This Resolution shall be in effect immediately upon its adoption.

ADOPTED: May 16, 2019

ATTEST:

APPROVED:



Kandi Hughes, Vice Chair



Carmen Smith, Chair

CERTIFICATE

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

I, Kandi Hughes, Vice Chair of Central Arkansas Water, do hereby certify that the foregoing is a true and correct copy of Resolution 2019-05 of the Resolutions of Central Arkansas Water, entitled: **RESOLUTION TO ESTABLISH CENTRAL ARKANSAS WATER RETIREMENT PLAN COMMITTEE CHARTER; AND PRESCRIBING OTHER MATTERS RELATING THERETO**, adopted May 16, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of May 2019.



Kandi Hughes, Vice Chair
Board of Commissioners, Central Arkansas Water