



**BOARD MEETING AGENDA**  
**Monday, July 24, 2017**  
**Regular Meeting - 7:00 P.M.**

**Union Sanitary District**  
**Administration Building**  
**5072 Benson Road**  
**Union City, CA 94587**

**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

1. Call to Order.

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2. Pledge of Allegiance.

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3. Roll Call.

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- Motion 4. Approve Minutes of the Special Meeting of June 29, 2017.

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- Motion 5. Approve Minutes of the Meeting of July 10, 2017.

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- Information 6. Monthly Operations Report for June 2017 *(to be reviewed by the Legal/Community Affairs Committees)*.

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7. Written Communications.

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8. Oral Communications.  
*The public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District office at least one working day prior to the meeting). This portion of the agenda is where a member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction that is not on the agenda. If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. Oral comments are limited to three minutes per individuals, with a maximum of 30 minutes per subject. Speaker's cards will be available in the Boardroom and are to be completed prior to discussion.*

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- Motion 9. Award the Construction Contract for the Cast Iron/Piping Lining Project – Phase VI to Southwest Pipeline & Trenchless Corporation *(to be reviewed by the Engineering and Information Technology Committee)*.

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- Motion 10. Authorize the General Manager to Execute Task Order No. 2 with Carollo Engineers for the Newark Pump Station Wet Well Improvements Project *(to be reviewed by the Engineering and Information Technology Committee)*.

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- Motion 11. Award the Multi-Year Service Contract for Printing and Mailing of the District's Annual Newsletter *(to be reviewed by the Legal/Community Affairs Committee)*.

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- Motion 12. Consideration Modification of Board Officer Titles from President and Vice-President to Chair and Vice-Chair Pursuant to Board Direction on December 12, 2016.

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- Information 13. Solar and Cogeneration Facilities Operational Update *(to be reviewed by the Budget and Finance Committee)*.

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- Information 14. Board of Directors Internal Committee Assignments for Fiscal Year 2018.
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- Information 15. Check Register.
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- Information 16. Committee Meeting Reports. *(No Board action is taken at Committee meetings):*
- a. Legal/Community Affairs Committee – Wednesday, July 19, 2017, at 1:15 p.m.
    - Director Handley and Director Lathi
  - b. Engineering and Information Technology Committee – Friday, July 21, 2017, at 9:15 a.m.
    - Director Kite and Director Toy
  - c. Budget & Finance Committee – Friday, July 21, 2017, at 11:00 a.m.
    - Director Handley and Director Lathi
  - d. Personnel Committee – will not meet.
  - e. Audit Committee – will not meet.
  - f. Legislative Committee – will not meet.
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- Information 17. General Manager’s Report. *(Information on recent issues of interest to the Board).*
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18. Other Business:
- a. Comments and questions. *Directors can share information relating to District business and are welcome to request information from staff.*
  - b. Scheduling matters for future consideration.
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19. Adjournment – The Board will adjourn to the next Regular Meeting in the Boardroom on Monday, August 14, 2017, at 7:00 p.m.

The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting).  
 If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. If the subject is within the Board’s jurisdiction but not on the agenda, the speaker will be heard at the time “Oral Communications” is calendared. Oral comments are limited to three minutes per individual, with a maximum of 30 minutes per subject. Speaker’s cards will be available in the Boardroom and are to be completed prior to discussion of the agenda item.

The facilities at the District Offices are wheelchair accessible. Any attendee requiring special accommodations at the meeting should contact the General Manager’s office at (510) 477-7503 at least 24 hours in advance of the meeting. THE PUBLIC IS INVITED TO ATTEND



**LEGAL/COMMUNITY AFFAIRS COMMITTEE MEETING**  
Committee Members: Director Handley and Director Lathi

**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**AGENDA**  
**Wednesday, July 19, 2017**  
**1:15 p.m.**

**Alvarado Conference Room**  
**5072 Benson Road**  
**Union City, CA 94587**

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**THIS MEETING WILL BE TELECONFERENCED WITH DIRECTOR HANDLEY AND DIRECTOR LATHI  
FROM 43225 MISSION BOULEVARD, FREMONT, CALIFORNIA.  
THE TELECONFERENCE LOCATION SHALL BE ACCESSIBLE TO THE PUBLIC.**

1. Call to Order  
\_\_\_\_\_
2. Roll Call  
\_\_\_\_\_
3. Public Comment  
\_\_\_\_\_
4. Items to be reviewed for the Board meeting of July 19, 2017:
  - Monthly Operations Report for June 2017
  - Award the Multi-Year Service Contract for Printing and Mailing of the District's Annual Newsletter\_\_\_\_\_
5. Adjournment  
\_\_\_\_\_

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.

The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting).

If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. If the subject is within the Board's jurisdiction but not on the agenda, the speaker will be heard at the time "Public Comment" is calendared. Oral comments are limited to three minutes per individual, with a maximum of 30 minutes per subject. Speaker's cards will be available and are to be completed prior to discussion of the agenda item.

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**THE PUBLIC IS INVITED TO ATTEND**



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**ENGINEERING & INFORMATION TECHNOLOGY  
COMMITTEE MEETING**  
Committee Members: Director Kite and Director Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

**AGENDA**  
**Friday, July 21, 2017**  
**9:15 A.M.**

Karen W. Murphy  
*Attorney*

**Alvarado Conference Room**  
**5072 Benson Road**  
**Union City, CA 94587**

**THIS MEETING WILL BE TELECONFERENCED WITH DIRECTOR KITE FROM THE EXTERIOR OF  
35040 NEWARK BOULEVARD, NEWARK, CALIFORNIA.**

1. Call to Order

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2. Roll Call

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3. Public Comment

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4. Items to be reviewed for the Board meeting of July 24, 2017:
  - Award the Construction Contract for the Cast Iron/Piping Lining Project – Phase VI to Southwest Pipeline & Trenchless Corporation
  - Award the Construction Contract for the Newark Pump Station Wet Well Improvements Project to D. W. Nicholson Corporation

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5. Adjournment

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings. The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting). If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. If the subject is within the Board's jurisdiction but not on the agenda, the speaker will be heard at the time "Public Comment" is calendared. Oral comments are limited to three minutes per individual, with a maximum of 30 minutes per subject. Speaker's cards will be available and are to be completed prior to discussion of the agenda item.

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THE PUBLIC IS INVITED TO ATTEND



**REVISED**

**BUDGET & FINANCE COMMITTEE MEETING**

Committee Members: Director Handley and Director Lathi

**Directors**

Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**AGENDA**

~~Thursday, July 20, 2017~~

Friday, July 21, 2017

12:30 p.m.

11:00 a.m.

**Officers**

Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**Alvarado Conference Room  
5072 Benson Road  
Union City, CA 94587**

**THIS MEETING WILL BE TELECONFERENCED WITH DIRECTOR HANDLEY AND DIRECTOR LATHI  
FROM 43225 MISSION BOULEVARD, FREMONT, CALIFORNIA.  
THE TELECONFERENCE LOCATION SHALL BE ACCESSIBLE TO THE PUBLIC.**

1. Call to Order  
\_\_\_\_\_
2. Roll Call  
\_\_\_\_\_
3. Public Comment  
\_\_\_\_\_
4. Items to be reviewed for the Board meeting of July 24, 2017:
  - Solar and Cogeneration Facilities Operational Update ~~May 2017 Monthly Financial Reports~~\_\_\_\_\_
5. Adjournment  
\_\_\_\_\_

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.

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**THE PUBLIC IS INVITED TO ATTEND**

**MINUTES OF THE SPECIAL MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
June 29, 2017**

**CALL TO ORDER**

President Handley called the special meeting to order at 6:00 p.m.

**ROLL CALL**

PRESENT: Tom Handley, President  
Pat Kite, Vice President  
Anjali Lathi, Secretary  
Manny Fernandez, Director

ABSENT: Jennifer Toy, Director

STAFF: Paul Eldredge, General Manager/District Engineer  
Michelle Powell, Communications and Intergovernmental Relations Coordinator

**PUBLIC COMMENT**

There was no public comment.

**BOARD WORKSHOP**

General Manager Eldredge presented a list of local wastewater agencies, and the Board provided direction for the criteria the District will use to include agencies in the Sewer Service Charge Comparison chart.

General Manager Eldredge and Communications and Intergovernmental Relations Coordinator Powell presented proposed newsletter content, and the Board provided feedback.

**ADJOURNMENT:**

The special meeting was adjourned at approximately 7:50 p.m. to the next Regular Board Meeting in the Boardroom on Monday, July 10, 2017, at 7:00 p.m.

SUBMITTED:

ATTEST:

\_\_\_\_\_  
REGINA McEVOY  
BOARD CLERK

\_\_\_\_\_  
ANJALI LATHI  
SECRETARY

APPROVED:

\_\_\_\_\_  
TOM HANDLEY  
PRESIDENT

Adopted this 24<sup>th</sup> day of July, 2017

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
July 10, 2017**

**CALL TO ORDER**

Vice President Kite called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Pat Kite, Vice President  
Anjali Lathi, Secretary  
Manny Fernandez, Director  
Jennifer Toy, Director

ABSENT: Tom Handley, President

STAFF: Paul Eldredge, General Manager  
Karen Murphy, District Counsel  
Sami Ghossain, Technical Services Manager  
James Schofield, Collection Services Manager  
Robert Simonich, Fabrication, Maintenance, and Construction Manager  
Armando Lopez, Treatment and Disposal Service Manager  
Laurie Brenner, Finance and Acquisition Services Team Coach  
Michael Marzano, Safety Program Manager  
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF JUNE 20, 2017**

It was moved by Secretary Lathi, seconded by Director Fernandez, to approve the Minutes of the Special Meeting of June 20, 2017. Motion carried by the following vote:

AYES: Fernandez, Kite, Lathi, Toy  
NOES: None  
ABSENT: Handley  
ABSTAIN: None

**APPROVAL OF THE MINUTES OF THE MEETING OF JUNE 26, 2017**

It was moved by Director Fernandez, seconded by Director Toy, to approve the Minutes of the Meeting of June 26, 2017. Motion carried by the following vote:

AYES: Fernandez, Kite, Lathi, Toy  
NOES: None  
ABSENT: Handley  
ABSTAIN: None

## **WRITTEN COMMUNICATIONS**

There were no written communications.

## **ORAL COMMUNICATIONS**

There were no oral communications.

## **CONSIDER A RESOLUTION TO ACCEPT AND ADOPT ALL OF VOLUME 1 AND UNION SANITARY DISTRICT'S PORTION OF VOLUME 2 OF THE UNION CITY /NEWARK MULTIJURISDICTIONAL HAZARD MITIGATION PLAN**

This item was reviewed by the Budget & Finance Committee. Safety Program Manager Marzano stated the Union City/Newark Multijurisdictional Hazard Mitigation Plan (HPM) was created by the City of Union City, the City of Newark, Alameda County Water District, Union Sanitary District, and Newark Unified School District. The planning area for the hazard mitigation plan was defined as the Union City/Newark Operational Area. Once the hazard mitigation plan is adopted by all jurisdictional partners and approved by FEMA, the partnership will collectively and individually become eligible to apply for hazard mitigation project funding from both the Pre-Disaster Mitigation Grant Program and the Hazard Mitigation Grant Program. The HPM is scheduled to be evaluated and revised every five years. Staff recommended the Board consider and adopt a resolution accepting all of Volume 1 and Union Sanitary District's portion of Volume 2 of the Union City/Newark Multijurisdictional Hazard Mitigation Plan.

It was moved by Director Toy, seconded by Secretary Lathi, to Adopt Resolution No. 2816, Authorizing the Adoption of the Union City/Newark Multijurisdictional Hazard Mitigation Plan. Motion carried by the following vote:

AYES: Fernandez, Kite, Lathi, Toy  
NOES: None  
ABSENT: Handley  
ABSTAIN: None

## **AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 3 WITH WEST YOST ASSOCIATES FOR THE FORCE MAIN CORROSION REPAIRS PROJECT**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated all corroded elements within the District's 78 manholes need to be rehabilitated or replaced. The Board awarded the construction contract to Cratus, Inc. at the Board meeting held June 12, 2017. The purpose of Task Order No. 3 will be to authorize office engineering services during the construction of the Project. Staff recommended the Board authorize the General Manager to Execute Task Order No. 3 with West Yost Associates in the amount of \$33,085 to provide design support services during construction of the Force Main Corrosion Repairs Project – Phase 1.

It was moved by Director Fernandez, seconded by Director Toy, to Authorize the General Manager to Execute Task Order No. 3 with West Yost Associates in the

amount of \$33,085 to Provide Design Support Services During Construction of the Force Main Corrosion Repairs Project – Phase 1. Motion carried by the following vote:

AYES: Fernandez, Kite, Lathi, Toy  
NOES: None  
ABSENT: Handley  
ABSTAIN: None

**AWARD THE CONSTRUCTION CONTRACT FOR THE NEWARK PUMP STATION WET WELL IMPROVEMENTS PROJECT TO D.W. NICHOLSON CORPORATION**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the District operates and maintains a transport system that consists of three pump stations, three lift stations, and 12.5 miles of twin force main pipelines. The Project will include improvements to the Newark Pump Station to prevent flooding in the event of a power outage. D.W. Nicholson submitted the apparent low bid with two minor bid irregularities that did not affect the responsiveness of the bid. No bid protests were received. The contractor will have 220 calendar days to complete the Project from Notice to Proceed, with substantial completion expected in March 2018. Staff recommended the Board waive the bid irregularities, award the construction contract for the Newark Pump Station Wet Well Improvements Project, including Bid Alternate A, to D.W. Nicholson in the amount of \$679,100, and authorize staff to issue the Notice of Award for the Project.

It was moved by Director Fernandez, seconded by Director Toy, to Waive the Bid Irregularities, Award the Construction Contract for the Newark Pump Station Wet Well Improvements Project, Including Bid Alternate A, to D.W. Nicholson in the Amount of \$679,100, and Authorize Staff to Issue the Notice of Award for the Project. Motion carried by the following vote:

AYES: Fernandez, Kite, Lathi, Toy  
NOES: None  
ABSENT: Handley  
ABSTAIN: None

**CONSIDER AN UPDATED RESOLUTION AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND (LAIF)**

This item was reviewed by the Budget & Finance Committee. Business Services Coach Brenner stated several key finance related job titles have been revised and adopted for use at the District since Resolution No. 2503 was adopted in 2006. Resolution No. 2503, Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF), included the following positions as authorized to deposit or withdraw monies in LAIF on behalf of the District: General Manager, Business Services Manager, and Principal Financial Analyst. The proposed resolution updates the titles of those authorized to deposit or withdraw monies in LAIF on behalf of the District: General Manager/District Engineer, Business Services Manager/Chief Financial Officer, Finance & Acquisition Coach (aka Business Services Coach), and Accounting & Financial Analyst. Staff recommended the Board consider and adopt an updated Resolution for Authorizing Investment of Monies in the Local Agency Investment Fund, identifying and authorizing

incumbents holding appropriate job titles within the District for the deposit or withdrawal of monies in the Local Agency Investment Fund, pursuant to Government Code Section 16429.1.

It was moved by Director Toy, seconded by Director Fernandez, to Adopt Resolution No. 2817 Authorizing Investment of Monies in the Local Agency Investment Fund. Motion carried by the following vote:

AYES: Fernandez, Kite, Lathi, Toy  
NOES: None  
ABSENT: Handley  
ABSTAIN: None

### **CONSIDER OPTIONS FOR SCHEDULING SPECIAL MEETINGS AND WORKSHOPS**

District Counsel Murphy stated the Brown Act does not set forth a specific process for scheduling the date and time of special meetings. As with any Board meeting, a quorum of the Board must be present, and special meetings must be publicly noticed in accordance with the requirements of the Brown Act. Past practice has been for the Board Clerk to send an email to the Board with a link to the Doodle poll which contains potential dates for scheduling a special meeting. If a Boardmember does not respond to the poll within 48 hours, the Board Clerk will call the Boardmember to find out their availability. Changes to this procedure may be made at the Board's discretion. Staff recommended the Board consider and discuss options for scheduling special meetings and workshops.

Secretary Lathi asked if it would be possible to schedule a meeting after receiving responses from four Boardmembers. General Manager Eldredge stated that it would be possible to schedule a meeting with four Boardmembers, but it is preferable to have all five Boardmembers present at all meetings.

Secretary Lathi suggested the Board Clerk call Boardmembers who have yet to respond 24 hours after a Doodle poll has been sent. General Manager Eldredge suggested the Board Clerk call Boardmembers who have not responded the next business day after a poll is sent. The Board agreed by majority consensus.

It was moved by Secretary Lathi, seconded by Director Fernandez, to Direct the Board Clerk to call Boardmembers who have not responded 24 Hours After a Doodle Poll has been sent, and to send a new Doodle poll if there is no date that will work for all five Boardmembers. Motion carried by the following vote:

AYES: Fernandez, Kite, Lathi, Toy  
NOES: None  
ABSENT: Handley  
ABSTAIN: None

## **ELECTION OF OFFICERS FOR THE BOARD OF DIRECTORS FOR FISCAL YEAR 2018 AND CONSIDERATION OF AMENDMENT OF BOARD OFFICER TITLES**

District Counsel Murphy stated Board Policy 3070, Boardmember Officers and Committee Membership, states the Board shall annually elect by majority vote the President, Vice President, and Secretary for one-year terms. The Policy also allows the Board to amend by motion the titles of President and Vice President to Chair and Vice Chair provided that the Chair act as the "President" pursuant to California Health and Safety Code Section 6486. Historically, the Board has followed a rotation of officers where the Vice President becomes President, Secretary becomes Vice President, and the fourth member in rotation becomes Secretary.

The Board directed staff to present the option to amend Board titles at the next regularly scheduled meeting.

It was moved by Vice President Kite, seconded by Director Toy, that Pat Kite will serve as President, Anjali Lathi will serve as Vice President, and Manny Fernandez will serve as Secretary for Fiscal Year 2018. Motion carried by the following vote:

AYES: Fernandez, Kite, Lathi, Toy  
NOES: None  
ABSENT: Handley  
ABSTAIN: None

### **INFORMATION ITEMS:**

#### **May 2017 Monthly Financial Reports**

This item was reviewed by the Budget & Finance Committee. Finance and Acquisition Services Team Coach Brenner stated the District was at 113% of projected revenues at the end of May 2017. It was noted that there was an irregularity on page 71 of the Board meeting packet which showed the budget for debt servicing State Revolving Fund (SRF) loans was correct, but the actual was shown as incorrect which affected the percent of budget for the line item as well as the total percent of budget used. The information will be corrected before the June 2017 Financial Reports are presented at a future meeting.

#### **Check Register**

All questions were answered to the Board's satisfaction.

### **COMMITTEE MEETING REPORTS:**

The Budget & Finance Committee and Engineering and Information Technology Committees met.

### **GENERAL MANAGER'S REPORT:**

General Manager Eldredge reported the following:

- Dave Drake, the District's Plant Operator Trainer, will be honored with an award for Government Service at the 2017 Union City Chamber of Commerce Spirit Awards Luncheon on July 12, 2017.
- The District's Lab Director, Guy Moy, will be retiring; his last day at the District will be July 14, 2017

**OTHER BUSINESS**

There was no other business.

**ADJOURNMENT:**

The meeting was adjourned at 7:55 p.m. to the Board Workshop in the Boardroom on Thursday, July 11, 2017, at 5:30 p.m.

The Board will then adjourn to the next Regular Board Meeting in the Boardroom on Monday, July 24, 2017, at 7:00 p.m.

SUBMITTED:

ATTEST:

\_\_\_\_\_  
REGINA McEVOY  
BOARD CLERK

\_\_\_\_\_  
ANJALI LATHI  
SECRETARY

APPROVED:

\_\_\_\_\_  
TOM HANDLEY  
PRESIDENT

Adopted this 24<sup>th</sup> day of July 2017



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** July 17, 2017

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer

**SUBJECT:** Agenda Item No. 6 - Meeting of July 24, 2017  
Information Item: **Monthly Operations Report for June 2017**

### **Background**

Attached are Monthly Operations Reports for June 2017. Staff is available to answer questions regarding information contained in the report.

### **Work Group Managers**

General Manager/Administration	Paul Eldredge	GM
Collection Services	James Schofield	CS
Technical Support	Sami Ghossain	TS
Treatment and Disposal Services	Armando Lopez	T&D
Fabrication, Maintenance, and Construction	Robert Simonich	FMC

### **FINANCIAL REPORTS AND BUSINESS SERVICES GROUP ACTIVITIES REPORT**

Due to the recent departure of the Business Services Manager/CFO and fiscal year end closing procedures, the June 2017 Financial Reports and Business Services Group Activities Report will be presented at the next meeting.

### **ODOR COMPLAINTS:**

There was one odor complaint received by the collection system. Details regarding the complaint were included in the June 2017 Odor Report included in the Board meeting packet.

**SAFETY:**

- An employee reported jamming their little finger and was placed on modified duty.
- While clearing brush on an easement, an employee caught poison oak. He received medical attention, but was not off work.
- We had an oil spill in the oil storage area. While cleaning up the spill an employee's finger was poked with a sharp piece of metal through their glove. The employee declined medical treatment.
- We replaced the first aid kits on-site and now include Blood Borne Pathogen clean-up supplies.

**STAFFING & PERSONNEL:****Recruitments Opened:**

- Limited Term Construction Inspector
- Business Services Manager/Chief Financial Officer
- 8<sup>th</sup> Conditional Lead – Collection Services

**Continuing Recruitments:**

- Sr. Accounting and Financial Analyst
- Janitor
- Technical Writer Intern
- Organization Performance Program Manager
- PO III Trainee
- Painter
- Human Resources Manager
- Customer Service Fee Analyst (2)
- Temporary Laboratory Analyst

**Other Accomplishments:**

- Leadership School presentation on Coaching for Safety

**G.M. ACTIVITIES:** For the month of June, the General Manager was involved in the following:

- Participated in Human Resources Manager interviews.
- Attended a Special Meeting Closed Session of the Board of Directors.
- Attended a Bay Area Clean Water Agencies Manager's Roundtable.
- Attended the Sewer Service Charge Comparison Agencies and Newsletter Content Combined Board Workshop.

**Attachments:** Odor Report and Map  
Technical Services  
Collection Services  
Fabrication, Maintenance, and Construction  
Treatment and Disposal Services



## ODOR REPORT June 2017

During the recording period from June 01, 2017 through June 30, 2017, there was one odor related service request received by the District.

