



## RESOLUTION

### ***ADOPTING FINDINGS, APPROVING THE HIGH PRIORITY INFLOW AND INFILTRATION REDUCTION PROGRAM, AND AUTHORIZING EXECUTION OF A COMPREHENSIVE AGREEMENT***

**WHEREAS**, in October of 2023 the Hampton Roads Sanitation District Commission (the "Commission") authorized the use of the Public-Private Education Facilities and Infrastructure Act of 2002 (the "PPEA") for delivery of the High Priority Inflow and Infiltration Reduction Program (the "Program") as part of the effort to achieve compliance with the approved Regional Wet Weather Management Plan ("RWWMP"); and

**WHEREAS**, the Commission has adopted guidelines for implementation of the PPEA as Appendix G of the Hampton Roads Sanitation District ("HRSD") Procurement Policy, and adopted certain findings and supplemental guidelines for the Program on February 27, 2024 (collectively, the "Guidelines"); and

**WHEREAS**, after HRSD solicited and evaluated proposals for qualifying projects for the Program in accordance with the Guidelines, the Commission selected the proposal submitted by Burns & McDonnell Engineering Company, Inc. ("Burns & McDonnell"); and

**WHEREAS**, on August 27, 2024, the Commission approved a negotiated Interim Agreement with Burns & McDonnell, and subsequently approved two amendments to extend the term and update the scope of work (collectively, the "Interim Agreement"); and

**WHEREAS**, as part of the Interim Agreement, Burns & McDonnell produced a Comprehensive Inflow and Infiltration Reduction Plan (the "Plan") to guide development of the Program; and

**WHEREAS**, HRSD and Burns & McDonnell have negotiated a Comprehensive Agreement for the development and operation of the Program in phases and segments consistent with the Plan and the cost-effective reduction of inflow and infiltration, which was presented to the Commission on September 23, 2025; and

**WHEREAS**, the Commission finds that adoption of this resolution and the findings herein is in the best interests of HRSD, the ratepayers, the public, and completion of the Program.

***NOW, THEREFORE, BE IT RESOLVED***, on the 23<sup>rd</sup> day of September, 2025, by the HRSD Commission that:

1. The Commission determines that the Program serves the public purpose of the PPEA and finds:
  - a. There is a public need for, and benefit derived from, the Program;
  - b. The estimated cost of the Program is reasonable in relation to similar projects that could accomplish the goals of the RWWMP; and
  - c. The Comprehensive Agreement and the Plan will result in the timely development or operation of the Program.
2. The Commission approves the Program and the negotiated Comprehensive Agreement with Burns & McDonnell with a Maximum Agreement Price of \$154,215,840.
3. The Commission authorizes the execution of the negotiated Comprehensive Agreement in a form substantially the same as that presented on September 23, 2205, and directs HRSD's Chief Engineer or designee to execute the negotiated Comprehensive Agreement on behalf of HRSD, with such minor modifications as may be approved by the General Manager and HRSD Legal Counsel as consistent with this Resolution.
4. Total funding for the Program is appropriated to new CIP Project GN020310 in the amount of \$143,715,840 and existing CIP Projects VP018301 and VP018303 in the amounts of \$15,582,800 and \$11,205,600, respectively.
5. The Commission authorizes HRSD's Chief Engineer or designee to approve and execute Project Packages on behalf of HRSD in accordance with the terms of the Comprehensive Agreement and within the total Maximum Agreement Price for the Program.
6. Burns & McDonnell shall commence activities related to the Program within thirty (30) days of the Chief Engineer or designee's approval of a Project Package, or such other time period as described in the Project Package.
7. The findings contained in this resolution shall be supplemental to those adopted by the Commission on February 27, 2024.
8. A copy of the executed Comprehensive Agreement shall be submitted to the Commonwealth of Virginia's Auditor of Public Accounts within thirty

(30) days of full execution pursuant to Virginia Code §§ 56-575.9(F) and 56-575.18.

The undersigned further certifies that the foregoing has been properly approved and adopted in accordance with all applicable requirements of the HRSD Commission.

  
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Stephen Rodriguez, Chair

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