

Ciudad Juárez, Chihuahua

January 18, 1991

REHABILITATION OF THE WELLTON-MOHAWK BYPASS DRAIN
IN MEXICAN TERRITORY

The Commission met in the offices of the Mexican Section in Ciudad Juárez, Chihuahua at 10:00 a.m., on January 18, 1991, to consider the need to rehabilitate the extension of the Wellton-Mohawk Bypass Drain in Mexican territory and to revise operation and maintenance procedures adopted by the Commission in Minute No. 248, entitled "Recommendations for Extension of the Wellton-Mohawk Bypass Drain in Mexican Territory", dated June 10, 1975.

The Commissioners noted that Resolution No. 4 of Minute No. 248 indicates that Mexico will operate and maintain the bypass drain constructed in accordance to stipulations of that Minute under supervision of the Commission and at the expense of the United States.

The Mexican Commissioner observed that in the period that the bypass drain has been in operation, a sediment transport barrier has built in the approximately 35-mile (156 kilometer) long concrete lined canal's outlet at the Santa Clara Slough, resulting in a loss of conveyance capacity. The Mexican Commissioner proposed, and the United States Commissioner agreed, that rehabilitation of the bypass drain in its lower-most reach be undertaken as soon as possible.

The Commissioners reviewed, and found satisfactory, the government of Mexico's rehabilitation plans consisting of: **a)** extension of the drain by excavating a 1,677 foot (510 meter) long and 23 foot (7 meter) wide earthen channel to prevent sediment accumulation transported in the drain; **b)** clearing and grubbing and silt removal in the concrete lined sections; **c)** maintenance of access roads; and **d)** repairs to the gates and other particular drain structures.

Accordingly, the Commissioners approved the following work schedule proposed by the Government of Mexico:

- 1) Construction of earthen channel. Dec. 1990 to Mar. 1991
- 2) Clearing, grubbing, silt removal, access road maintenance, Dec. 1990 to Mar. 1991
repairs to particular structures upstream of outlet.

The Commissioners reviewed the estimated costs of the rehabilitation project, which would be chargeable to the United States under the terms of Minute No. 248. The total estimated costs are \$160,000, United States currency, for construction and \$140,000, United States currency, for operation and maintenance of the constructed part. They agreed that the respective payments could be effected through the Mexican Section by United States Government transfer and in periods more frequent than those established in Minute No. 248.

The Commissioners agreed in the requirement that once the above referenced rehabilitation works are terminated, a periodic maintenance program should be placed in effect to assure the maintenance of the conveyance capacity of that drain to include the unlined reach to be constructed.

The Commissioners, based on the above considerations, agreed to submit the following resolutions for the approval of the two Governments:

1. The Government of Mexico, at United States Government expense, will carry out the rehabilitation of the Wellton-Mohawk Bypass Drain Extension in Mexico described hereinabove according to the approved work schedule and in accordance with laws in force in Mexico.
2. The Governments of the United States and Mexico, through the International Boundary and Water Commission, will administer the rehabilitation funds and the United States Section will transfer the corresponding funds to the Mexican Section in the following manner:
 - a) The expenditures made in Mexico in Mexican pesos will be converted to United States dollars based on the free "purchase" exchange rate established by the Banco de Mexico on the date that the respective construction contracts are

awarded.

b) The Mexican Commissioner will provide information concerning the bid announcement package to the United States Commissioner to include specifications and catalog unit costs as well as work schedule, and based on this documentation, the United States Commissioner will obligate funds sufficient to cover the estimated costs of the proposed contract. The Mexican Commissioner will invite the United States Commissioner to be present when each contract is awarded.

c) Personnel designated by each Commissioner will make joint weekly inspections of the work and shall report their observations and recommendations to the Principal Engineers of each Section.

d) The Mexican Commissioner will deliver to the United States Commissioner, as early as possible after the end of each month for the rehabilitation works, estimates of costs prepared by the appropriate agency of his Government of work performed for the previous month. Upon review and approval of such estimates of costs by the Commission, the United States Section, no later than 30 days after receipt of the estimates, will deliver to the Mexican Section a check in an amount corresponding to the work performed.

e) The Commission, upon completion of the rehabilitation of the bypass drain described above, shall make a joint inspection of the work performed, review the record of expenditures and make a final accounting of all United States funds utilized.

3. The Commission, upon completion of the rehabilitation of the bypass drain will develop through the respective Principal Engineers, a periodic maintenance program that would be performed in 1992 and in subsequent years: Such program should include: **a)** preventative maintenance of mechanical structures; **b)** sediment removal from the lined sections; **c)** maintenance of conveyance capacity of the system including the unlined channel; and **d)** a corresponding work schedule and inspections by engineers, designated by each Commissioner, at least every three months.

4. For the annual maintenance work to be undertaken beginning in 1992, upon approval by the Commission of the referenced periodic maintenance program the United States Commissioner will arrange for transfer of the operation and maintenance funds to the Mexican Section in the following manner:

a) The expenditures made in Mexico in Mexican pesos will be converted to United States dollars based on the free "purchase" exchange rate established by the Banco de Mexico corresponding to the date the contracts are awarded, with the understanding that the duration of the contracts is not greater than 120 days.

b) Beginning in 1991, the Mexican Commissioner, within 60 days before the end of each calendar year, will provide to the United States Commissioner an estimate of proposed operation and maintenance costs for the following year. The United States Commissioner in turn will obtain funds sufficient to cover the estimated costs during that year, and set aside funds in amounts corresponding to the monthly expenditures in the work schedule.

c) The Mexican Commissioner will deliver to the United States Commissioner, as early as possible after the end of each month, cost estimates prepared by the appropriate agency of his Government of work performed for that period. Upon review and approval of such cost estimate by the Commission, the United States Commissioner, in a period not greater than 30 days after the U.S. Section receives the cost-estimate, will provide to the Mexican Commissioner a check in an amount corresponding to the cost of the work performed.

The meeting was adjourned.

(signed)
Narendra N. Gunaji
United States Commissioner

(signed)
Manuel R. Ybarra
United States Section
Secretary

(signed)
J. Arturo Herrera Solis
Mexican Commissioner

(signed)
Jose de Jesus Luevano Grano
Mexican Section Secretary

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