### **City: Fremont**

#### **1. Complaint Details:**

*Date:* 6/15/2017

*Location:* SENTINEL PL

*Wind (from):* West

*Temperature:* 92 Degrees F

*Time:* 3:30 pm

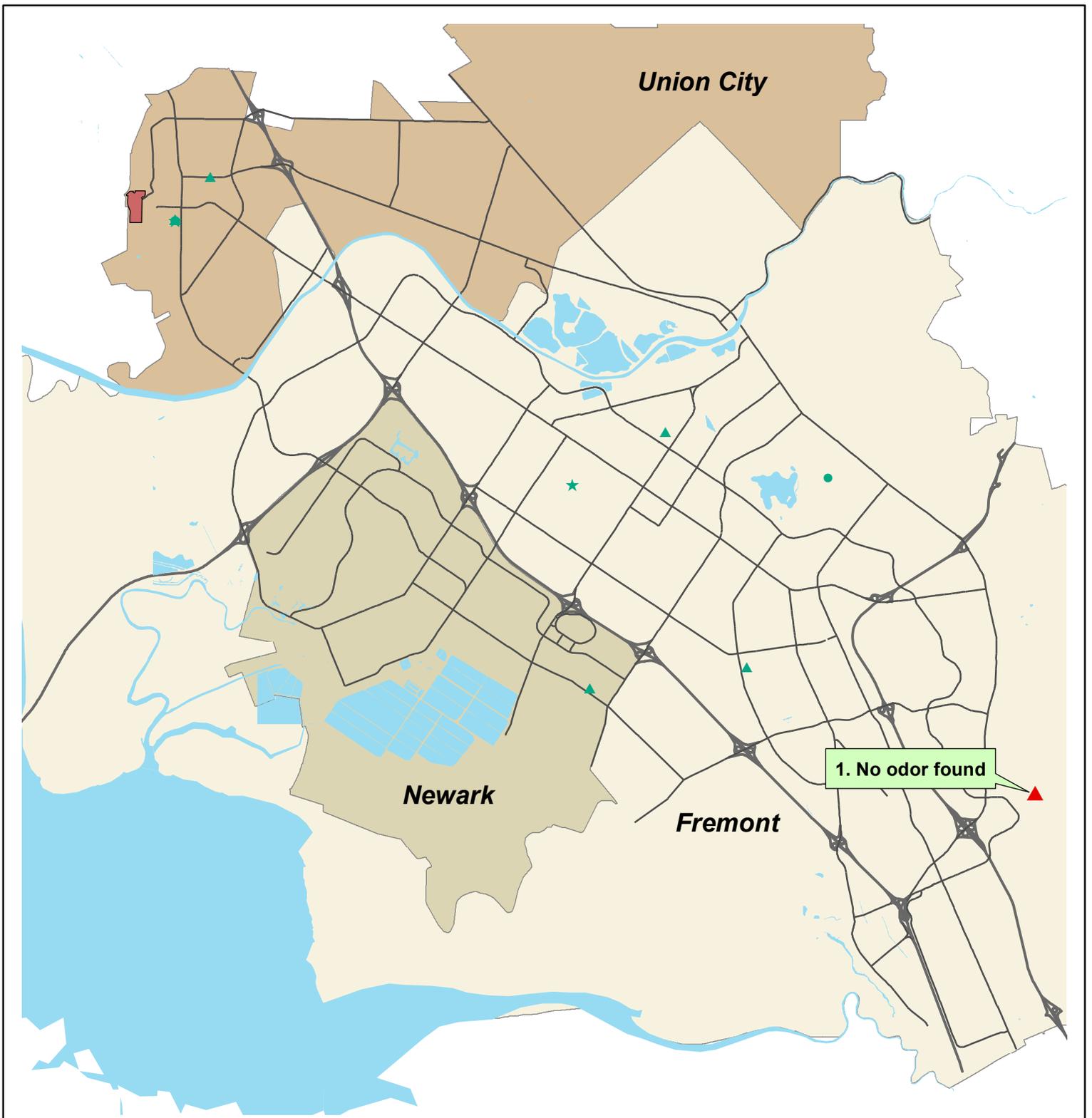
*Reported By:* Joanne

*Wind Speed:* 4 mph

*Weather:* Sunny

#### ***Response and Follow-up:***

We inspected the sewer main and manholes adjacent to the residence and found no sign of a back up or stoppage in our sewer lines. We also checked the backyard and there were no odors. The customer said that they smelled an odor in the master bath which had not been used in months. We told the customer to drop water in tub and that will fill up the P-Trap to lock out any odors that may come from their sewer line.



**Legend**

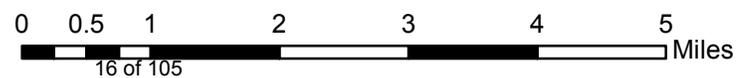
**Odor Complaints: June 2017**

- ★ Odor found, USD resolved (0)
- Odor found, not related to USD (0)
- ▲ No odor found (1)

**Odor Complaints: July 2016 to May 2017**

- ★ Odor found, USD resolved (4)
- Odor found, not related to USD (6)
- ▲ No odor found (14)

**Location of Odor Reports  
July 2016 to June 2017**



**MONTHLY OPERATIONS REPORT FOR THE MONTH OF JUNE 2017**  
**TECHNICAL SUPPORT WORK GROUP SUMMARY**

**Capital Improvement Program**

**Thickener Control Building Improvements Project** – Project closeout and punchlist work is in progress.

**Fremont and Paseo Padre Lift Stations Improvements Project** – Contractor conducted performance tests on the new pumps at both lift stations. Both pumps at Paseo Padre Lift Station passed the performance tests while only one of the two pumps at Fremont Lift Station passed. Staff awaits the contractor’s proposal to address the failed performance test of one pump at Fremont Lift Station.

**Chemical Tanks and Piping Replacement Project** – Installation of two of the four new sodium hypochlorite tanks and associated piping and equipment located next to the Odor Control Building were completed. The two tanks have been placed into service.

**Sludge Degritter System Project** – Degritter, conveyor, and jib crane equipment positioned and anchored into place. Installation of electrical conduits and wiring, metal platforms, handrails, and foul air piping is in progress.

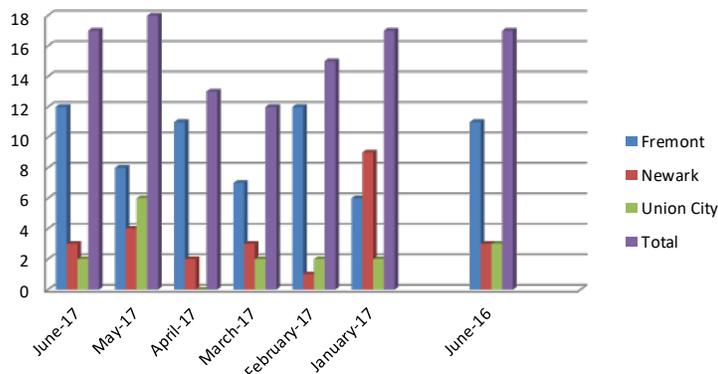
**Headworks Knife Gate Valves 1-3 Replacement Project** – The temporary bypass system for the Alvarado Influent Pump station was installed and tested at the Site Waste Pump Station. Replacement of the last two knife gate valves is scheduled for July.

**Force Main Corrosion Repairs Project, Phase 1** – The construction contract was awarded to Cratus, Inc. at the June 12<sup>th</sup> Board meeting. NTP was issued on June 26<sup>th</sup>. Submittals are underway. Staff isolated the east force main between Newark Pump Station and the wastewater treatment plant in preparation for the construction work.

**Customer Service**

Trouble Calls dispatched from the Front Desk during business hours:

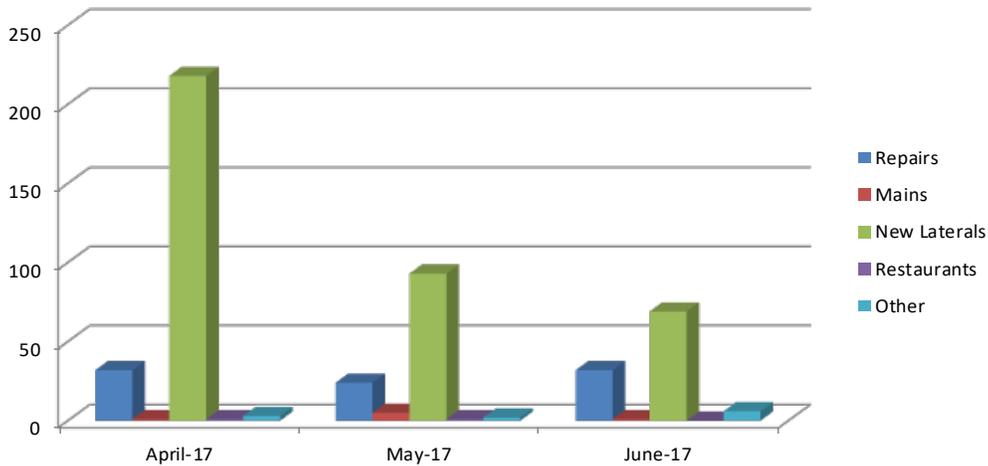
Month	Fremont	Newark	Union City	Total
June-17	12	3	2	17
May-17	8	4	6	18
April-17	11	2	0	13
March-17	7	3	2	12
February-17	12	1	2	15
January-17	6	9	2	17
June-16	11	3	3	17
6-Month Total				92



**Sewer Permits Issued**

Month	Repairs	Mains	New Laterals	Restaurants	Other
June-17	32	1	69	0	6
May-17	24	5	93	1	2
April-17	32	1	218	1	3

New Laterals - New residential lateral connections  
 Other - Non-residential construction (except restaurants)



**Communication**

- Participated in CASA August Conference planning as member of Program Committee and Communications Workgroup
- Developed content for Fall 2017 newsletter
- Scheduled GM presentation to Fremont City Council on July 18, 2017.
- Participated in Chamber of Commerce Board meeting as director
- Attended webinar regarding government social media

**Environmental Compliance**

**Pollution Prevention Program**

USD’s Environmental Compliance team conducts pollution prevention inspections at restaurants, car wash businesses, and other commercial facilities. EC also conducts inspections and enforcement for the City of Fremont’s Environmental Services group. We conduct over 600 Stormwater compliance inspections every year to ensure that commercial facilities, including restaurants and auto shops, comply with City Ordinance requirements, and do not discharge pollutants to the creeks and bay.

During the past month, the EC team conducted 115 Stormwater (Urban Runoff), and 53 FOG (restaurant) inspections. During this reporting period, Inspectors identified 37 Stormwater and 24 FOG enforcement actions. Eight (8) of the Stormwater enforcements resulted in administrative fines ranging from \$100 to \$500. One (1) administrative fine was for an illicit discharge and seven were for repeated violations.

**Urban Runoff Inspections and Enforcements**

<b>June 2017</b>	<b>No. of UR Inspections</b>	<b>VW</b>	<b>WL</b>	<b>NOV</b>	<b>AF</b>	<b>LA</b>	<b>Total Enforcements</b>	<b>No. of Illicit Discharge/s</b>	<b>3</b>
	115	14	0	15	8	0	37	<b>% enforcement</b>	32%

**FOG Inspections and Enforcements**

<b>June 2017</b>	<b>No. of FOG Inspections</b>	<b>VW</b>	<b>WL</b>	<b>NOV</b>	<b>AF</b>	<b>LA</b>	<b>Total Enforcements</b>	<b>% enforcement</b>	<b>45%</b>
	53	8	16	0	0	0	24		

*Enforcements:*

*VW – Verbal Warning*

*WL – Warning Letter*

*NOV – Notices of Violation*

*AF – Administrative Fine*

*LA – Legal Action*

*NOD – Notice of Deficiency*

*AO – Administrative Order*

*C&D – Cease & Desist Order*

*SNC – Significant Non-Compliance*

**Dental Inspections, School Outreach, and Plant Tours**

<b># of Dental Inspections</b>	<b># of School Outreach Events including Sewer Science</b>	<b># of Plant Tours</b>
7	0	1

**Industrial Pretreatment**

The Industrial Pretreatment program has a number of pending permits as shown in the table below. USD inspectors are working with each of these companies to establish permitted industrial discharges.

**Pending Permits**

<b>New Industrial/Groundwater Permits</b>	<b>Groundwater/Temporary</b>
Seagate FRC	
Mission Linen	
TE Connectivity	

**Permits Issued**

<b>Company Name</b>	<b>Date Permit Issued</b>
Pacific Gas & Electric- Central Park West- GW	6/22/17

**Industrial Closures**

<b>Company Name</b>	<b>Date of Closure</b>
None	

**Reports (Annual & Semi-Annual Pretreatment Report, Union City Report, etc.)**

<b>Report Name</b>	<b>Date Report Completed and Submitted</b>
None	



	<b>Construction Projects</b>	<b>Capital (\$1000)</b>	<b>Scheduled Completion</b>	<b>Completed Scope</b>	<b>Completed Time</b>	<b>Comments for June 2017 Activities</b>
5.	Headworks Knife Gate Valves 1-3 Replacement – Kevin	\$478	10/17	50%	70%	Temporary bypass system for Alvarado Influent PS was installed and tested.
6.	Force Main Corrosion Repairs Phase 1 – Chris	\$821	10/17	1%	5%	Project was awarded to Cratus, Inc. at June 12 <sup>th</sup> Board meeting. NTP issued on June 26 <sup>th</sup> . Submittals and force main isolation underway.

### **Design/Study**

No. of projects in design/study phase: **15**

	<b>Design/Study Projects</b>	<b>Capital (\$1000)</b>	<b>Scheduled Completion</b>	<b>Completed Scope</b>	<b>Completed Time</b>	<b>Comments for June 2017 Activities</b>
1.	Plant Solids System / Capacity Assessment Phase 2 – Curtis	\$279	11/17	65%	58%	Study is in progress. Workshop No. 2 took place on June 14 <sup>th</sup> . Chapter 7 to be revised and resubmitted in July.
2.	Recycled Water Feasibility Study Update – Chris	\$130	7/17	99%	99%	State Water Board comments on final report being addressed.
3.	Local Limits Study – Chris	\$77	10/17	35%	35%	Data request in progress.
4.	Cogeneration Building HVAC Improvements Project - Derek	\$27	09/16	100%	100%	Project ready to advertise but on hold pending resolution of current Cogen issues.
5.	Seismic Vulnerability Assessment, Phase 3 - Thomas	\$105	06/17	100%	100%	Consultant submitted the final seismic evaluation report.
6.	Newark Pump Station Wet Well Improvements - Thomas	\$99	05/17	100%	100%	Bids opened on June 10 <sup>th</sup> . Project award will be considered by the Board at the July 10 <sup>th</sup> Board meeting.
7.	Standby Power Generation System Upgrade Project – Raymond/Kevin	\$175	05/17	90%	100%	Evaluation of two additional site location alternatives completed this month.

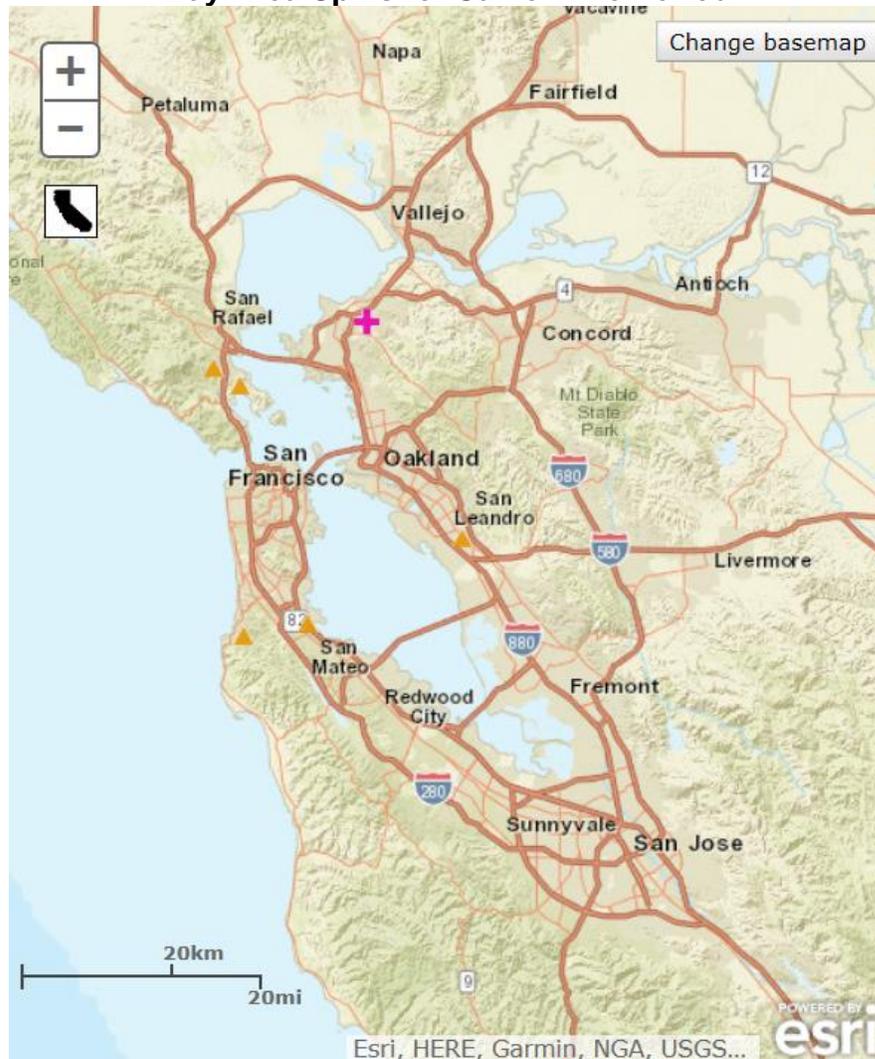
	<b>Design/Study Projects</b>	<b>Capital (\$1000)</b>	<b>Scheduled Completion</b>	<b>Completed Scope</b>	<b>Completed Time</b>	<b>Comments for June 2017 Activities</b>
8.	Force Main Condition Assessment – Andrew	\$121	10/17	15%	60%	Progress to resume in August 2017 when the east force main will be taken out of service.
9.	Emergency Outfall Improvements Project – Andrew	\$92	7/17	18%	60%	Draft Preliminary Design TM under staff review, alternative design selection workshop scheduled for July 5 <sup>th</sup> .
10.	Cast Iron/Piping Lining Phase VI – Andrew	In House	5/17	100%	100%	Bids opened on June 29 <sup>th</sup> . Project award will be considered by the Board at the July 10 <sup>th</sup> Board meeting.
11.	Primary Digester No. 7 Project – Curtis	\$127	7/17	65%	85%	Preliminary Design Report is in progress. Site visits at two treatment plants to take place in July.
12.	Plant Master Plan – Raymond	\$304	11/17	50%	57%	Board workshop scheduled for July 11 <sup>th</sup> .
13.	Effluent Management Study – Curtis	\$70	6/17	60%	100%	Effluent Management Study Screening Options Workshop took place on June 13 <sup>th</sup> .
14.	Odor Control Alternatives Study - Kevin	\$140	11/17	55%	60%	Early summer odor sampling completed this month
15.	Primary Digester No. 3 Rehabilitation - Derek	\$159	7/17	85%	86%	Completed review of the 90% design submittal.

**COLLECTION SERVICES  
ACTIVITIES REPORT  
June 2017**

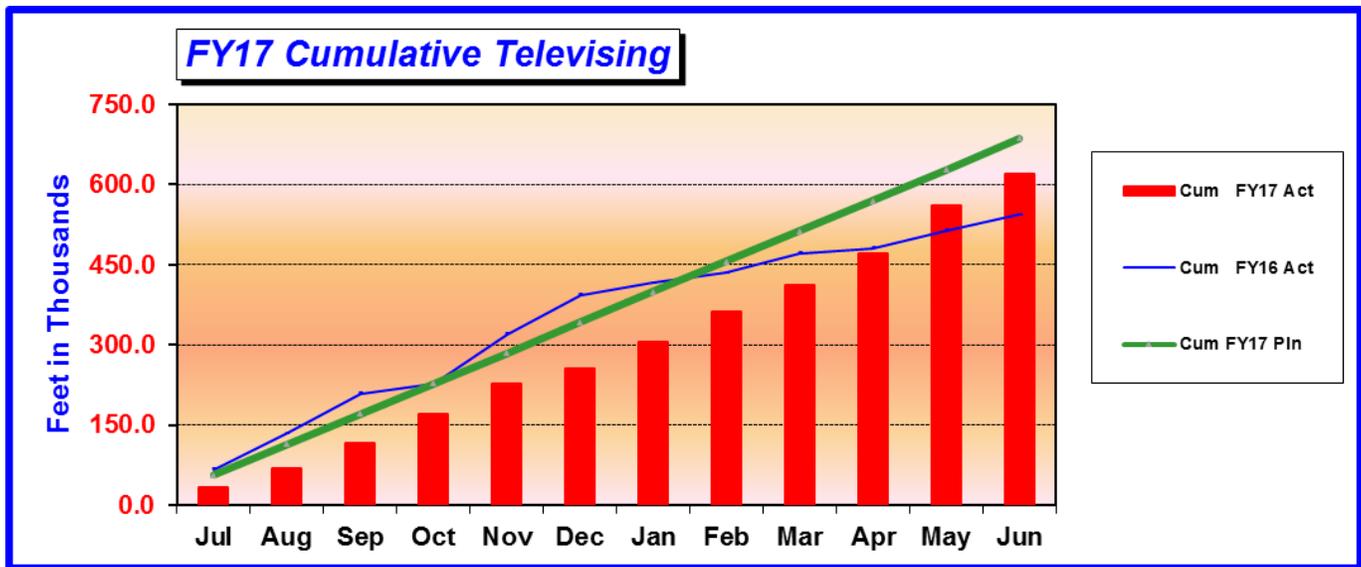
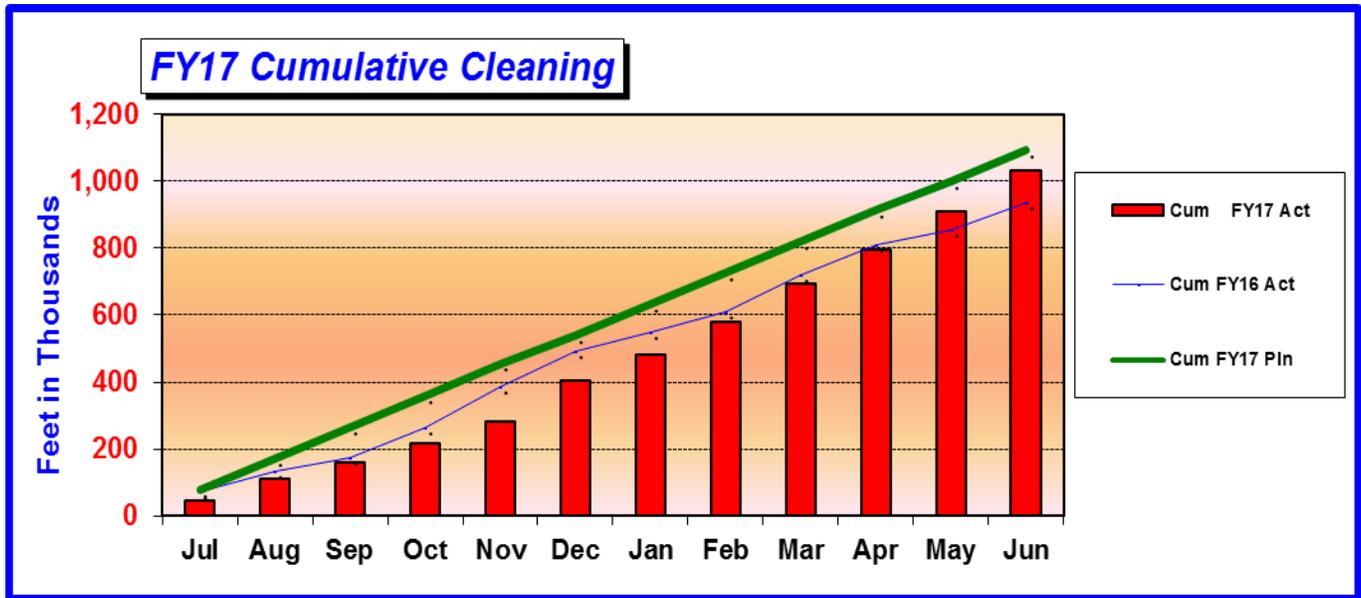
**Progress/Accomplishments**

- No Spills in June
- No Spill Report filed with State Waterboard
- Completed 23.4 miles of cleaning of sewer lines in June
- Completed 10.9 miles of televising of sewer lines in June
- Responded to 22 service request calls in June
- Completed a total of 6 main repairs June
- Trainings
  - Emergency Preparedness Training
  - District Ethics
  - SSO Assessment

**Bay Area Spills for Same Time Period**

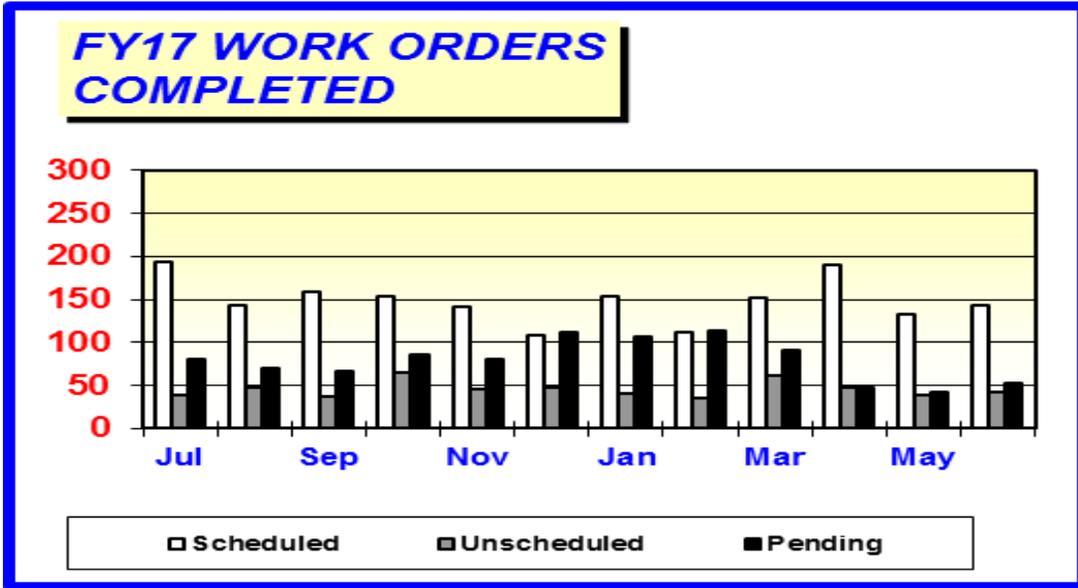


## Performance Measures

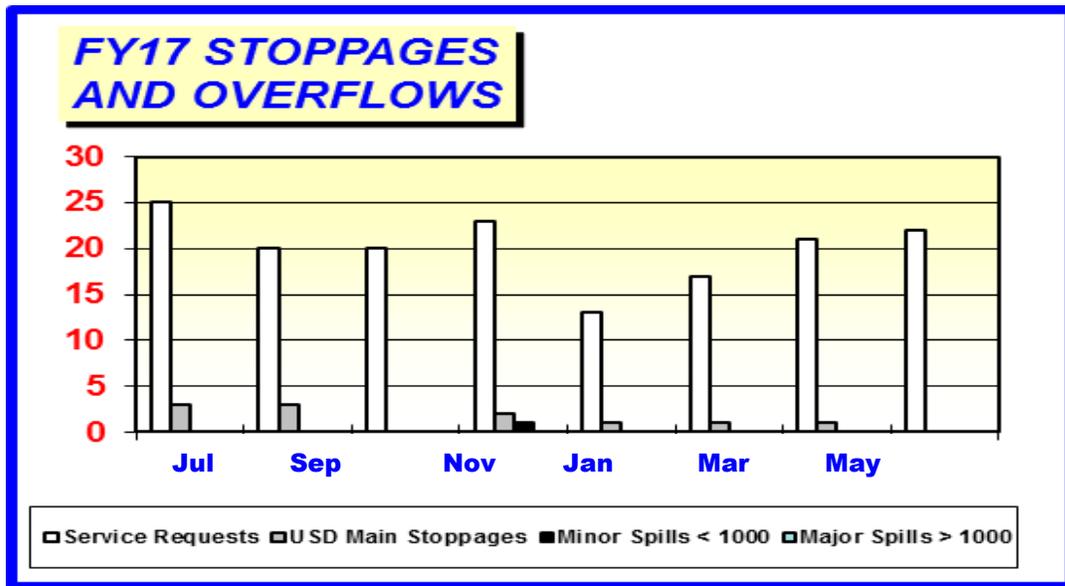


**Other Collection Services Status Data:**

**Support Team Work Order Status:**



**C/S Maintenance Status:**



**Fabrication, Maintenance and Construction  
Activities Report  
June 2017**

**Progress/Accomplishments**

- Completed 93% of preventive maintenance activities for the month of June
- Completed 135 corrective maintenance work orders for the month of June
- Configure Co-Gen No. 1 to run on P3 plugs
- Replace rear main seal on Co-Gen No. 1
- Install new acutators for Primary No. 1-6 Clairifiers
- Modify Secondary Clairifiers No. 5 and No. 6 for SRT control
- Thickener No. 4 annual service

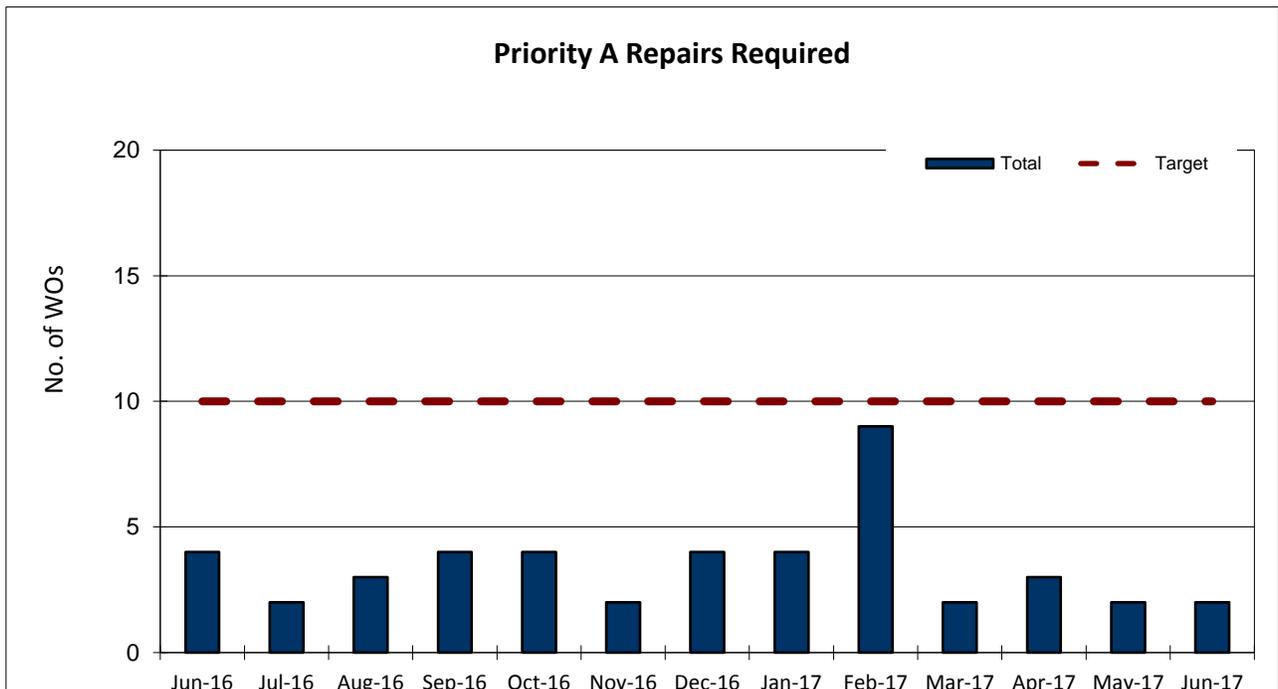
**Future Planning**

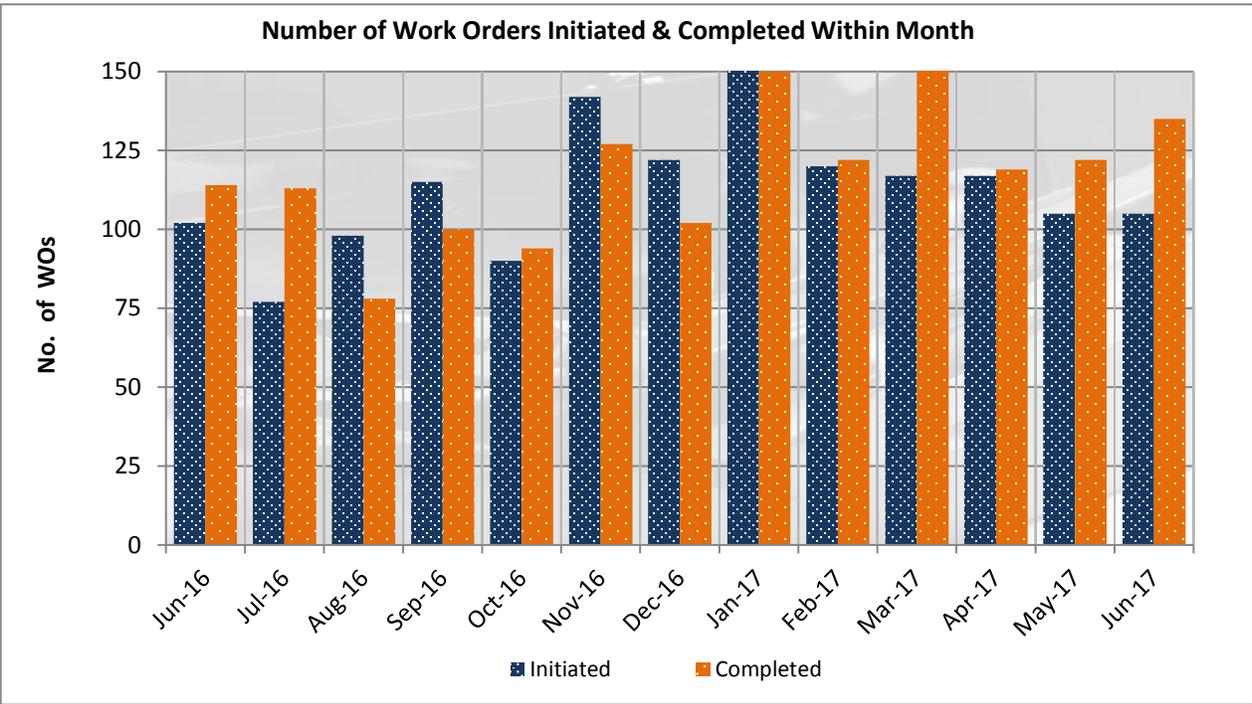
- Take east FM out of servcie an dewater from NPS to plant
- Cleaning of CB1
- Co-Gen No. 1 2k service
- Rebuild Mixing Pump No. 3 spare assembly
- Replaced pinch valve bladder in Secondary Clairifier 3

**Other**

- 
- 

**Performance Measurements**





**Treatment & Disposal  
Activities Report  
June 2017**

**Progress/Accomplishments**

- Maintained 100% compliance with NPDES permits.
- Completed 100% preventive maintenance activities for the month of June.
- Managed Contractor cleaning of Primary Digester No. 3.
- Attended BACWA annual meeting with the air board.
- Compiled a list of historic hourly flows and frequencies of flow peaks to help inform wet weather decision making.
- Attended the BACWA Watershed Nutrient Optimization project workshop. This project is required under the nutrient watershed permit.
- Continued to evaluate membrane cleaning demonstration project results.
- Conduct new employee orientation and initial training for Chemist II, Grace Calanog.

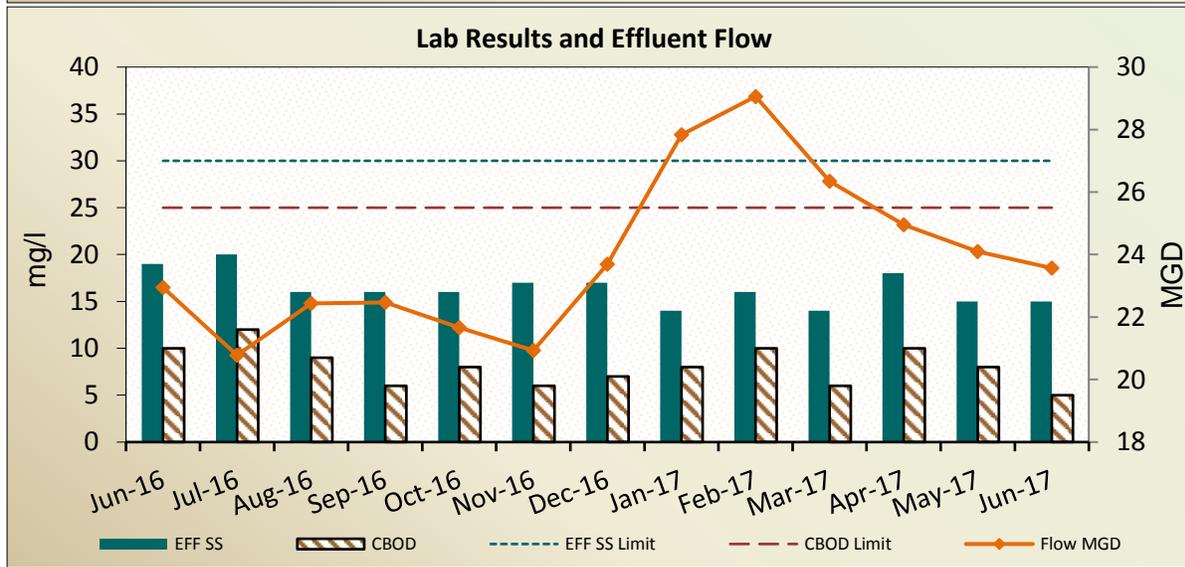
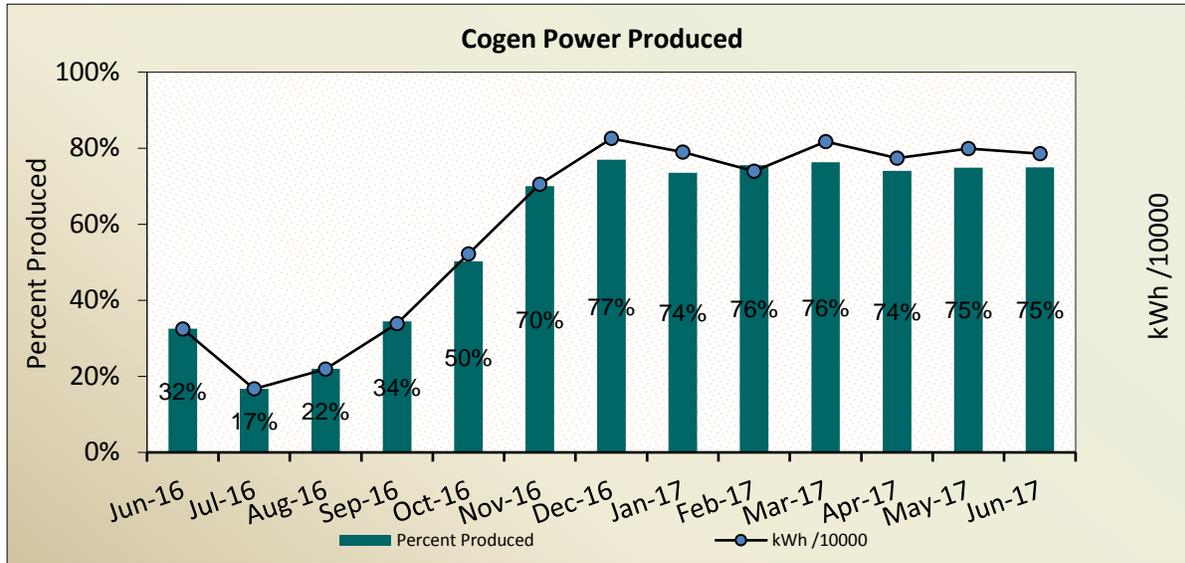
**Future Planning**

- Manage Contractor cleaning of Secondary Digester No. 2.
- Conduct multiple full Treatment Plant Flow Shutdowns to facilitate Control Box No. 1 Cleaning and the replacement of the Alvarado Force Main Isolation gate valves by CIP Contractors.
- Finalize the scope and logistics for the volute thickener pilot testing.
- Prepare recruitment materials to conduct a QAI for Laboratory Director and Interim Laboratory Director.
- Support SSCAR Phase II project.
- Evaluate plant gas tariff and determine whether to change our method of purchasing natural gas.

**Other**

- Cogen system produced 75% of power consumed for the month of June.

## Performance Measurements



USD's Final Effluent Monthly Monitoring Results				
Parameter	EBDA Limit	Apr-17	May-17	Jun-17
Copper, µg/l	78	10.0	5.8	6.0
Mercury, µg/l	0.066	0.00405	0.00481	0.00278
Cyanide, µg/l	42	< 3.9	< 3.9	< 3.9
Ammonia- N, mg/L (Range)	130	36.6 - 44.2	34.8 - 41.3	40.9 - 43.0
Fecal Coliform, MPN/100ml (Range)				
• 5-Sample Geometric Mean	500	22 - 35	22 - 46	11 - 43
• 11-Sample 90th Percentile	1100	45 - 121	43 - 55	55 - 98
Enterococci				
• 5-Sample Geometric Mean	242	17 - 29	17 - 28	10 - 11

E = Estimated value, concentration outside calibration range. For SIP, E = DNQ, estimated concentration.



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** July 17, 2017

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Sami E. Ghossain, Manager of Technical Services  
Raymond Chau, CIP Coach  
Andrew Baile, Assistant Engineer

**SUBJECT:** Agenda Item No. 9 – Meeting of July 24, 2017  
**Award the Construction Contract for the Cast Iron/Piping Lining Project –  
Phase VI to Southwest Pipeline & Trenchless Corporation**

### **Recommendation**

Staff recommends the Board waive the bid irregularity, award the construction contract for the Cast Iron/Piping Lining Project – Phase VI (Project) to Southwest Pipeline & Trenchless Corporation (Southwest) in the amount of \$242,109, and authorize staff to issue the Notice of Award for the Project. Funds for the Project have been budgeted in the Renewal and Replacement Fund.

### **Background**

USD's routine television inspection of the collection system identifies pipelines with maintenance problems and structural defects. Many sewers have been identified as having structural defects and are in need of rehabilitation. These sewers are scattered throughout the District and are in varying conditions. Upon an evaluation of remedial alternatives, it was determined that rehabilitation of some of these sewers by the cured-in-place (CIPP) trenchless method was the most feasible option.

This project is the sixth phase of this effort. The first five phases of the Cast Iron/Piping Lining Project focused on the rehabilitation of cast iron pipe sections throughout the District. The pipe sections were corroded over time due to the presence of hydrogen sulfide gas inside the sewers.

The previous phases are summarized as follows:

<b>Project</b>	<b>Number of Repairs</b>	<b>Cost</b>
Phase I	23	\$237,500
Phase II	27	\$252,050
Phase III	22	\$145,500
Phase IV	23	\$436,448
Phase V	24	\$385,424

For this phase of the Project, ten full-length, small-diameter sewer mains of vitrified clay pipe (VCP) were televised, and the video footage revealed that these mains have root infiltration throughout most of their lengths. Refer to Figure 1 for the site locations. These moderate to severe root intrusions, generally due to pipe offset joints and cracks along the mains, have the potential to cause blockages in the lines and cause sanitary sewer overflows.

Upon an evaluation of the remedial alternatives, it was determined that the removal of the roots by District forces and rehabilitation of the VCP sewer mains by a contractor using the CIPP method, was the most feasible option. This project will install CIPP full-length liners over the “cleaned” sewer mains to prevent blockages from occurring, and eliminate capacity and maintenance problems.

**Bid Results**

The Project was advertised for bids on June 8, 2017. Three bids were received and opened on June 29, 2017, with the results shown as follows:

<b>Contractor</b>	<b>Total Contract Price</b>
Southwest Pipeline & Trenchless Corp.	\$242,109
Insituform, Inc.	\$259,565
Michels Corp.	\$362,000

The Engineer's Estimate for the Project is \$500,000. The award of the Project is based on the Total Contract Price, which includes the total base bid and not including any Bid Alternates. Southwest's apparent low bid is 51% lower than the Engineer's Estimate. The Engineer's Estimate was based on the unit cost of the small-diameter sectional and full-length CIPP installation from recent District projects. Table 1 includes the bid tabulation sheet and shows detailed results for the three bidders.

There was one anomaly in the bid opening process. Southwest's bid package was sent via UPS and was timely delivered directly to the Procurement Officer. As the Procurement Officer was not in the office at the time, Southwest's bid was not discovered in time and was not opened during the public bid opening, but was opened 20 minutes after the public bid opening process was concluded. Staff determined that this did not affect the integrity of the District's procurement process. All bidders were promptly notified of this issue.

Staff reviewed Southwest's bid documents and found one irregularity, which was with their Experience Modifications Rate (EMR) for the last three years did not match those provided by their worker's compensation insurance company after staff requested the information. The updated three-year average EMR provided by the insurance company is below the maximum threshold required in the bid documents.

Staff reviewed the bid irregularity and considered it to be minor. Since the bid did not affect the responsiveness of Southwest's bid, staff recommends the Board waive the irregularity. No bid protests were received by the District.

Southwest has confirmed that they will construct the project as bid. Southwest is a General Engineering Class A licensed contractor who has successfully constructed numerous pipe rehabilitation projects. Recent projects included three Pipeline Rehabilitation Packages P-1, O-1 and Y-1 for the City of San Diego, Sewer Main Lining Rehabilitation Project Phase IV for City of Culver City, and Sewer Master Plan Improvements for the City of Azusa. They have completed multiple projects for the District over the past several years, installing CIPP liners for Cast Iron/Piping Lining Project – Phases I, III and V. Staff has been satisfied with Southwest's work performance.

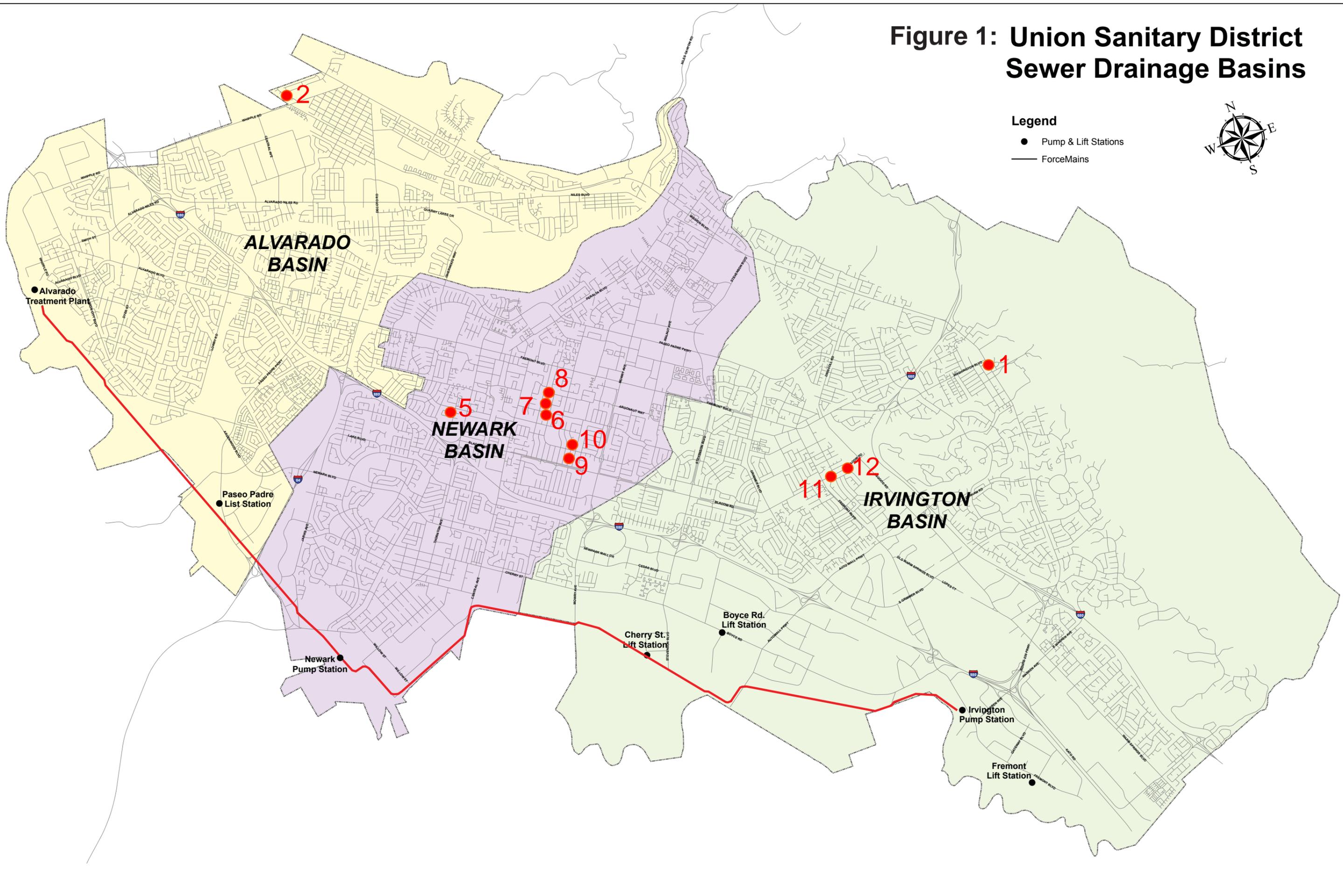
Southwest has 100 calendar days to complete the Project from Notice to Proceed. Project construction is scheduled to start in August and completion is expected by the end of October. Staff will provide construction management and inspection services.

Staff recommends the Board waive the bid irregularity, award the construction contract for the Cast Iron/Piping Lining Project – Phase VI to Southwest Pipeline and Trenchless Corporation in the amount of \$242,109, and authorize staff to issue the Notice of Award for the Project.

PRE/SEG/RC/AB:ks

Attachments: Figure 1 – Sites Map  
Table 1 – Bid Tabulation Sheet  
Contractor's Agreement

# Figure 1: Union Sanitary District Sewer Drainage Basins



**Legend**  
 ● Pump & Lift Stations  
 — ForceMains



TABLE 1: BID TABULATION

Cast Iron/Piping Lining Project - Phase VI

Bid Opening: 2:00 pm, June 29, 2017

Engineer's Estimate: \$500,000

Bid Item No.	Bid Item	Unit	Estimated Quantity	SOUTHWEST PIPELINE & TRENCHLESS CORP.	INSITUFORM, INC.	MICHELS CORP.
1	Site No. 1 - Mission Blvd (Fremont)	LS	1	\$ 21,501	\$ 24,165	\$ 32,463
2	Site No. 2 - Ithaca St (Union City)	LS	1	\$ 12,501	\$ 6,750	\$ 24,067
5	Site No. 5 - Bonito Dr (Fremont)	LS	1	\$ 20,351	\$ 24,650	\$ 29,912
6	Site No. 6 - Grove Dr (Fremont)	LS	1	\$ 32,250	\$ 30,580	\$ 41,076
7	Site No. 7 - Grover Dr (Fremont)	LS	1	\$ 21,501	\$ 22,200	\$ 26,073
8	Site No. 8 - Logan Dr (Fremont)	LS	1	\$ 19,501	\$ 16,170	\$ 26,958
9	Site No. 9 - Northdale Dr (Fremont)	LS	1	\$ 25,501	\$ 26,200	\$ 29,779
10	Site No. 10 - Northdale Dr (Fremont)	LS	1	\$ 20,501	\$ 19,180	\$ 25,995
11	Site No. 11 - Blacow Rd (Fremont)	LS	1	\$ 33,251	\$ 51,550	\$ 61,313
12	Site No. 12 - Blacow Rd (Fremont)	LS	1	\$ 25,251	\$ 27,550	\$ 38,056
13	Mobilization & Demobilization	LS	1	\$ 10,000	\$ 8,000	\$ 14,684
<b>Total Base Bid</b>				<b>\$ 242,109</b>	<b>\$ 256,995</b>	<b>\$ 350,376</b>
Percent (Under)/Over Engineer's Estimate				-52%	-49%	-30%
A	Bid Alternate A - 2nd Street (Union City)	Deleted				
B	Bid Alternate B - Belami Loop (Union City)	LS	1	\$ 37,501	\$ 16,360	\$ 24,319

**AGREEMENT FOR THE CONSTRUCTION OF**

**Cast Iron/Piping Lining Project – Phase VI**

**Project No. 800-450**

THIS AGREEMENT, made and concluded, in duplicate, this \_\_\_\_\_ day of July 2017, between the UNION SANITARY DISTRICT (“District”), Union City, California, and SOUTHWEST PIPELINE & TRENCHLESS CORP. (“Contractor”), License No. 773862.

WITNESSETH:

1. That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the District, and under the conditions expressed in the two bonds, bearing even date with these presents, and hereunto annexed, the Contractor agrees with the District, at his/her own proper cost and expense, to do all the work and furnish all the materials necessary to construct and complete in good workmanlike and substantial manner the project entitled: **Cast Iron/Piping Lining Project – Phase VI (Project No. 800-450)** in strict conformity with the plans and specifications prepared therefor, which said plans and specifications are hereby specially referred to and by said reference made a part hereof.

2. Now, therefore, in consideration of the mutual covenants and agreements of the parties herein contained and to be performed, the Contractor hereby agrees to complete the work in accordance with the terms and conditions stipulated in the Contract Documents for the sum of Two Hundred Forty Two Thousand One Hundred Nine dollars and zero cents (\$242,109.00) (the “Contract Price”) computed in accordance with Contractor’s accepted proposal dated June 28, 2017, which accepted proposal is incorporated herein by reference thereto as if herein fully set forth. This sum includes the following bid alternates that have been accepted by the District and are hereby incorporated in the Agreement: None. Compensation shall be based upon the lump sum bid items plus the unit prices stated in the Bid Schedule times the actual quantities or units of work and materials performed or furnished. The further terms, conditions, and covenants of this Agreement are set forth in the Contract Documents, each of which is by this reference made a part hereof. Payments are to be made to the Contractor in accordance with the provisions of the Contract Documents and the Technical Specifications in legally executed and regularly issued warrants of the District, drawn on the appropriate fund or funds as required by law and order of the District thereof.

3. The District hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the Contract Price, and hereby contracts to pay the same at the time, in the manner and upon the conditions set forth in the Contract Documents; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

4. The Contractor and any subcontractor performing or contracting any work shall comply with all applicable provisions of the California Labor Code for all workers, laborers and

Union Sanitary District  
Cast Iron/Piping Lining Project – Phase VI  
Project No. 800-450

Agreement - 1

mechanics of all crafts, classifications or types, including, but necessarily limited to the following:

(a) The Contractor shall comply with all applicable provisions of Section 1810 to 1815, inclusive, of the California Labor Code relating to working hours. The Contractor shall, as a penalty to the District, forfeit the sum of twenty-five dollars (\$25) for each worker employed in the execution of the Contract by the Contractor or by any subcontractor for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week, unless such worker receives compensation for all hours worked in excess of eight (8) hours at not less than 1-1/2 times the basic rate of pay.

(b) Pursuant to the provision of California Labor Code, Sections 1770 et. seq., the Contractor and any subcontractor under him shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations. Pursuant to the provisions of California Labor Code Section 1773.2, the Contractor is hereby advised that copies of the prevailing rate of per diem wages and a general prevailing rate for holidays, Saturdays and Sundays and overtime work in the locality in which the work is to be performed for each craft, classification, or type of worker required to execute the Contract, are on file in the office of the District, which copies shall be made available to any interested party on request. The Contractor shall post a copy of said prevailing rate of per diem wages at each job site.

(c) As required by Section 1773.1 of the California Labor Code, the Contractor shall pay travel and subsistence payments to each worker needed to execute the work, as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with this Section.

(d) To establish such travel and subsistence payments, the representative of any craft, classification, or type of workman needed to execute the contracts shall file with the Department of Industrial Relations fully executed copies of collective bargaining agreements for the particular craft, classification or type of work involved. Such agreements shall be filed within 10 days after their execution and thereafter shall establish such travel and subsistence payments whenever filed 30 days prior to the call for bids.

(e) The Contractor shall comply with the provisions of Section 1775 of the California Labor Code and shall, as a penalty to the District, forfeit not more than two hundred dollars (\$200) for each calendar day, or portion thereof, for each worker paid less than the prevailing rate of per diem wages for each craft, classification, or type of worker needed to execute the contract. The Contractor shall pay each worker an amount equal to the difference between the prevailing wage rates and the amount paid worker for each calendar day or portion thereof for which a worker was paid less than the prevailing wage rate.

(f) As required under the provisions of Section 1776 of the California Labor Code, Contractor and each subcontractor shall keep an accurate payroll record, showing the name, address, social security number, work classification, and straight

Union Sanitary District  
Cast Iron/Piping Lining Project – Phase VI  
Project No. 800-450

Agreement - 2

time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work. Said payroll shall be certified and shall be available for inspection at all reasonable hours at the principal office of the Contractor on the following basis:

(1) A certified copy of an employee's payroll record shall be made available for inspection or furnished to the employee or his or her authorized representative on request.

(2) A certified copy of all payroll records enumerated in Paragraph 4(f), herein, shall be made available for inspection or furnished upon request to the District, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations.

(3) A certified copy of all payroll records enumerated in Paragraph 4(f), herein, shall be made available upon request by the public for inspection or for copies thereof; provided, however, that a request by the public shall be made through the District, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to subparagraph 4(e) herein, the requesting party shall, prior to being provided the records, reimburse the costs of preparation by the Contractor, subcontractors, and the entity through which the request was made. The public shall not be given access to the records at the principal offices of the Contractor.

The certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the division.

Certified payroll records shall be submitted electronically as required under California Labor Code Section 1776 to the Labor Commissioner pursuant to California Code of Regulations Chapter 8, Section 16404.

Each Contractor shall file a certified copy of the records, enumerated in Paragraph 4(f) with the entity that requested the records within 10 days after receipt of a written request. Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by the District, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number. The name and address of the Contractor awarded the contract or performing the contract shall not be marked or obliterated. The Contractor shall inform the District of the location of the records enumerated under Paragraph 4(f) including the street address, city and county, and shall, within 5 working days, provide a notice of change of location and address. The Contractor shall have 10 days in which to comply subsequent to receipt of written notice specifying in what respects the Contractor must comply with this

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Paragraph 4(f). In the event that the Contractor fails to comply within the 10-day period, he or she shall, as a penalty to the state or the District, forfeit one hundred dollars (\$100) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due. Responsibility for compliance with Paragraph 4(f) lies with the Contractor.

(g) The Contractor and any subcontractors shall, when they employ any person in any apprenticeable craft or trade, apply to the joint apprenticeship committee administering the apprenticeship standards of the craft or trade in the area of the construction site for a certificate approving the Contractor or subcontractor under the apprenticeship standards for the employment and training of apprentices in the area or industry affected; and shall comply with all other requirements of Section 1777.5 of the California Labor Code. The responsibility of compliance with California Labor Code Section 1777.5 during the performance of this contract rests with the Contractor. Pursuant to California Labor Code Section 1777.7, in the event the Contractor willfully fails to comply with the provisions of California Labor Code Section 1777.5, the Contractor shall be denied the right to bid on any public works contract for up to three (3) years from the date noncompliance is determined and be assessed civil penalties.

(h) In accordance with the provisions of Article 5, Chapter 1, Part 7, Division 2 (commencing with Section 1860), and Chapter 4, Part 1, Division 4 (commencing with Section 3700) of the California Labor Code, the Contractor is required to secure the payment of compensation to its employees and for that purpose obtain and keep in effect adequate Workers' Compensation Insurance. If the Contractor, in the sole discretion of the District satisfies the District of the responsibility and capacity under the applicable Workers' Compensation Laws, if any, to act as self-insurer, the Contractor may so act, and in such case, the insurance required by this paragraph need not be provided.

The Contractor is advised of the provisions of Section 3700 of the California Labor Code, which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code and shall comply with such provisions and have Employer's Liability limits of \$1,000,000 per accident before commencing the performance of the work of this Contract.

The Notice to Proceed with the Work under this Contract will not be issued, and the Contractor shall not commence work, until the Contractor submits written evidence that it has obtained full Workers' Compensation Insurance coverage for all persons whom it employs or may employ in carrying out the work under this Contract. This insurance shall be in accordance with the requirements of the most current and applicable state Workers' Compensation Insurance Laws. In accordance with the provisions of Section 1861 of the California Labor Code, the Contractor in signing this agreement certifies to the District as true the following statement: "I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the

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provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this contract."

A subcontractor is not allowed to commence work on the project until verification of Workers' Compensation Insurance coverage has been obtained and verified by the Contractor and submitted to the Construction Manager for the District's review and records.

(i) In accordance with the provisions of Section 1727 of the California Labor Code, the District, before making payment to the Contractor of money due under a contract for public works, shall withhold and retain therefrom all wages and penalties which have been forfeited pursuant to any stipulation in the contract, and the terms of Chapter 1, Part 7, Division 2 of the California Labor Code (commencing with Section 1720). But no sum shall be withheld, retained or forfeited, except from the final payment, without a full investigation by either the Division of Labor Standards Enforcement or by the District.

5. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this Agreement the instrument and the bid proposal of said Contractor, then this Agreement instrument shall control, and nothing herein contained shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

6. The Contractor agrees to provide and maintain insurance coverage, and to indemnify and save harmless the parties named and in the manner set forth in Section 00800-2.0, **LIABILITY AND INSURANCE**, of the Supplementary General Conditions of the Specifications.

The duty of Contractor to indemnify and save harmless, as set forth herein, shall include a duty to defend as set forth in Section 2778 of the California Civil Code; provided, however, that nothing herein shall be construed to require Contractor to indemnify against any responsibility or liability in contravention of Section 2782 of the California Civil Code.

7. The Contractor shall diligently prosecute the work so that it shall be substantially completed within the time specified in Section 00800-1.1, **Time Allowed for Completion**.

8. Except as otherwise may be provided herein, Contractor hereby expressly guarantees for one (1) full year from the date of the substantial completion of the work under this agreement and acceptance thereof by the District, to repair or replace any part of the work performed hereunder which constitutes a defect resulting from the use of inferior or defective materials, equipment or workmanship. If, within said period, any repairs or replacements in connection with the work are, in the opinion of the District, rendered necessary as the result of the use of inferior or defective materials, equipment or workmanship, Contractor agrees, upon receipt of notice from District, and without expense to District, to promptly repair or replace such material or workmanship and/or correct any and all defects therein. If Contractor, after such notice, fails to proceed promptly to comply with the terms of this guarantee, District may perform the work necessary to effectuate such correction and recover the cost thereof from the Contractor and/or its sureties.

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In special circumstances where a particular item of work or equipment is placed in continuous service before substantial completion of the Work, the correction period for that item may start to run from an earlier date. This date shall be agreed upon in writing by the Contractor and District on or before the item is placed in continuous service.

Any and all other special guarantees which may be applicable to definite parts of the work under this agreement shall be considered as an additional guarantee and shall not reduce or limit the guarantee as provided by Contractor pursuant to this paragraph during the first year of the life of such guarantee.

9. The Contractor shall provide, on the execution of this Agreement, a good and sufficient corporate surety bond in the penal sum of one hundred percent (100%) of the Contract Price, which bond shall be on the form provided by the District in Section 00610, **FORM OF PERFORMANCE BOND**, and be conditioned upon the faithful performance of all work required to be performed by the Contractor under this Agreement. Said bond shall be liable for any and all penalties and obligations which may be incurred by Contractor under this Agreement. The corporate surety bond shall be issued by a corporate surety that possesses a minimum rating from A. M. Best Company of A:VII and that is approved by the District. The corporate surety shall be authorized to conduct business in California. At its discretion, the District may request that a certified copy of the certificate of authority of the insurer issued by the Insurance Commissioner of the State of California be submitted by the surety to the District. At its discretion, the District may also require the insurer to provide copies of its most recent annual statement and quarterly statement filed with the Department of Insurance pursuant to Article 10 (commencing with Section 900) of Chapter 1 of Part 2 of Division 1 of the Insurance Code.

10. In addition to the bond required under Paragraph 9, hereof, Contractor shall furnish a good and sufficient corporate surety bond in the penal sum of one hundred percent (100%) of the Contract Price, which bond shall be on the form provided by the District in Section 00620, **PAYMENT BOND**, and conform strictly with the provisions of Sections 9550 et seq. of the Civil Code, and all amendments thereto. The corporate surety bond shall be issued by a corporate surety that possesses a minimum rating from A. M. Best Company of A:VII and that is approved by the District. The corporate surety shall be authorized to conduct business in California. At its discretion, the District may request that a certified copy of the certificate of authority of the insurer issued by the Insurance Commissioner of the State of California be submitted by the surety to the District. At its discretion, the District may also require the insurer to provide copies of its most recent annual statement and quarterly statement filed with the Department of Insurance pursuant to Article 10 (commencing with Section 900) of Chapter 1 of Part 2 of Division 1 of the Insurance Code.

11. The Contractor may substitute securities for the amounts retained by the District to ensure performance of the work in accordance with the provisions of Section 22300 of the Public Contract Code.

12. The Contractor shall be provided the time period specified in Section 01340-2.0, **MATERIAL AND EQUIPMENT SUBSTITUTIONS**, for submission of data substantiating a request for a substitution of an "or equal" item.

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13. As required by Section 6705 of the California Labor Code and in addition thereto, whenever work under the Contract involves the excavation of any trench or trenches five feet or more in depth, the Contractor shall submit in advance of excavations, a detailed plan showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection from the hazard of caving ground during the excavation of such trench or trenches. If such plan varies from the shoring system standards established by the Construction Safety Orders of the Division of Industrial Safety in Title 8, Subchapter 4, Article 6, California Code of Regulations, the plan shall be prepared by a registered civil or structural engineer employed by the Contractor, and all costs therefore shall be included in the price named in the Contract for completion of the work as set forth in the Contract Documents. Nothing in this Section shall be deemed to allow the use of a shoring, sloping, or other protective system less effective than that required by the Construction Safety Orders. Nothing in this Section shall be construed to impose tort liability on the District, the Design Consultant, Construction Manager or any of their agents, consultants, or employees. The District's review of the Contractor's excavation plan is only for general conformance to the California Construction Safety Orders.

Prior to commencing any excavation, the Contractor shall designate in writing to the Construction Manager the "competent person(s)" with the authority and responsibilities designated in the Construction Safety Orders.

14. In accordance with Section 7104 of the Public Contract Code, whenever any work involves digging trenches or other excavations that extend deeper than four feet below the surface, the provisions of Section 00700-7.2, **Differing Site Conditions**, shall apply.

15. In accordance with Section 7103.5 of the Public Contract Code, the Contractor and subcontractors shall conform to the following requirements. In entering into a public works contract or a subcontract to supply goods, services, or materials pursuant to a public works contract, the Contractor or subcontractor offers and agrees to assign to the District all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act [Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code], arising from purchases of goods, materials or services pursuant to this Contract or the subcontract. Such assignment shall be made and become effective at the time the District tenders final payment to the Contractor, without further acknowledgment by the parties.

16. In accordance with Section 4552 of the Government Code, the Contractor shall conform to the following requirements. In submitting a bid to the District, the Contractor offers and agrees that if the bid is accepted, it will assign to the District all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act [Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code], arising from purchase of goods, materials, or services by the Contractor for sale to the District pursuant to the bid. Such assignment shall be made and become effective at the time the District tenders final payment to the Contractor.

17. Pursuant to Public Contract Code Section 7100, the acceptance by the Contractor of an undisputed payment made under the terms of the Contract shall operate as, and shall be,

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a release to the District, and their duly authorized agents, from all claim of and/or liability to the Contractor arising by virtue of the contract related to those amounts. Disputed contract claims in stated amounts may be specifically excluded by the Contractor from the operation of the release.

18. In accordance with California Business and Professions Code Section 7030, the Contractor is required by law to be licensed and regulated by the Contractors' State License Board which has jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed within 10 years of the date of the alleged violation. Any questions concerning the Contractor may be referred to the Registrar, Contractors' State License Board, P.O. Box 26000, Sacramento, California 95826.

19. INDEMNIFICATION. To the fullest extent permitted by law, Contractor shall indemnify and hold harmless the District from any claims, choses in action or lawsuits, whereby any subcontractor, material or equipment supplier, laborer or any person who supplies work or materials to said work of improvement may claim damages, losses and expenses thereto arising out of or resulting from any claim for performance of work, including the legal defense of any stop notice action as well as attorney fees and costs. District may be required to engage separate legal counsel from that of the Contractor should District and Contractor be both named as defendants, cross-defendants or other parties to any such stop notice action in District's sole discretion. Contractor shall be fully liable for any judgment or damages resulting from any claim for stop notice relief or other liability regarding payment for materials, supplies, labor or equipment under this contract. In claims against any person or entity indemnified under this paragraph by an employee of Contractor, a subcontractor, anyone directly or indirectly employed by them for whose acts they may be liable, the indemnification obligation under this paragraph shall not be limited in amount or type of damages, compensation or benefits payable by or for the Contractor or a subcontractor. In all cases, indemnification shall include attorney fees and court costs.

Unless arising solely out of the active negligence, gross negligence or willful misconduct of the District or the Design Consultant, the Contractor shall indemnify, defend and hold harmless: (1) the District and its Board of Directors, officers, employees, agents and representative; (ii) the Design Consultant and its consultants for the Work and their respective agents and employees; and (iii) if one is designated by the District for the work, the Construction Manager and its agents and employees (collectively "the Indemnified Parties"). The Contractor's obligations hereunder include indemnity, defense and hold harmless of the Indemnified Parties from and against any and all damages, losses, claims, demands or liabilities whether for damages, losses or other relief, including, without limitation attorney's fees and costs which arise, in whole or in part, from the Work, the Contract Documents or the acts, omissions or other conduct of the Contractor or any subcontractor or any person or entity engaged by them for the Work. The Contractor's obligations under the foregoing include without limitation: (i) injuries to or death of persons; (ii) damage to property; or (iii) theft or loss of property; (iv) stop notice claims asserted by any person or entity in connection with the Work; and (v) other losses, liabilities, damages or costs resulting from, in whole or part, any acts, omissions or other conduct of Contractor, any of Contractor's Subcontractors, of any tier, or any other person or entity employed directly or indirectly by Contractor in connection with

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the Work and their respective agents, officers or employees. If any action or proceeding, whether judicial, administrative, arbitration or otherwise, shall be commenced on account of any claim, demand or liability subject to Contractor's obligations hereunder, and such action or proceeding names any of the Indemnified Parties as a party thereto, the Contractor, at its sole cost and expense, shall defend the District and the Design Consultant in such action or proceeding with counsel reasonably satisfactory to the Indemnified Parties named in such action or proceeding. In the event that there shall be any judgment, award, ruling, settlement, or other relief arising out of any such action or proceeding to which any of the Indemnified Parties are bound by, Contractor shall pay, satisfy or otherwise discharge any such judgment, award, ruling, settlement or relief. Contractor shall indemnify and hold harmless the Indemnified Parties from any and all liability or responsibility arising out of any such judgment, award, ruling, settlement or relief. The Contractor's obligations hereunder are binding upon Contractor's Performance Bond Surety and these obligations shall survive notwithstanding Contractor's completion of the Work or the termination of the Contract.

IN WITNESS WHEREOF, the parties hereto have executed this agreement this \_\_\_\_\_ day of July 2017.

SOUTHWEST PIPELINE & TRENCHLESS CORP.

By: \_\_\_\_\_  
Justin Duchaineau  
President

Address: 22118 South Vermont Avenue, Torrance, CA 90502

UNION SANITARY DISTRICT

By: \_\_\_\_\_  
Anjali Lathi  
Board Secretary

Address: 5072 Benson Road, Union City, California 94587

ATTEST:

\_\_\_\_\_  
Karen W. Murphy  
Attorney for Union Sanitary District

Union Sanitary District  
Cast Iron/Piping Lining Project – Phase VI  
Project No. 800-450

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**Directors**

Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**

Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** July 17, 2017

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Sami E. Ghossain, Manager of Technical Services  
Raymond Chau, CIP Coach  
Thomas Lam, Associate Engineer

**SUBJECT:** Agenda Item No. 10 - Meeting of July 24, 2017  
**Authorize the General Manager to Execute Task Order No. 2 with Carollo Engineers for the Newark Pump Station Wet Well Improvements Project**

**Recommendation**

Staff recommends the Board authorize the General Manager to execute Task Order No. 2 with Carollo Engineers in the amount of \$33,727 to provide engineering services during construction of the Newark Pump Station Wet Well Improvements Project (Project).

Funds for the Project have been budgeted in the Capacity Fund and the Renewal and Replacement Fund.

**Background**

The District operates and maintains the transport system that consists of three pump stations and three lift stations and approximately 12.5 miles of twin force main pipelines. The Newark Pump Station (PS) and Irvington PS convey wastewater from the Newark and Irvington drainage basins, respectively, to the Alvarado Wastewater Treatment Plant (Plant).

The Newark PS and Irvington PS can operate in two modes: non-boost and boost. When operating in non-boost mode, each pump station pumps its flows into the twin force main pipelines to the Plant. When operating in boost mode, the flow from the Irvington PS is diverted into one of the wet wells in the Newark PS through the Boost Pipeline.

Figure 1 shows a map of the District's drainage basins and transport system.

### **Boost Mode Operational Issue**

During the boost mode operation, the rate and volume of flow from the Irvington PS diverted into the wet well of the Newark PS is controlled with an electric-actuated motorized Modulating Valve on the Boost Pipeline located in the Newark Influent Valve Box. Like the rest of the facilities at the Newark PS, the Modulating Valve is powered by PG&E with automatic backup power provided by the District's on-site standby diesel generator. In the event of a PG&E power outage at Newark PS, coupled with a failure to start the on-site standby diesel generator, the Modulating Valve will cease operation and stay at the last valve open position. However, the Irvington PS will likely remain in operation on PG&E or backup power so it will continue to pump its flow into Newark PS's wet well and potentially flood Newark PS.

Figure 2 shows the Newark PS site plan and Figure 3 shows the pipe configuration inside the Newark Influent Valve Box.

In the fall of 2015, the District conducted the Newark Pump Station Boost Mode Contingency Assessment Study, which examined options to mitigate the risk of flooding the station. The assessment recommended removing the existing electric actuator on the Modulating Valve and replacing it with a hydraulic-electric actuator coupled with an uninterruptible power supply to enable the Modulating Valve to close in the event of a PG&E power outage and failure of the standby generator. The assessment also found that the flows from Irvington PS through the Boost Pipeline discharge high above the Newark PS wet well water surface elevation and splash into the wet well which releases hydrogen sulfide from the wastewater and into the pump station's interior atmosphere. The assessment recommended extending the discharge pipe down below the normal operating wet well water surface elevation to minimize hydrogen sulfide release.

District staff also identified the need to replace and relocate the existing foul air exhaust fan in the wet well room. The exhaust fan was installed in the mid-1990s and is at the end of its useful life. Because of the significant noise the exhaust fan generates in the wet well room, staff prefers to install the new exhaust fan on the roof of the pump station building.

The Project will include the following improvements to the Newark PS:

- Replace the electric actuator with a hydro-electric actuator on the Modulating Valve located on the Boost Pipeline at Newark PS.
- Extend the Boost Pipeline discharge below the water surface elevation in Wet Well 3 at the Newark PS.
- Replace the existing foul air exhaust fan in the wet well room with a new foul air exhaust fan on the Newark PS building roof.

Staff selected Carollo Engineers from the District’s consultant short list to provide design services for the Project. Carollo Engineers completed the design in May 2017. Staff advertised the Project in May 23, 2017 and opened bids on June 20, 2017. The Board awarded the construction contract in the amount of \$679,100 to D. W. Nicholson Corporation on July 10, 2017. Staff will issue the Notice to Proceed in August 2017 and anticipates construction to be completed by March 2018. Staff will provide construction management and inspection services.

**Task Order No. 2**

The scope of services and fees of Task Order No. 2 are summarized below:

<b>Task</b>	<b>Task Description</b>	<b>Amount</b>
1	Submittal Review	\$14,992
2	Requests for Information	\$4,675
3	Clarification Memos	\$4,074
4	Informal Requests for Information	\$3,818
5	Meetings	\$780
6	Site Visits	\$1,561
7	Electrical System Studies	\$2,820
8	Project Management	\$1,137
<b>Task Order Not to Exceed Amount</b>		<b>\$33,857</b>

The task order’s total not-to-exceed amount is 5% of the construction contract. For a project of this size and scope, staff expects the fee to be in the range of 4% to 5%. As a comparison, the table below summarizes the final fees and percentages of engineering services during construction of past plant projects.

<b>Project</b>	<b>Engineering Services During Construction Cost (A)</b>	<b>Construction Cost (B)</b>	<b>Percentage of A to B</b>
Emergency Outfall Improvements	\$49,805	\$1,088,889	4.6%
Thickener Nos. 3 and 4 Rehabilitation	\$71,491	\$1,453,461	4.9%
Plant Facilities Improvements Project	\$62,965	\$1,570,346	4.0%

The task order amounts for the Project's agreement with Carollo Engineers are summarized in the table below:

<b>Task Order</b>	<b>Description of Work</b>	<b>Amount</b>
1	Design & Bid Period Services	\$99,614
2	Engineering Services during Construction	\$33,857
<b>Total</b>		<b>\$133,471</b>

Staff recommends the Board authorize the General Manager to execute Task Order No. 2 with Carollo Engineers in the amount of \$33,857 to provide engineering services during construction of the Newark Pump Station Wet Well Improvements Project.

PRE/SEG/RC/TL:ks

Attachment: Figure 1 – Drainage Basins Map  
Figure 2 – Project Location  
Figure 3 – Newark Influent Valve Box  
Task Order No. 2

# Figure 1: Union Sanitary District Sewer Drainage Basins

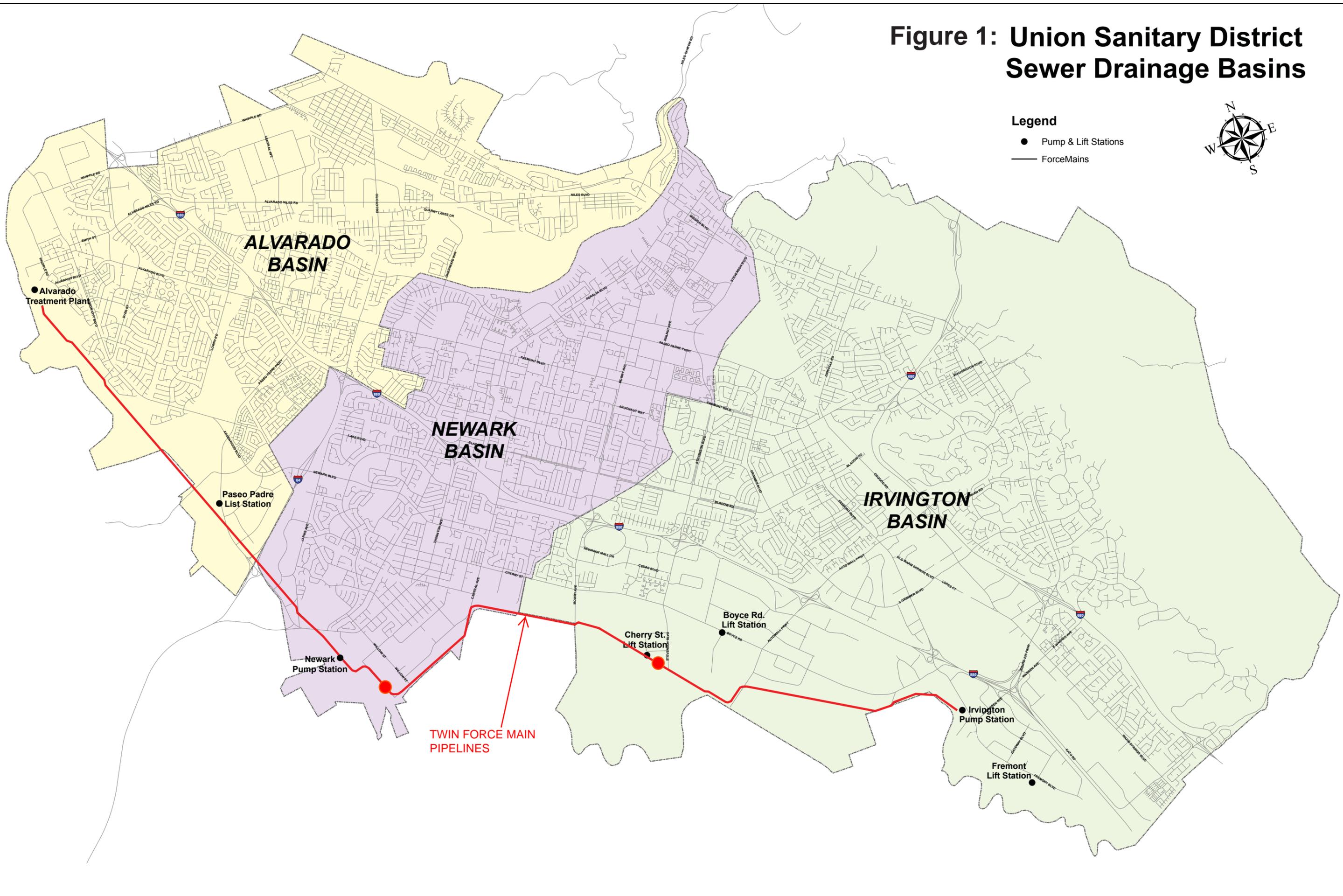


Figure 2

Project Location- Newark Pump Station



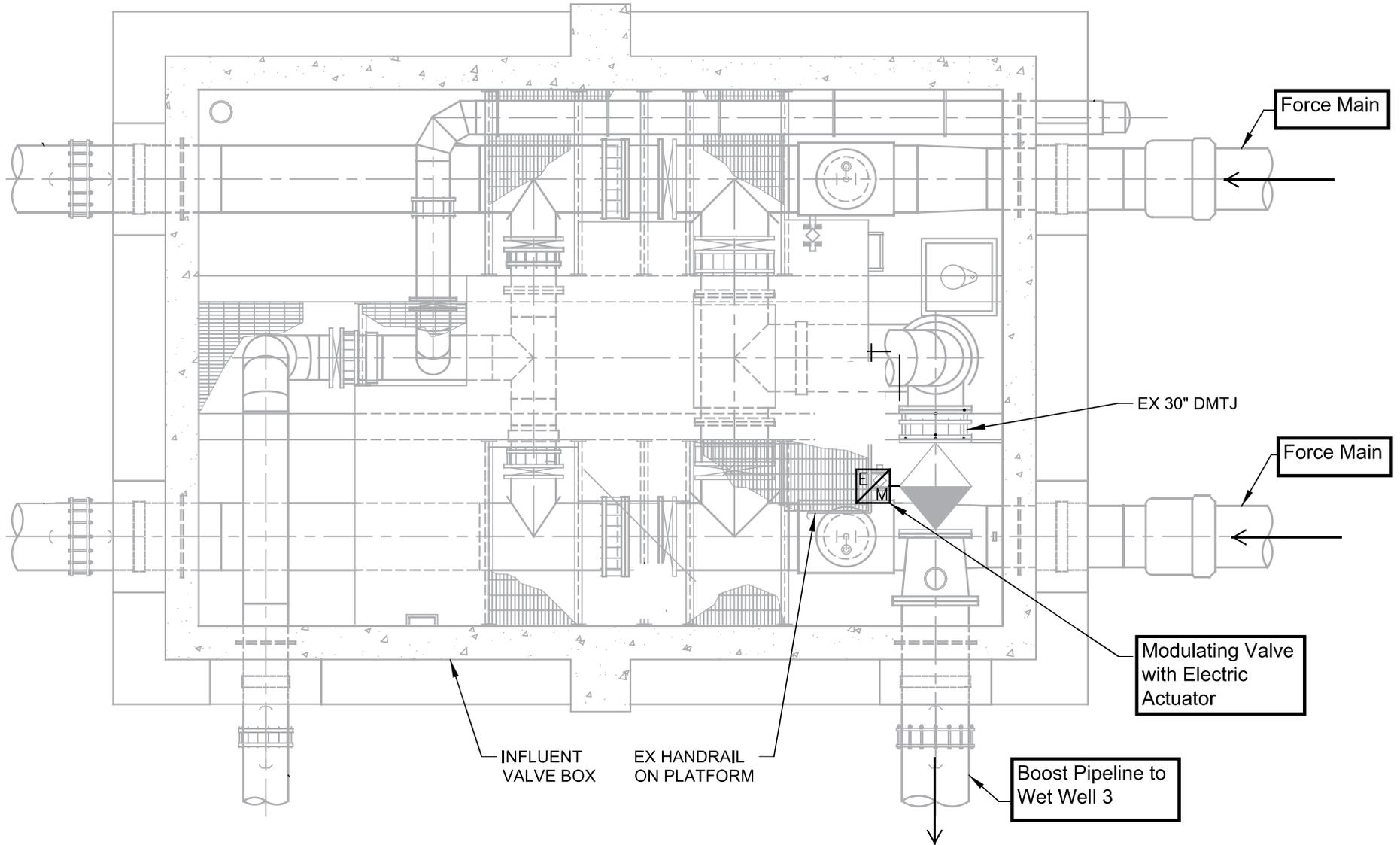


Figure 3 - Newark Influent Valve Box

**NEWARK PUMP STATION WET WELL IMPROVEMENTS PROJECT  
PROJECT NO. 800-492**

TASK ORDER NO. 2

to

AGREEMENT BETWEEN

UNION SANITARY DISTRICT

AND

CAROLLO ENGINEERS, INC.

FOR

ENGINEERING SERVICES DURING CONSTRUCTION

Dated December 2, 2016

1. **PURPOSE**

The purpose of this Task Order No. 2 is to provide engineering services during construction for the Newark Pump Station Wet Well Improvements Project, Project Number 800-492 (Project).

Engineering services to be provided during construction include engineering support, attendance at meetings, submittal reviews, responses to requests for information and design clarification, review of change order requests, and site visits. These services are to be performed by the same engineers who work on the design and possess detailed knowledge about the Project. District staff will update record drawings based on markups provided by the Contractor and reviewed by the Construction Manager.

2. **SCOPE OF SERVICES**

The task numbers in this Scope of Services are associated with the cost data presented in Exhibit A. Carollo Engineers, Inc. (Engineer) shall provide the following engineering support services during the construction of the project:

**TASK 1.0 – SUBMITTAL REVIEW**

There will be the following division of submittal review responsibility between Construction Manager and Engineer.

Administrative Submittals: The Construction Manager will review and provide response to all administrative submittals required by the Contract Document Specifications. Copies of these submittals to the Engineer are for information purpose only.

Shop Drawing Submittals: Engineer shall review and provide response to shop drawing submittals as described in the technical specifications of the Contract Documents on an as requested basis.

Quality Control Submittals: The Construction Manager will review and provide response to all quality control submittals as described in the Contract Document Specifications, except Engineer shall review and provide response to mechanical and electrical testing procedures and testing results. Copies of all other quality control submittals to the Engineer are for information purposes only. Construction Manager will also be responsible for all testing indicated in the Contract Documents to be performed by an entity other than the Contractor.

Temporary Construction Submittals: Engineer shall review and provide response to all temporary construction submittals including temporary piping, supports, electrical, and controls. District will retain a third party programmer for review of temporary control related submittals.

#### Submittals

Engineer shall respond to requests for submittal review on an as requested basis. Engineer shall provide written review comments on a review comment sheet and return the review comment sheet to the Construction Manager. Engineer shall complete review of submittal, provide comments, and return review comment sheet within twenty-one (21) calendar days for normal submittals, after Engineer's receipt of submittal. Review comments for critical path or expedited submittals shall be returned within ten (10) calendar days, after Engineer's receipt of submittal. If for any reason the review cannot be completed within this period, Engineer shall notify Construction Manager and provide reason for delay prior to the end of the specified period.

The Construction Manager will screen all submittals for form, completeness, and general content conforming to that specified in the Contract Documents before transmitting them to Engineer.

Engineer's submittal review is to determine compliance with the Contract Documents. Submittal review is not intended as acceptance of the work. The review is not intended to relieve the Contractor of his full responsibility for performance as required by the Contract Documents.

Engineer's budget allowance is based on reviewing twenty-eight (28) submittals at an average review time of two (2) hours per submittal. One (1) additional hour is included for the Engineer's Principal-in-Charge review. Engineer's Subconsultant, Beecher Engineering, has included twenty-two (22) hours of submittal review time in the budget.

### **TASK 2.0 – REQUEST FOR INFORMATION**

Engineer shall respond to formal requests for information (RFIs) on an as requested basis. Engineer shall provide a written response on a response sheet and return the response

sheet to the Construction Manager. Engineer shall complete review of RFI, provide response, and return response within seven (7) calendar days after Engineer's receipt of RFI. If for any reason the response cannot be completed within this period, Engineer shall notify Construction Manager and provide reason for delay prior to the end of the specified period.

The Construction Manager will screen all RFIs for form, completeness, and general content conforming to that specified in the Contract Documents before transmitting them to Engineer.

Engineer's budget allowance is based on reviewing five (5) RFIs at an average of three (3) hours review per RFI and one (1) additional hour for the Engineer's Principal-in-Charge review. Beecher Engineering has included eight (8) hours of RFI review time in the budget.

### **TASK 3.0 – CLARIFICATION MEMORANDA**

Engineer shall issue Clarification Memoranda where deemed necessary by the Engineer and on an as requested basis. Engineer shall provide a written clarification on a Clarification Memorandum (including specifications, sketches, or other information as necessary) and issue the Clarification Memorandum to the Construction Manager.

Clarification Memoranda will be issued to 1) clarify Contract Documents when necessary, 2) in the event that modifications to the Contract Documents are desired by the District, or 3) to assist the Construction Manager with the preparation of contract change order requests.

Engineer's budget allowance is based on preparing two (2) Clarification Memoranda at an average of six (6) hours per Clarification Memorandum and one (1) additional hour for the Engineer's Principal-in-Charge review. Beecher Engineering has included eight (8) hours of preparation time in the budget.

### **TASK 4.0 – INFORMAL REQUESTS FOR INFORMATION**

Engineer shall respond to Construction Manager's informal requests for information, including verbal, email, and telephone correspondence with Construction Manager.

Engineer's budget allowance is based on twelve (12) hours of informal correspondence. Beecher Engineering has included eight (8) hours of informal correspondence time in the budget.

### **TASK 5.0 – MEETINGS**

Engineer shall have personnel attend one regular construction meeting during the Project. The Construction Manager will facilitate all meetings and provide meeting minutes.

Budget allowance is based on Engineer's Project Manager attending one (1) construction meeting of four (4) hours. Beecher Engineer has no budget allowance to attend meetings.

### **TASK 6.0 – PERIODIC SITE VISITS**

Engineer shall periodically visit the Project site to monitor the progress and quality of the Contractor's work effort, including specialty site visits (civil, structural, mechanical, electrical, and instrumentation). Engineer shall not, during such site visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work. Nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected by Contractor, or safety precautions and programs incident to the Work. Furthermore, Engineer shall not be held responsible for any failure of Contractor to comply with laws, rules, regulations, ordinances, codes, or orders applicable to Contractor furnishing and performing work. Engineer shall provide opinions and observations to the Construction Manager and/or District regarding general compliance with the Contract Documents for improvements that are observed by the Engineer at the time of Engineer's site visits.

Engineer's budget allowance is based on two (2) site visits by the Engineer's Structural Engineer at an average of four (4) hours per site visit. Beecher Engineering has included no site visits. No witnessing of factory or field testing is included in the budget.

### **TASK 7.0 – ELECTRICAL SYSTEM COORDINATION**

This task includes twelve (12) hours for Beecher Engineering for the development of field breaker settings and arc flash labels for the modified MCC. In addition, two (2) hours are included for the Engineer to review and process items associated with the Electrical System Coordination.

### **TASK 8.0 – PROJECT MANAGEMENT**

Engineer shall manage the efforts of the project team members, coordinate with representatives of the District and Construction Manager, delegate responsibilities, and review work progress. Engineer shall prepare and submit monthly invoices and progress summary reports.

Monthly invoices will be broken down by major tasks only. Monthly progress summary reports will be made as part of the report submitted for all on-going projects with District.

Engineer's budget allowance is 4 hours. Beecher Engineer has included 2 hours for project management and invoicing.

## **3. DELIVERABLES**

All deliverables shall be provided electronically in Word document or PDF format.

Deliverables shall include:

- *Responses to submittals as required*

- *Responses to RFIs as required*
- *Clarification Memoranda as required*
- *Upload information to the District's online project management system, Projectmates*

4. PROJECT COORDINATION

All work related to this task order shall be coordinated through the District's Project Manager, Thomas Lam.

5. PAYMENT TO THE ENGINEER

Payment to the Engineer shall be as called for in Article 2 of the Agreement. The billing rate schedule is equivalent to an overall labor multiplier of 3.21, including profit. Subconsultants and outside services shall be billed at actual cost plus 5%; other direct costs will be billed at actual cost; and mileage will be billed at prevailing IRS standard rate.

Total charges to the DISTRICT not-to-exceed amount shall be \$33,857. A summary of the anticipated distribution of cost and manpower between tasks is shown in Exhibit A.

The following table summarizes the previously-executed and proposed task orders and amendments under the Agreement:

<b>Task Order / Amendment</b>	<b>Not to Exceed Amount</b>	<b>Board Authorization Required?</b>	<b>District Staff Approval</b>
Task Order No. 1 – Final Design	\$99,614	No	Paul R. Eldredge
Task Order No. 2 – Engineering Services During Construction	\$33,857	Yes	Paul R. Eldredge
<b>Total</b>	\$133,471		

6. TIME OF COMPLETION

All work defined in this Task Order shall be complete in 300 calendar days after the execution of this Task Order and subject to the conditions of Article 3 of this Agreement. A summary of the anticipated construction schedule is as follows:

- Notice of Award (NOA) issued to Contractor: July 2017
- Notice to Proceed (NTP) issued to Contractor: August 2017
- Substantial Completion: March 2018
- Final Completion: May 2018

7. KEY PERSONNEL

Engineering personnel assigned to this Task Order No. 2 are as follows:

<u>Role</u>	<u>Key Person to be Assigned</u>
Principal-In-Charge Project Manager / Engineer	Scott Parker Becky Gherini

Key personnel shall not be changed except in accordance with Article 8 of the Agreement.

IN WITNESS WHEREOF, the parties hereto have made and executed this Task Order No. 2 as of July \_\_\_\_, 2017 and therewith incorporate it as part of the Agreement.

DISTRICT

ENGINEER

UNION SANITARY DISTRICT

CAROLLO ENGINEERS, INC

By: \_\_\_\_\_  
Paul R. Eldredge, P.E.  
General Manager/District Engineer

By: \_\_\_\_\_  
Scott Parker, P.E.  
Senior Vice President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Newark Pump Station Wet Well Improvements Project**  
**Task Order No. 2**  
**Union Sanitary District and Carollo Engineers**  
**Engineering Services During Construction**  
**Exhibit A**

Task No.	Task Description	PD	PM/PE	SE	CAD	Support	Total Hours	Labor Cost	Other Direct Costs (ODC)					Total Cost	
									PECE	Beecher Eng.	Subconsultant	Mileage			ODC Cost
		\$300	\$170	\$170	\$142	\$90		\$11.70	(\$195/hr)	Mark up (5%)	Trips	Amount			
<b>1.0</b>	<b>Submittal Review</b>	1	48	8	0	0	57	\$9,820.00	\$667	\$4,290	\$215	0	\$0	\$5,172	\$14,992
	Task 1.0 Subtotal =	1	48	8	0	0	57	\$9,820	\$667	\$4,290	\$215	0	\$0	\$5,172	\$14,992
<b>2.0</b>	<b>Request For Information</b>	1	11	4	0	0	16	\$2,850.00	\$187	\$1,560	\$78	0	\$0	\$1,825	\$4,675
	Task 2.0 Subtotal =	1	11	4	0	0	16	\$2,850	\$187	\$1,560	\$78	0	\$0	\$1,825	\$4,675
<b>3.0</b>	<b>Clarification Memorandums</b>	1	8	2	2	0	13	\$2,284.00	\$152	\$1,560	\$78	0	\$0	\$1,790	\$4,074
	Task 3.0 Subtotal =	1	8	2	2	0	13	\$2,284	\$152	\$1,560	\$78	0	\$0	\$1,790	\$4,074
<b>4.0</b>	<b>Informal Requests for Information</b>	0	10	2	0	0	12	\$2,040.00	\$140	\$1,560	\$78	0	\$0	\$1,778	\$3,818
	Task 4.0 Subtotal =	0	10	2	0	0	12	\$2,040	\$140	\$1,560	\$78	0	\$0	\$1,778	\$3,818
<b>5.0</b>	<b>Meetings</b>	0	4	0	0	0	4	\$680.00	\$47	\$0	\$0	1	\$53	\$100	\$780
	Task 5.0 Subtotal =	0	4	0	0	0	4	\$680	\$47	\$0	\$0	1	\$53	\$100	\$780
<b>6.0</b>	<b>Periodic Site Visits</b>	0	0	8	0	0	8	\$1,360.00	\$94	\$0	\$0	2	\$107	\$201	\$1,561
	Task 6.0 Subtotal =	0	0	8	0	0	8	\$1,360	\$94	\$0	\$0	2	\$107	\$201	\$1,561
<b>7.0</b>	<b>Electrical System Coordination</b>	0	2	0	0	0	2	\$340.00	\$23	\$2,340	\$117	0	\$0	\$2,480	\$2,820
	Task 7.0 Subtotal =	0	2	0	0	0	2	\$340	\$23	\$2,340	\$117	0	\$0	\$2,480	\$2,820
<b>8.0</b>	<b>Project Management</b>	0	4	0	0	0	4	\$680.00	\$47	\$390	\$20	0	\$0	\$457	\$1,137
	Task 8.0 Subtotal =	0	4	0	0	0	4	\$680	\$47	\$390	\$20	0	\$0	\$457	\$1,137
<b>Totals</b>		<b>3</b>	<b>87</b>	<b>24</b>	<b>2</b>	<b>0</b>	<b>116</b>	<b>\$20,054</b>	<b>\$1,357</b>	<b>\$11,700</b>	<b>\$586</b>	<b>3</b>	<b>\$160</b>	<b>\$13,803</b>	<b>\$33,857</b>

Legend:  
PD Project Director  
PM Project Manager  
PE Project Engineer  
SE Structural Engineer  
CAD CAD Technician  
Support Support Staff  
PECE: Project Equipment and Communication Expense

Notes:  
1. Mileage based on 100 miles per trip @ \$0.535/mile  
2. Multiplier = 3.21



**Directors**

Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**

Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** July 14, 2017

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Michelle Powell, Communication and Intergovernmental Relations Coordinator

**SUBJECT:** Agenda Item No. 11 - Meeting of July 24, 2017  
**Award the Multi-Year Service Contract for Printing and Mailing of the District's Annual Newsletter**

**Recommendation**

Consider awarding the service contract for printing and mailing of USD's annual newsletter to Fong and Fong Printers and Lithographers for fiscal years 2017-18, 2018-19, and 2019-20.

**Background**

Staff recommended to the Board at its April 10, 2017 meeting that the District explore a multi-year service contract for the printing and mailing of its annual newsletter. Potential advantages to the District included firm fixed pricing on printing services over the contract's duration, and the continuity and efficiency of working with one vendor. The Board agreed with this course of action. Staff issued an Invitation for Bid (IFB) on June 8, 2017 for printing services beginning fiscal year 2017-18. Each vendor was asked to estimate postage costs; however, the low bid was based off printing services only.

Four firms responded to the IFB. Fong and Fong Printers and Lithographers is the lowest, responsive, and responsible bidder.

The bids were based upon an estimated number of parcels in the District's service area. The vendor will purchase a list of all properties within District boundaries. The total printing costs are estimated to change from one year to the next due to growth in the service area; however,

the price per piece for printing is fixed. Finalized quantities will be determined after the contract is awarded and the vendor obtains data files.

Postage will be charged at United States Postal Service market rate. Staff has estimated the anticipated postage below.

The following is a breakdown of estimated annual costs:

**Fiscal Year 2017-18**

Printing and mail preparation services:	\$17,622.44
Postage estimate:	\$40,460.00

**Fiscal Year 2018-19**

Printing and mail preparation services:	\$17,622.44
Postage estimate:	\$40,460.00

**Fiscal Year 2019-20**

Printing and mail preparation services:	\$17,622.44
Postage estimate:	\$40,460.00

<b>Subtotal:</b>	\$174,247.32
Contingency to accommodate increases in property addresses and postage rates (15%):	\$26,137.10

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<b>Total Not to Exceed:</b>	<b>\$200,384.42</b>
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Staff recommends that the Board award a three-year contract for printing and mailing of the District's Annual Newsletter in the amount of \$200,384.42.

Attachment: Fong and Fong signed bid response

**APPENDIX A1  
 IFB RESPONSE FORM  
 PAGE 1 OF 2**

**1. BID PRICE:**

<u>Item No.</u>	<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Extended Price</u>
001	133,000 ea	11" x 17" Annual Newsletter	\$ <u>0.1324</u>	\$ <u>17,605.00</u> (Non-taxable)
002	100 ea	11" x 17" Annual Newsletter delivered to PM	\$ <u>0.1324</u>	\$ <u>13.24</u> (Taxable) (9.75%)
003	124,000 ea	Postage Fees (Within Tri-Cities)	Approx. \$ <u>0.1632</u>	\$ <u>20,236.00</u>
004	9,000 ea	Postage Fees (Outside of Tri-Cities)	Approx. \$ <u>0.183</u>	\$ <u>1,647.00</u>
<b>SUBTOTAL</b>				\$ <u>39,501.24</u>
Applicable Sales Tax (9.75%)				\$ <u>1.29</u>
<b>TOTAL COST</b>				\$ <u>39,502.53</u>

**NOTE: Postage fee is used for informational purposes only, and will not be included in calculations for basis of award.**

State the minimum number of business days required to print, bind, address, prepare newsletters for mailing and drop at post office upon proof approval 15 days

**Bidder, please state your payment term, including any prompt payment discount:**

2% 10 % Net 30 days

**2. BIDDER'S REPRESENTATIONS:**

Bidder understands, agrees, and warrants:

- 2.1 That Bidder has carefully read and fully understands the information that was provided by the District to serve as the basis for submission of this bid;
- 2.2 That Bidder has the capability to successfully undertake and complete the responsibilities and obligations of the bid being submitted;
- 2.3 That the bid constitutes an offer that shall be firm and irrevocable for **{90}** days from the deadline for submission offers.
- 2.4 That acceptance by District of one or more bids/offers shall create a binding contract obligating offeror(s) whose offer is accepted to perform as well as creating liability for non-performance. Acceptance by District of one or more offers shall not constitute termination or revocation of the remainder of the offers.
- 2.5 That all information contained in the bid is true and correct to the best of Bidder's knowledge;

**Union Sanitary District  
Invitation for Bid S-17-S-243  
Printing and Mailing of Annual Newsletter**

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- 2.6 That Bidder signed a non-collusion affidavit herewith attached with the bid;
- 2.7 That Bidder did not receive unauthorized information from any District staff or consultant during the bid period except as provided for in the IFB package, addenda thereto, or the pre-bid conference;
- 2.8 That by submission of this bid, the Bidder acknowledges that the District has the right to make any inquiry it deems appropriate to substantiate or supplement information supplied by Bidder, and Bidder hereby grants the District permission to make said inquiries, and to provide any and all requested documentation in a timely manner; and
- 2.9 That Bidder offers and agrees to furnish the items specified in the IFB package in accordance with the specifications, instructions, terms, and conditions stated herein. Any additional or different terms or qualifications sent by bidder, including, without limitation, in mailings, attached to invoices or with any items shipped, shall not become part of the contract between the parties. District's acceptance of contractor's offer is expressly made conditional on this statement.
- 2.10 The Bidder is aware of the public work and prevailing wage requirements as set forth in the California Labor Code Sections 1720 et seq.

No Bid shall be accepted which has not been signed in ink in the appropriate space below.

By signing below, the submission of a bid shall be deemed a representation and certification by the Bidder that they have investigated all aspects of the IFB, that they are aware of the applicable facts pertaining to the IFB process, its procedures and requirements, and that they have read and understand the IFB. No request for modification of the bid shall be considered after its submission and close of bid due date on the grounds that the Bidder was not fully informed as to any fact or condition.

Company Name: Fong and Fong  
Address: 3009 65th Street, Sacramento, CA 95825  
Telephone Number: 916-739-1313  
Contractor's License Number (if applicable) \_\_\_\_\_  
DIR Registration Number (if applicable) \_\_\_\_\_  
Worker Classification/s \_\_\_\_\_  
Authorized Signature: Marsha Fong  
Print Name: Marsha Fong  
Title: Operations Manager  
Date: 6/21/2017



**Directors**

Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**

Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** July 18, 2017

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk  
Karen Murphy, General Counsel

**SUBJECT:** Agenda Item No. 12 - Meeting of July 24, 2017  
**Consider Modification of Board Officer Titles from President and Vice-President to Chair and Vice-Chair, Pursuant to Board Direction on December 12, 2016**

**Recommendation**

It is recommended that the Board consider amending by motion the titles of President and Vice President to Chair and Vice Chair, respectively, for the next fiscal year.

**Background**

On October 24, 2016, at the request of then Vice President Kite, the Board considered an item to amend the Board titles from President and Vice-President to Chair and Vice-Chair. The Board voted 3-2 (with Directors Handley and Toy against) to amend the titles and direct staff to prepare revisions to Board Policy 3070, Officers and Committee Membership, which would effectuate that change. The staff report and minutes are attached for the Board's reference.

On December 12, 2016, staff brought back an item to consider amendments to Policy 3070 to address the requested title change. Staff recommended revisions to the policy that would allow the Board to amend the titles by motion, rather than in perpetuity, provided that, regardless of title, the Chair act as the "president" pursuant to California Health and Safety Code section 6486. This would allow the Board to change the titles in the future, as had been done in the past, without formally amending Policy 3070. Staff also recommended that the change be made in July when a new Chair/President is elected to maintain consistency

throughout the fiscal year. The Board approved the revised policy unanimously and directed staff to bring back an item at a July meeting to formally change the Board officer titles for the following fiscal year. The staff report and minutes are attached for the Board's reference.

Staff is recommending that the Board now consider the amendment of Board officer titles from President and Vice-President to Chair and Vice-Chair, pursuant to the prior direction of the Board. As noted in Policy 3070, Board officer titles may be modified by motion.

Attachments: Staff Report and Minutes from October 24, 2016 Board meeting  
Staff Report and Minutes from December 12, 2016 Board meeting  
Board Policy 3070, Boardmember Officers and Committee Membership



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** October 18, 2016

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Karen W. Murphy, General Counsel

**SUBJECT:** Agenda Item No. 9 - Meeting of October 24, 2016  
**Consider Modifying Board Officer Titles from President and Vice-President to Chair and Vice-Chair**

### **Recommendation**

The Board shall consider modifying the titles of Board officers from President and Vice-President to Chair and Vice-Chair.

### **Background**

At the September 26, 2016, Board meeting, Vice President Kite requested the Board consider changing the titles of Board officers from President and Vice-President to Chair and Vice-Chair. In the past, it appears titles have changed between President and Vice-President and Chair and Vice-Chair at least two times based upon available information. The latest change took place in January 2008, with the titles changing back to President and Vice-President.

The majority of Sanitary Districts use the titles of President and Vice-President. Presumably, this is because California Health & Safety Code section 6486 provides that: "At its first meeting, or as soon thereafter as may be practicable, the board shall choose one of its members as *president*, and shall appoint a secretary who may be a member of the board." (emphasis added.) Health & Safety Code section 6487 further provides that all "contracts, deeds, warrants, releases, receipts and documents shall be signed in the name of the District by its president" unless the Board designates the district manager or other employee with signature authority.

The District, however, previously used the title of "Chair" or "Chairperson" as its presiding officer and could do so again provided it is clear that the Chair serves in the role of the "President" as set forth in Health & Safety Code section 6486, with the powers of the president designated in Section 6487. "Chair" would be used as the official title for the officer that effectively serves as the "President" and the "Vice-Chair" would serve in the absence of the Chair. Alternatively, the Board may choose to leave the current titles of President and Vice-President in place. No changes are proposed for the position of Board Secretary.

If the Board desires to modify the titles of the Board officers, staff would bring back revisions to Policy 3070 to effectuate the changes and clarify that the "Chair" serves as the president pursuant to the Health & Safety Code, with the "Vice-Chair" serving in the absence of the Chair.

**CONSIDER MODIFYING BOARD OFFICER TITLES FROM PRESIDENT AND VICE-PRESIDENT TO CHAIR AND VICE-CHAIR**

District Counsel Murphy stated staff prepared this item per a request received at the September 26, 2016, Board meeting. District Board titles had been Chair and Vice Chair prior to changing to President and Vice President in January 2008. District Counsel Murphy stated that while the majority of Sanitary Districts use the titles of President and Vice President, USD may choose to use Chair and Vice Chair provided it is made clear the Chair would serve the role of the "President" per Health & Safety Code section 6486 and 6487. To accomplish the title change, staff would prepare necessary revisions to Policy 3070, Board Officers and Committee Membership.

It was moved by Vice President Kite, seconded by Secretary Lathi, for staff to prepare a Board item to modify Board officer titles from President and Vice-President to Chair and Vice-Chair. Motion with the following vote:

AYES: Fernandez, Kite, Lathi  
NOES: Handley, Toy  
ABSENT: None  
ABSTAIN: None

**INFORMATION ITEMS:**

**Check Register**

All questions were answered to the Board's satisfaction.

**Recycled Water Feasibility Study Update**

Technical Services Manager Ghossain stated the main focus of the study was to evaluate potential for an indirect potable reuse (IPR) project for the District and Alameda County Water District (ACWD) to recharge the Niles Cone Groundwater Basin. USD would need a secondary treatment process enhancement in addition to a new Advanced Water Purification Facility to comply with regulations governing groundwater recharge for IPR. It was noted that any IPR project would require further study and modeling by ACWD before moving forward.

**Annual Report to Union City for Fiscal Year 2016**

Treatment and Disposal Services Manager Lopez stated the District's Use Permit with the City of Union City requires submission of an annual report to the City Manager's Office. The report documents existing wastewater treatment plant flow, provides projections for plant flow the following year, reviews compliance and effluent discharge limits, and provides a status report on progress made in the development of new treatment facilities outside of Union City limits.



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** December 12, 2016

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Karen W. Murphy, General Counsel

**SUBJECT:** Agenda Item No. 11 - Meeting of December 12, 2016  
**Consider Amendments to Policy 3070 to Allow for Modification of Board Officer Titles from President and Vice President to Chair and Vice Chair**

### **Recommendation**

It is recommended that the Board consider amendments to Policy 3070 to allow for modification of the titles of Board officers from President and Vice President to Chair and Vice Chair.

### **Background**

At the September 26, 2016, Board meeting, Vice President Kite requested that the Board consider changing the titles of Board officers from President and Vice President to Chair and Vice Chair. At its meeting of October 24, 2016, the Board voted 3-2 (Handley and Toy opposed) to amend the titles as requested by Vice President Kite.

Staff is now bringing back revisions to Policy 3070 to address this issue. Rather than modify the titles to Chair and Vice Chair in perpetuity, we have revised the policy to allow the Board, by motion, to make changes to the titles. Adoption of the policy as drafted would allow the Board to modify the officer titles without revising Policy 3070 if a future Board desired to change the titles again, as has been done in the past. The revisions also clarify that the "Chair" serves as the president pursuant to California Health & Safety Code Section 6486.

Lastly, staff is recommending that the changes to the officer titles be made in July when a new "Chair/President" is elected to minimize the time and expense of changing current forms and

informational documents that refer to the offices of "President" and "Vice President." The change could take place by motion directly before or after the election of new officers in July.

Attachments: Policy 3070, with proposed changes in red-line format

Effective: 0312/1412/16	<b>Boardmember</b>  <b>Officers and Committee Membership</b>	Policy Number 3070  Page 1 of 3
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### Policy

Selection of Board Officers will be held annually at the first regular meeting in the month of July of each year. Internal Board committee memberships shall be established no later than the second regularly scheduled meeting in July of each year, following the selection of the Board Officers. External commissions/committees representatives shall be established no later than the first regularly scheduled meeting in May of each year.

### Purpose

To provide a written record of the procedure approved by the Board for electing its Officers and establishing its committee memberships.

### Procedure

#### Board Officers

1. The Officers are President, Vice President, and Secretary and the term of office shall be for one year. The Board may, by motion, amend the titles of President and Vice President to Chair and Vice Chair, respectively, provided that the Chair, regardless of title, shall act as the "president" pursuant to California Health & Safety Code Section 6486.
2. The Chair/President shall preside over the meetings of the Board of Directors and be responsible for the following:
  - a. maintaining order and following the published agenda
  - b. ensuring Boardmembers are allowed to participate in discussions
  - c. allowing the public to speak on agenda items
  - d. facilitating dialog among the public, staff, and Boardmembers
  - e. appointment of members of the Board of Directors to Committee assignments
  - f. signing resolutions, ordinances, and construction contracts on behalf of the District
  - g. representing the Board of Directors on issues or at events as designated by the full Board

The Vice Chair/Vice President shall fulfill the duties of the Chair/President when the Chair/President is absent or otherwise unavailable.

The Secretary shall ensure the recording of the minutes of the Board of Directors meetings and sign the adopted Minutes, shall sign all Resolutions and Ordinances passed by the District, and shall serve as ~~Vice President~~ Vice Chair/Vice President when the ~~Vice President~~ Vice Chair/Vice President is absent or otherwise unavailable. If the

~~President~~Chair/President and ~~Vice President~~Vice Chair/Vice President are both absent, and a quorum is present, the Secretary shall preside over the meetings of the Board of Directors as the Board ~~President~~Chair/President.

3. At the first regularly scheduled Board meeting in July, or as soon thereafter as the item can be agendized at a regular Board meeting, the Board shall appoint its Board Officers. During election years, the newly elected Boardmembers shall be sworn in as the first item of business on the agenda followed immediately by the selection of the Board Officers. During non-election years, the selection of the Board Officers shall be considered after the last motion item on the agenda. The Board shall elect the ~~President~~Chair/President, Vice Chair/Vice-President and Secretary for one year terms. The election or removal of the ~~President~~Chair/President, Vice Chair/Vice-President or Secretary shall require a majority vote of the Board. The Board may choose to follow a rotation of officers.

The Board officers in office at the beginning of the meeting shall retain their positions until the adjournment of the meeting and the newly selected Board Officers shall assume their duties immediately following this meeting.

#### Internal Board Committee Memberships

1. Internal committees are: Budget and Finance; Construction; Legal/Community Affairs; Legislative; Personnel; and Audit Committee. There is no fixed schedule for meetings set by this policy and appointments are made by the ~~President~~Chair/President, as set forth below. Notwithstanding the above, meetings are noticed and open to the public.
2. Annually, following the election of Board officers, and at the same meeting as the election of the officers, Directors shall be provided a list of the internal committees along with an internal committee interest form. The internal committee interest form shall be completed in order of preference and provided to the General Manager, or designee, no later than 11 calendar days in advance of the next Board meeting.
3. The ~~President~~Chair/President is delegated the authority to appoint Directors to the internal committees. The ~~President~~Chair/President shall make every effort to rotate committee assignments and ensure a similar number of committee assignments for each Board member. Notice of internal committee membership appointments will be contained in an information item to the Board at the next regularly scheduled meeting following the selection of the Board Officers. The determination of the Board ~~President~~Chair/President on committee assignments shall be considered final.
4. Ad Hoc committees are called as needed by a majority vote of the Board of Directors.

#### External Commissions / Committee Representatives (CCR)

1. External commissions/committees include: the EBDA Commission; the Joint Powers Authority for Geographic Information Systems; the Alameda County Water District Finance Authority (ACWDFEA); and the Alameda County Chapter of the California Special Districts Association.
2. Membership on the EBDA Commission shall be a maximum of two consecutive years, with a possible three years in exceptional circumstances if approved by the Board.
3. The Board of Directors will elect the representatives for the External Committees no later than the first regularly scheduled Board meeting in May of each year in order to ensure that the representatives may be seated for the first meeting of the new committee or commission. At the prior meeting, Directors shall be provided a list of the external committees along with an external committee interest form. The external committee interest form shall be completed in order of preference and provided to the General Manager, or designee, no later than 11 calendar days in advance of the meeting. The committee interests shall be compiled in a staff report by the General Manager, or designee, and provided to the Board for consideration. The Board shall elect the CCRs for one year terms or as otherwise decided by the Board majority. The election or removal of CCRs shall require a majority vote of the Board.

#### **Management Responsibility**

The General Manager will be responsible for scheduling on the Board agenda, the election or appointment of Board officers and external commissions, pursuant to the schedule shown above. The General Manager, or designee, will provide the following to the new ~~President~~Chair/President, with copies to the Board: (1) a list of the last ten years and current committee memberships; (2) a copy of this policy; and (3) a list of internal committee interests. In consultation with the Board ~~President~~Chair/President, the General Manager will also be responsible for scheduling on the Board agenda the announcement of committee appointments.

Supersedes Policy Dated: July 2004, September 2005, January 2008, September 2010, October 2013

Approved by: Board of Directors ~~March 14~~December 12, 2016  
 Reviewers: General Manager, Board of Directors, District's attorney  
 Notify Person: General Manager  
 Review frequency: Every 3 years  
 Next Review: March 2019

**CONSIDER PROPOSED CHANGES TO POLICY NO. 3070, BOARD MEMBER OFFICERS AND COMMITTEE MEMBERSHIP, TO MODIFY THE TITLES OF BOARD OFFICERS FROM PRESIDENT AND VICE-PRESIDENT TO CHAIR AND VICE-CHAIR**

District Counsel Murphy stated Vice President Kite requested the Board consider changing Board officer titles from President and Vice President to Chair and Vice Chair. At the Board meeting held October 24, 2016, the Board voted to amend the titles as requested. The purpose of this item was for the Board to consider amendments to Policy 3070, Officers and Committee Membership, to allow for modification of Board officer titles.

Secretary Lathi suggested the edits to Policy 3070 be simplified to state at the beginning of the policy that the terms Chair/President and Vice Chair/Vice President would be used interchangeably throughout, and the Board agreed by consensus.

The Board directed staff to present the item at a July meeting to formally change Board officer titles for the following fiscal year.

It was moved by Vice President Kite, seconded by Director Fernandez, to Approve Changes, as amended, to Policy No. 3070, Board Member Officers and Committee Membership, Modifying the Titles of Board Officers from President and Vice-President to Chair and Vice-Chair. Motion carried unanimously.

**CONSIDER OPTIONS FOR REVIEW OF GENERAL MANAGER EXPENSE REPORTS**

This item was reviewed by the Budget & Finance Committee. District Counsel Murphy stated a question had been raised regarding the process for review and approval of General Manager expense reports. While staff were unable to locate a policy which addressed the issue, it was discovered that such reports have been reviewed by the Budget & Finance Committee in the past. Most recently, expense reports have been reviewed and approved by the Business Services Manager/CFO with an informational report to the entire Board. District Counsel Murphy outlined the options provided in the Board meeting packet. The Budget & Finance Committee recommended the Board proceed with the option which would require General Manager expense reports be reviewed and approved by the Budget & Finance Committee, with an informational report to the entire Board to be presented in conjunction with the monthly operations report. If the Board were to proceed with said option, amendments would need to be made to the committee job descriptions accordingly.

It was moved by Secretary Lathi, seconded by Vice President Kite, to direct staff to prepare the necessary edits to the Budget & Finance Committee description to state that the Budget & Finance Committee will review and approve General Manager Expense Reports and said reports are to be presented to the entire Board as an informational report in conjunction with the monthly operations report. Motion carried unanimously.

Effective: 12/12/16	<b>Boardmember</b>  <b>Officers and Committee Membership</b>	Policy Number 3070  Page 1 of 3
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**Policy**

Selection of Board Officers will be held annually at the first regular meeting in the month of July of each year. Internal Board committee memberships shall be established no later than the second regularly scheduled meeting in July of each year, following the selection of the Board Officers. External commissions/committees representatives shall be established no later than the first regularly scheduled meeting in May of each year.

**Purpose**

To provide a written record of the procedure approved by the Board for electing its Officers and establishing its committee memberships.

**Procedure**

Board Officers

1. The Officers are President, Vice President, and Secretary and the term of office shall be for one year. The Board may, by motion, amend the titles of President and Vice President to Chair and Vice Chair, respectively, provided that the Chair, regardless of title, shall act as the “president” pursuant to California Health & Safety Code Section 6486. Throughout this Policy, the titles President and Vice President shall be used interchangeably with Chair and Vice Chair.
  
2. The President shall preside over the meetings of the Board of Directors and be responsible for the following:
  - a. maintaining order and following the published agenda
  - b. ensuring Boardmembers are allowed to participate in discussions
  - c. allowing the public to speak on agenda items
  - d. facilitating dialog among the public, staff, and Boardmembers
  - e. appointment of members of the Board of Directors to Internal Committee assignments
  - f. signing resolutions, ordinances, and construction contracts on behalf of the District
  - g. representing the Board of Directors on issues or at events as designated by the full Board

The Vice President shall fulfill the duties of the President when the President is absent or otherwise unavailable.

The Secretary shall ensure the recording of the minutes of the Board of Directors meetings and sign the adopted Minutes, shall sign all Resolutions and Ordinances passed by the District, and shall serve as Vice President when the Vice President is absent or otherwise unavailable. If the President and Vice President are both absent, and a quorum is present, the Secretary shall preside over the meetings of the Board of Directors as the Board President.

3. At the first regularly scheduled Board meeting in July, or as soon thereafter as the item can be agendized at a regular Board meeting, the Board shall appoint its Board Officers. During election years, the newly elected Boardmembers shall be sworn in as the first item of business on the agenda followed immediately by the selection of the Board Officers. During non-election years, the selection of the Board Officers shall be considered after the last motion item on the agenda. The Board shall elect the President, Vice-President and Secretary for one year terms. The election or removal of the President, Vice-President, or Secretary shall require a majority vote of the Board. The Board may choose to follow a rotation of officers.

The Board officers in office at the beginning of the meeting shall retain their positions until the adjournment of the meeting and the newly selected Board Officers shall assume their duties immediately following this meeting.

#### Internal Board Committee Memberships

1. Internal committees are: Budget and Finance; Engineering and Information Technology; Legal/Community Affairs; Legislative; Personnel; and Audit Committee. There is no fixed schedule for meetings set by this policy and appointments are made by the President, as set forth below. Notwithstanding the above, meetings are noticed and open to the public.
2. Annually, following the election of Board officers, and at the same meeting as the election of the officers, Directors shall be provided a list of the internal committees along with an internal committee interest form. The internal committee interest form shall be completed in order of preference and provided to the General Manager, or designee, no later than 11 calendar days in advance of the next Board meeting.
3. The President is delegated the authority to appoint Directors to the internal committees. The President shall make every effort to rotate committee assignments and ensure a similar number of committee assignments for each Board member. Notice of internal committee membership appointments will be contained in an information item to the Board at the next regularly scheduled meeting following the selection of the Board Officers. The determination of the Board President on committee assignments shall be considered final.
4. Ad Hoc committees are called as needed by a majority vote of the Board of Directors.

External Commissions / Committee Representatives (CCR)

1. External commissions/committees include: the EBDA Commission; the Joint Powers Authority for Geographic Information Systems; the Alameda County Water District Finance Authority (ACWDFFA); and the Alameda County Chapter of the California Special Districts Association.
2. Membership on the EBDA Commission shall be a maximum of two consecutive years, with a possible three years in exceptional circumstances if approved by the Board.
3. The Board of Directors will elect the representatives for External Committees no later than the first regularly scheduled Board meeting in May of each year in order to ensure the representatives may be seated for the first meeting of the new committee or commission. At the prior meeting, Directors shall be provided a list of external committees along with an external committee interest form. The external committee interest form shall be completed in order of preference and provided to the General Manager, or designee, no later than 11 calendar days in advance of the meeting. The committee interests shall be compiled in a staff report by the General Manager, or designee, and provided to the Board for consideration. The Board shall elect the CCRs for one year terms or as otherwise decided by the Board majority. The election or removal of CCRs shall require a majority vote of the Board.

**Management Responsibility**

The General Manager will be responsible for scheduling on the Board agenda, the election or appointment of Board officers and external commissions, pursuant to the schedule shown above. The General Manager, or designee, will provide the following to the new President, with copies to the Board: (1) a list of the last ten years and current committee memberships; (2) a copy of this policy; and (3) a list of internal committee interests. In consultation with the Board President, the General Manager will also be responsible for scheduling on the Board agenda the announcement of committee appointments.

Supersedes Policy Dated: July 2004, September 2005, January 2008, September 2010, October 2013

Approved by: Board of Directors December 12, 2016  
Reviewers: General Manager, Board of Directors, District's attorney  
Notify Person: General Manager  
Review frequency: Every 3 years  
Next Review: December 2019



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** July 17, 2017

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Sami E. Ghossain, Manager of Technical Services  
Raymond Chau, CIP Coach  
Curtis Bosick, Associate Engineer

**SUBJECT:** Agenda Item No. 13 - Meeting of July 24, 2017  
Information Item: **Solar and Cogeneration Facilities Operational Update**

### **Recommendation**

Information only.

### **Alvarado Wastewater Treatment Plant Solar Carport**

The District completed construction of the solar carport facility located at the Alvarado Wastewater Treatment Plant at a cost of \$884,000 and began operation in September 2011. The system consists of 637 solar panels and is rated at 125 kilowatt (kW). The system rating is based on the California Energy Commission's calculation that takes into account the number of panels, the rating of each panel and the inverter efficiency.

The District applied for the California Solar Initiative (CSI) incentive that would rebate \$0.2568 per kilowatt-hour (kWh) of power generated by the system for a period of five years from September 2011 through August 2016. PG&E, the administrator of the CSI program, approved an estimated incentive amount of \$252,850. In September 2016, the District received its final CSI incentive disbursement.

Through June 30, 2017, the Solar Carport facility has generated a total of 1,404,748 kWh of power, which equates to \$242,055 in energy savings at the Plant. Additionally, the District has received \$276,030 or approximately 109% of the estimated CSI incentive rebate from PG&E.

The total benefit of the Solar Carport is \$518,085, which represents 58.5% of simple payback for the initial construction and maintenance costs of the facility.

### **Irvington Pump Station Solar Facility**

The District completed construction of the solar facility located at the Irvington Pump Station at a cost of \$2.85 million and began operation in April 2012. The system consists of 1,680 solar panels and is rated at 408 kW.

The District applied for the CSI incentive that would rebate \$0.15 per kWh of power generated by the system for a period of five years from June 2012 through May 2017. PG&E approved an estimated incentive amount of \$623,370. In February 2017, the District received its final CSI incentive disbursement.

Through July 4, 2017, the solar facility has generated a total of 4,753,598 kWh of power, which equates to \$1,517,453 in energy savings at the Irvington Pump Station. Additionally, the District has received \$680,632 or 109% of the estimated CSI incentive rebate from PG&E. The total benefit of the solar facility is \$2,198,085, which represents 77.1% of simple payback for the initial construction and maintenance costs of the facility.

### **Cogeneration Facility**

The District completed construction of the Cogeneration Facility located at the Alvarado Wastewater Treatment Plant at a construction cost of \$11.8 million and the facility was fully operational in late November 2014. The facility consists of two 850-kW biogas-fueled engine generators and a packaged biogas conditioning system.

The District applied for the Self-Generation Incentive Program (SGIP) that provides financial incentives for the installation of new, qualifying self-generation equipment installed to meet all or a portion of the electric energy needs of a facility. PG&E, the administrator of the SGIP in Northern California, approved the District's application for a maximum rebate of \$3.38 million. The District received half of the total rebate from PG&E in 2015 upon successful operational testing of the facility. The other half will be paid to the District annually over the next five years and will depend on the actual electric energy generated by the facility and the actual amount of engine and exhaust heat recovered and utilized to heat the biosolids in the primary digesters. In June 2017, the District received a check in the amount of \$251,930.11 for the second year of operation.

Through June 30, 2017, the facility has generated a total of 29,081,531 kWh of power, which equates to approximately \$2,736,139 in energy savings at the plant. Additionally, the District has received \$2,280,471 or 67% of the SGIP incentive rebate from PG&E. The total benefit of

the cogeneration facility is \$5,016,610, which represents 41.2% of simple payback for the initial construction and maintenance costs of the facility.

USD labor and equipment costs have not been factored into the maintenance costs of these facilities. The rationale is that no personnel or equipment has been acquired specifically for the maintenance and the work has been accommodated to date with existing resources.

Staff will provide the Board with an operational update of the solar and cogeneration facilities on a semi-annual basis. The attached Table 1 summarizes the operational data that was discussed in this update.

PRE/SEG/RC/CB/ks

Attachment: Table 1 – Solar and Cogeneration Facilities Operational Data

**Union Sanitary District**  
**Table 1 - Solar and Cogeneration Facilities Operational Data**

Facility	System Rating <sup>1</sup> (kW)	Energy Generated This Period <sup>2</sup> (kWh)	Total Energy Generated To Date (kWh)	Value of Energy Generated To Date (\$)	Rebates Received To Date (\$)	Total Received or Generated (\$)	Construction Cost (\$)	Maintenance Costs To Date <sup>4</sup> (\$)	Total Costs Incurred To Date (\$)	Simple Payback To Date (%)	Simple Payback Term (Years)	Original Payback Term <sup>5</sup> (Years)	Comments
Alvarado WWTP Solar Carport	125	110,797	1,404,748	242,055	276,030	518,085	884,000	1,000	885,000	58.5%	14.8		System began operation in September 2011. Values are current through June 30, 2017.
Irvington Pump Station Solar Facility	408	416,752	4,753,598	1,517,453	680,632	2,198,085	2,850,000	1,300	2,851,300	77.1%	7.9	10.0	System began operation in April 2012. Values are current through July 4, 2017.
Cogeneration Facility <sup>3</sup>	1,700	6,586,760	29,081,531	2,736,139	2,280,471	5,016,610	11,800,000	368,079	12,168,079	41.2%	9.3	8.9	System began operation in late November 2014. Values are current through June 30, 2017.

1) System Rating for the solar facilities is based on the number of panels, the rating of each panel, and the inverter efficiency.

2) Period is from January 2017 through June 2017.

3) The cogeneration equipment consists of two 850-kW engine generators.

4) Maintenance costs do not include USD labor or equipment costs.

5) Original payback terms for the Irvington Pump Station Solar Facility and Cogeneration Facility were calculated during the design phase. A payback period was not calculated for the Alvarado WWTP Solar Carport at the time the project was designed.



**Directors**  
 Manny Fernandez  
 Tom Handley  
 Pat Kite  
 Anjali Lathi  
 Jennifer Toy

**Officers**  
 Paul R. Eldredge  
*General Manager/  
 District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** July 17, 2017

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
 Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**SUBJECT:** Agenda Item No. 14 - Meeting of July 24, 2017  
 Information Item: **Board of Directors Internal Committee Assignments for Fiscal Year 2018**

**Recommendation**

Although this is typically presented as an information only item, the option to review and discuss is at the discretion of the Board President.

**Background**

Directors provided their preferences for internal committee assignments following the July 10, 2017, Board of Directors meeting. Pursuant to Policy 3070, Board Officers and Committee Membership, the following are attached: Policy 3070, internal committee assignments 2007 – present, and committee preferences and assignments for Fiscal Year 2018. Per Board Policy 3070, the President of the Board of Directors is responsible for assigning members and alternates for internal committees, and the determination of the Board President on committee assignments shall be considered final. The assignments received from President Kite are as follows:

<b>Committee</b>	<b>Board Member</b>	<b>Alternate #1</b>	<b>Alternate #2</b>	<b>Alternate #3</b>
<b>Audit</b>	Manny Fernandez Anjali Lathi	Tom Handley	Jennifer Toy	Pat Kite
<b>Budget &amp; Finance</b>	Tom Handley Jennifer Toy	Pat Kite	Anjali Lathi	Manny Fernandez
<b>Engineering &amp; Information Technology</b>	Manny Fernandez Pat Kite	Jennifer Toy	Tom Handley	Anjali Lathi
<b>Legal/Community Affairs</b>	Tom Handley Anjali Lathi	Manny Fernandez	Jennifer Toy	Pat Kite
<b>Legislative</b>	Anjali Lathi Jennifer Toy	Pat Kite	Manny Fernandez	Tom Handley
<b>Personnel</b>	Pat Kite Jennifer Toy	Anjali Lathi	Manny Fernandez	Tom Handley

Attachments: Policy 3070, Board Officers and Committee Membership  
 Internal Committee Assignments 2007-Present  
 Committee Preferences and Fiscal Year 2018 Assignments

Effective: 12/12/16	<b>Boardmember</b>  <b>Officers and Committee Membership</b>	Policy Number 3070  Page 1 of 3
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### **Policy**

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### **Purpose**

To provide a written record of the procedure approved by the Board for electing its Officers and establishing its committee memberships.

### **Procedure**

#### Board Officers

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  - c. allowing the public to speak on agenda items
  - d. facilitating dialog among the public, staff, and Boardmembers
  - e. appointment of members of the Board of Directors to Internal Committee assignments
  - f. signing resolutions, ordinances, and construction contracts on behalf of the District
  - g. representing the Board of Directors on issues or at events as designated by the full Board

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3. At the first regularly scheduled Board meeting in July, or as soon thereafter as the item can be agendized at a regular Board meeting, the Board shall appoint its Board Officers. During election years, the newly elected Boardmembers shall be sworn in as the first item of business on the agenda followed immediately by the selection of the Board Officers. During non-election years, the selection of the Board Officers shall be considered after the last motion item on the agenda. The Board shall elect the President, Vice-President and Secretary for one year terms. The election or removal of the President, Vice-President, or Secretary shall require a majority vote of the Board. The Board may choose to follow a rotation of officers.

The Board officers in office at the beginning of the meeting shall retain their positions until the adjournment of the meeting and the newly selected Board Officers shall assume their duties immediately following this meeting.

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2. Membership on the EBDA Commission shall be a maximum of two consecutive years, with a possible three years in exceptional circumstances if approved by the Board.
3. The Board of Directors will elect the representatives for External Committees no later than the first regularly scheduled Board meeting in May of each year in order to ensure the representatives may be seated for the first meeting of the new committee or commission. At the prior meeting, Directors shall be provided a list of external committees along with an external committee interest form. The external committee interest form shall be completed in order of preference and provided to the General Manager, or designee, no later than 11 calendar days in advance of the meeting. The committee interests shall be compiled in a staff report by the General Manager, or designee, and provided to the Board for consideration. The Board shall elect the CCRs for one year terms or as otherwise decided by the Board majority. The election or removal of CCRs shall require a majority vote of the Board.

**Management Responsibility**

The General Manager will be responsible for scheduling on the Board agenda, the election or appointment of Board officers and external commissions, pursuant to the schedule shown above. The General Manager, or designee, will provide the following to the new President, with copies to the Board: (1) a list of the last ten years and current committee memberships; (2) a copy of this policy; and (3) a list of internal committee interests. In consultation with the Board President, the General Manager will also be responsible for scheduling on the Board agenda the announcement of committee appointments.

Supersedes Policy Dated: July 2004, September 2005, January 2008, September 2010, October 2013

Approved by: Board of Directors December 12, 2016  
Reviewers: General Manager, Board of Directors, District's attorney  
Notify Person: General Manager  
Review frequency: Every 3 years  
Next Review: December 2019

**Union Sanitary District**

**BOARDMEMBER INTERNAL COMMITTEE ASSIGNMENTS  
2007 - Present**

<b>Date</b>	<b>Budget &amp; Finance</b>	<b>Engineering &amp; Information Technology (formerly Construction)</b>	<b>Legal/Community Affairs</b>	<b>Legislative</b>	<b>Personnel</b>	<b>Audit Committee</b>
7/16-7/17	Tom Handley Anjali Lathi	Pat Kite Jennifer Toy	Tom Handley Anjali Lathi	Manny Fernandez Pat Kite	Manny Fernandez Jennifer Toy	Manny Fernandez Jennifer Toy
7/15-7/16	Manny Fernandez Pat Kite	Tom Handley Jennifer Toy	Pat Kite Anjali Lathi	Manny Fernandez Tom Handley	Manny Fernandez Jennifer Toy	Anjali Lathi Jennifer Toy
7/14-7/15	Anjali Lathi Tom Handley	Pat Kite Jennifer Toy	Pat Kite Tom Handley	Manny Fernandez Jennifer Toy	Manny Fernandez Anjali Lathi	Manny Fernandez Tom Handley
7/13-7/14	Jennifer Toy Pat Kite	Tom Handley Manny Fernandez	Anjali Lathi Tom Handley	Pat Kite Anjali Lathi	Jennifer Toy Manny Fernandez	Jennifer Toy Tom Handley
7/12-7/13	Anjali Lathi Jennifer Toy	Manny Fernandez Tom Handley	Anjali Lathi Pat Kite	Pat Kite Tom Handley	Jennifer Toy Manny Fernandez	Jennifer Toy Tom Handley
7/11-7/12	Anjali Lathi Jennifer Toy	Manny Fernandez Tom Handley	Anjali Lathi Pat Kite	Pat Kite Tom Handley	Jennifer Toy Manny Fernandez	Jennifer Toy Tom Handley
7/10-7/11	Tom Handley Anjali Lathi	Pat Gacoscos* Manny Fernandez Jennifer Toy	Pat Kite Tom Handley	Pat Kite Anjali Lathi	Pat Gacoscos* Manny Fernandez Jennifer Toy	Pat Gacoscos* Jennifer Toy
7/09-7/10	Pat Gacoscos Anjali Lathi	Tom Handley Jennifer Toy	Pat Kite Tom Handley	Pat Kite Anjali Lathi	Pat Gacoscos Jennifer Toy	Pat Kite Jennifer Toy
7/08-7/09	Jennifer Toy Anjali Lathi	Pat Kite Tom Handley	Pat Gacoscos Anjali Lathi	Pat Kite Tom Handley	Pat Gacoscos Jennifer Toy	
7/07-7/08	Jennifer Toy Anjali Lathi	Pat Kite Jennifer Toy	Tom Handley Anjali Lathi	Pat Kite Pat Gacoscos	Pat Gacoscos Tom Handley	

\*Pat Gacoscos resigned from her position, and Manny Fernandez was appointed as her replacement during FY11

Preferences						
Board Member	Budget & Finance	Engineering & IT	Legal & Community Affairs	Legislative	Personnel	Audit
Anjali	3	4	1	5	2	6
Jennifer	3	1	4	6	2	5
Manny	5	1	2	3	4	6
Pat	2	1	4	5	3	6
Tom	3	2	1	4	5	6

Committee Assignments						
Board Member	Budget & Finance	Engineering & IT	Legal & Community Affairs	Legislative	Personnel	Audit
Member	Tom (3)	Manny (1)	Anjali (1)	Anjali (5)	Pat (3)	Anjali (6)
Member	Jennifer (3)	Pat (1)	Tom (1)	Jennifer (6)	Jennifer (2)	Manny (6)
Alternate #1	Pat	Jennifer	Manny	Pat	Anjali	Tom
Alternate #2	Anjali	Tom	Jennifer	Manny	Manny	Jennifer
Alternate #3	Manny	Anjali	Pat	Tom	Tom	Pat

**UNION SANITARY DISTRICT  
CHECK REGISTER  
7/01/2017-07/14/2017**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
164897	7/6/2017	158441	CAROLLO ENGINEERS	NEWARK PS MOD VALVE & BOOST LINE MODS	\$18,374.40	\$80,445.63
	7/6/2017	158531		DIGESTER NO. 3 INSP & REHAB	\$60,780.03	
	7/6/2017	158615		FREMONT & PASEO PADRE LS IMPROVEMENTS	\$1,291.20	
164945	7/13/2017	1149430	POLYDYNE INC	44,380 LBS CLARIFLOC C-6267	\$31,123.80	\$31,123.80
164941	7/13/2017	380420170630	PACIFIC GAS AND ELECTRIC	SERV TO 06/29/17 CHERRY ST PS	\$269.36	\$28,501.45
	7/13/2017	224720170622		SERV TO 06/21/17 CS TRAINING TRAILER	\$51.34	
	7/13/2017	761520170626		SERV TO 6/25/17 NEWARK PS	\$24,509.74	
	7/13/2017	096020170630		SERV TO 6/29/17 CATHODIC PROJECT	\$49.80	
	7/13/2017	140120170706		SERV TO 07/04/17 IRVINGTON PS	\$25.74	
	7/13/2017	013720170706		SERV TO 07/05/17 BOYCE RD PS	\$3,001.21	
	7/13/2017	666720170630		SERV TO 06/29/17 PASEO PADRE PS	\$286.83	
	7/13/2017	892820170630		SERV TO 06/29/17 HAYWARD MARSH	\$51.21	
	7/13/2017	898220170630		SERV TO 6/29/17 FREMONT PS	\$256.22	
164900	7/6/2017	2295236C	DELTA DENTAL SERVICE	JUNE 2017 DENTAL	\$20,825.52	\$23,580.74
	7/6/2017	2295236A		JUNE 2017 DENTAL	\$2,755.22	
164890	7/6/2017	12579	ALAMEDA COUNTY WATER DISTRICT	WATER RECYCLING & CONSERVATION PROGRAM	\$21,130.93	\$21,130.93
164937	7/13/2017	21876	LANCE, SOLL & LUNGHARD LLP	INTERIM AUDIT FIELDWORK	\$14,000.00	\$14,000.00

**UNION SANITARY DISTRICT  
CHECK REGISTER  
7/01/2017-07/14/2017**

<b>Check No.</b>	<b>Date</b>	<b>Invoice No.</b>	<b>Vendor</b>	<b>Description</b>	<b>Invoice Amt</b>	<b>Check Amt</b>
164957	7/13/2017	39019	WECO INDUSTRIES LLC	CAMERA REPAIRS	\$756.92	\$13,961.67
	7/13/2017	38737		CAMERA REPAIRS	\$1,319.72	
	7/13/2017	39011		ASTD TRACTOR CAMERA REPAIR PARTS	\$1,420.95	
	7/13/2017	38843		120 GALS SANAFOAM	\$8,240.78	
	7/13/2017	39012		CAMERA REPAIRS	\$645.14	
	7/13/2017	39018		CAMERA REPAIRS	\$1,578.16	
164916	7/13/2017	170601309	AIRTECH MECHANICAL INC	SERVICE ALL: BLDG 90 COGEN CHILLER #2	\$2,420.19	\$13,203.90
	7/13/2017	170601295		BOYCE AIR FLOW ISSUES MODIFICATION	\$9,456.21	
	7/13/2017	170601329		SERVICE CALL: BLDG 70 CONTROL BUILDING	\$457.50	
	7/13/2017	170601307		SERVICE CALL: CONTROL BOLDG CHILLER ALARM	\$870.00	
164889	7/6/2017	170601288	AIRTECH MECHANICAL INC	ADMIN BUILDING HVAC RETROFIT	\$7,925.72	\$9,592.72
	7/6/2017	170601313		NPS OFFICE AC UNIT PC BOARD REPLACEMENT	\$1,667.00	
164904	7/6/2017	37432220170701	LINCOLN NATIONAL LIFE INS COMP	LIFE & DISABILITY INSURANCE - JULY 2017	\$7,569.00	\$7,569.00
164923	7/13/2017	214965	BURKE, WILLIAMS & SORENSON LLP	GENERAL LEGAL - MAY 2017	\$3,592.60	\$6,738.60
	7/13/2017	214966		GENERAL LEGAL - MAY 2017	\$1,058.20	
	7/13/2017	214555		COGEN - MAY 2017	\$2,087.80	
164914	7/13/2017	1423	A PLUS JANITORIAL SERVICE	JUNE 2017 JANITORIAL SERVICE - BUILDINGS 69, 70, 82, 83	\$5,999.00	\$5,999.00
164895	7/6/2017	11294030	BROWN & CALDWELL CONSULTANTS	STANDBY POWER SYSTEM UPGRADE	\$5,823.74	\$5,823.74
164909	7/6/2017	20170629	SMRP SOCIETY FOR MAINT&RELIABILITCONF	REGISTRATION SIMONICH/TATOLA/SHONG/RIVERA	\$5,715.00	\$5,715.00

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Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
164910	7/6/2017	9171324	SWRCB - STATE WATER RESOURCES	ELAP ANNUAL FEE	\$4,443.00	\$4,443.00
164954	7/13/2017	130971	TOTAL WASTE SYSTEMS INC	JUNE 2017 GRIT DISPOSAL	\$4,065.98	\$4,065.98
164920	7/13/2017	9857113	AT&T	SERV: 05/20/17 - 06/19/17	\$3,555.02	\$3,777.76
	7/13/2017	9857111		SERV: 05/20/17 - 06/19/17	\$19.72	
	7/13/2017	9857135		SERV: 05/20/17 - 06/19/17	\$203.02	
164924	7/13/2017	31168	CALIFORNIA WATER TECHNOLOGIES	42,340 LBS FERROUS CHLORIDE	\$3,766.67	\$3,766.67
164911	7/6/2017	20170701	VISION SERVICE PLAN - CA	JULY 2017 VISION STMT	\$3,317.76	\$3,317.76
164946	7/13/2017	916003144471	REPUBLIC SERVICES #916	RECYCLE & ROLL OFF - JUL 2017	\$3,310.51	\$3,310.51
164927	7/13/2017	17447035	CANON SOLUTIONS AMERICA INC	MONTHLY LEASE 6 CANON COLOR COPIERS	\$3,154.15	\$3,154.15
164918	7/13/2017	14003	AMS CONSULTING	PLANT PAVEMENT CONDITION ASSESSMENT	\$3,097.50	\$3,097.50
164902	7/6/2017	3592820170705	HASLER INC.	POSTAGE BY PHONE - TMS 35928	\$3,000.00	\$3,000.00
164892	7/6/2017	9815228	AT&T	SERV: 05/13/17 - 06/12/17	\$87.12	\$2,881.19
	7/6/2017	9815227		SERV: 05/13/17 - 06/12/17	\$65.69	
	7/6/2017	9797549		SERV: 05/10/17 - 06/09/17	\$1,928.65	
	7/6/2017	9815224		SERV: 05/13/17 - 06/12/17	\$757.02	
	7/6/2017	9815226		SERV: 05/13/17 - 06/12/17	\$42.71	
164943	7/13/2017	9064	PERALTA PARISH VENTURES LLC	REFUND # 20123	\$2,500.00	\$2,500.00
164944	7/13/2017	8695	PERMIT ADVISORS INC	REFUND # 20121	\$2,500.00	\$2,500.00
164930	7/13/2017	3375	CODESP	ANNUAL SUBSCRIPTION	\$2,450.00	\$2,450.00

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Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
164956	7/13/2017	9787876335	VERIZON WIRELESS	WIRELESS SERV 05/21/17-06/20/17	\$2,396.92	\$2,396.92
164950	7/13/2017	3344533178	STAPLES CONTRACT & COMMERCIAL	MISC SUPPLIES	\$65.83	\$2,161.40
	7/13/2017	3344533181		JANITORIAL/BREAKROOM SUPPLIES	\$503.81	
	7/13/2017	3344533176		ASTD JANITORIAL SUPPLIES	\$1,006.54	
	7/13/2017	3344533172		ASTD JANITORIAL SUPPLIES	\$585.22	
164958	7/13/2017	27540	WILEY PRICE & RADULOVICH LLP	LABOR & EMPLOYMENT LAW FEES	\$2,016.70	\$2,016.70
164896	7/6/2017	3280	CAL SAN RISK MNGT AUTH	CLAIM: TRUJILLO DE LOYOLA FILE# 1933421	\$1,947.50	\$1,947.50
164903	7/6/2017	1048882	INDUSTRIAL SAFETY SUPPLY	ASTD CAL GAS FOR ELECTRICIANS	\$1,522.96	\$1,522.96
164908	7/6/2017	1792357003	SAN LEANDRO ELECTRIC SUPPLY	ASTD ELECTRICAL SUPPLIES	\$46.28	\$1,427.29
	7/6/2017	1791617006		ASTD ELECTRICAL SUPPLIES	\$34.20	
	7/6/2017	1793875001		ASTD ELECTRICAL SUPPLIES	\$1,346.81	
164893	7/6/2017	445	BART - BAY AREA RAPID TRANSIT	CAST IRON LINING PHASE VI	\$1,331.00	\$1,331.00
164925	7/13/2017	20170711	CALPELRA	3 CLASS REGISTRATIONS - K. KING	\$1,125.00	\$1,125.00
164932	7/13/2017	20170625	DALE HARDWARE INC	06/17 - ASTD PARTS & MATERIALS	\$1,027.83	\$1,027.83
164926	7/13/2017	20170711.1	CALPELRA	MEMBERSHIP RENEWAL & CONFERENCE REG: K. KING	\$1,020.00	\$1,020.00
164919	7/13/2017	3186	ANCHORCM ANCHOR ENGINEERING INC	HEADWORKS KNIFE GATE VALVES REPLACEMENT	\$980.00	\$980.00
164934	7/13/2017	944720170627	HOME DEPOT CREDIT SERVICES	MONTHLY HARDWARE STMT - JUNE 2017	\$795.83	\$795.83
164888	7/6/2017	9019006	ABC IMAGING, INC.	CAST IRON LINING PHASE VI	\$712.94	\$712.94

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164938	7/13/2017	37939805	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS	\$317.37	\$695.22
	7/13/2017	37916678		4 LONG-LIFE RECHARGE BATTERIES	\$200.29	
	7/13/2017	38310403		2 WATERPROOF TARPS	\$57.27	
	7/13/2017	38178539		1 ALUMINUM TUBE	\$120.29	
164901	7/6/2017	20170627	MICHAEL FULKERSON	EXP REIMB: WEFTEC CONF LODGING/AIRFARE	\$622.32	\$622.32
164894	7/6/2017	20170626	JEFFREY BARTON	EXP REIMB: WEF TECH REGISTRATION	\$575.00	\$575.00
164933	7/13/2017	20170711	MICHAEL FULKERSON	EXP REIMB: REGISTRATION FOR WEFTEC 10/1 - 10/4/17	\$575.00	\$575.00
164906	7/6/2017	20170630	NAPA AUTO PARTS	MONTHLY AUTO PARTS STMT - JUNE 2017	\$567.09	\$567.09
164953	7/13/2017	17062202	TELOG INSTRUMENTS INC	5 MANHOLE BATTERIES	\$538.69	\$538.69
164912	7/6/2017	20170705	JANE WILSON	REIMB AIRFARE FOR OPPM HIRING INTERVIEW	\$527.71	\$527.71
164935	7/13/2017	8983	D R HORTON	REFUND # 20120	\$500.00	\$500.00
164942	7/13/2017	9104	PAN-CAL CORPORATION	REFUND # 20119	\$500.00	\$500.00
164949	7/13/2017	8764	SANACT INC DBA ROTO-ROOTER	REFUND # 20118	\$500.00	\$500.00
164959	7/13/2017	9108	YADEV DESIGN GROUP	REFUND # 20084	\$500.00	\$500.00
164913	7/6/2017	5136B14041208	WYNDHAM LAKE BUENA VISTA	PREPAY LODGING: YUNG LU - 8/7 - 8/11/17	\$490.48	\$490.48
164915	7/13/2017	9065114902	AIRGAS NCN	ASTD PARTS & MATERIALS	\$440.10	\$440.10
164929	7/13/2017	2765361	CHEMSEARCH	2 DZ YIELD AEROSOL LUBRICANT	\$407.29	\$407.29
164939	7/13/2017	20170712	BRODERICK MOY	EXP REIMB: RETIREMENT GIFT	\$360.00	\$360.00
164921	7/13/2017	262912001	AUTO BODY TOOLMART	ASTD PARTS & MATERIALS	\$340.39	\$340.39

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Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
164898	7/6/2017	20170705	DAVID CONTRERAS	THIRD PARTY CLAIM	\$300.00	\$300.00
164940	7/13/2017	20170711	SHAWN NESGIS	EXP REIMB: CONST TEAM RECOGNITION LUNCH	\$289.13	\$289.13
164905	7/6/2017	20170628	SCOTT MARTIN	EXP REIMB: EMPLOYEE RECOG LUNCH & BRIDGE TOLL	\$262.47	\$262.47
164947	7/13/2017	326271	RKI INSTRUMENTS INC	ASTD PARTS & MATERIALS	\$216.70	\$216.70
164952	7/13/2017	20170711	RUFUS TAI	EXP REIMB: PROJECT MANAGEMENT MEMBERSHIP	\$164.00	\$164.00
164928	7/13/2017	20170712	RAYMOND CHAU	EXP REIMB: CIP TEAM QTLY SAFETY INCENTIVE	\$160.00	\$160.00
164899	7/6/2017	20170627	CWEA	MEMBERSHIP RENEWAL - A. HERNANDEZ	\$98.00	\$98.00
164907	7/6/2017	88710	REMOTE SATELLITE SYSTEMS INT'L	IRIDIUM SVC FEE JULY 2017	\$97.90	\$97.90
164931	7/13/2017	20170703	CWEA	MEMBERSHIP RENEWAL - T. GRILLO	\$88.00	\$88.00
164948	7/13/2017	85340220170623	SAN FRANCISCO WATER DEPT	SERVICE 05/20/17 TO 06/21/17	\$83.12	\$83.12
164955	7/13/2017	9853247.1	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 06/16/17	\$69.73	\$69.73
164917	7/13/2017	4088644120170623	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 06/23/17 - BOYCE ROAD	\$61.98	\$61.98
164951	7/13/2017	795539	SWAGELOK NOR CAL	ASTD PARTS & MATERIALS	\$58.62	\$58.62
164922	7/13/2017	12001940	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$27.78	\$56.27
	7/13/2017	12004330		ASTD OFFICE SUPPLIES	\$28.49	
164936	7/13/2017	20170711	KATHLEEN KING	EXP REIMB: JUNE QAI REFRESHMENTS	\$50.76	\$50.76
164891	7/6/2017	20170628	SAGE AOKI	REIMB LIVESCAN PRE-EMPLOYMENT	\$27.00	\$27.00

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Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
<b>Invoices:</b>				<b>Checks:</b>		
Credit Memos :		0				
\$0 - \$1,000 :		61	18,842.42	\$0 - \$1,000 :	35	12,711.74
\$1,000 - \$10,000 :		41	128,752.20	\$1,000 - \$10,000 :	29	99,679.18
\$10,000 - \$100,000 :		7	190,744.42	\$10,000 - \$100,000 :	8	225,948.12
Over \$100,000 :		0		Over \$100,000 :		
<b>Total:</b>		<b>109</b>	<b>338,339.04</b>	<b>Total:</b>	<b>72</b>	<b>338,339.04</b>



News Feature | June 28, 2017

## DC Water Makes 'Bloom' To Capitalize On Sewage



By *Sara Jerome*

How much value is your utility getting out of sewage?

Officials at DC Water, which takes in 1,500 tons of sewage each day, see waste as “liquid gold” that can be used to pay for water infrastructure, [according to Fortune](#).

The utility turns sewage into a soil fertilizer called “Bloom,” which it ships to nurseries and garden centers, the report said. It’s all part of an “ambitious” initiative that begins when sewage arrives at the treatment plant, the report said:

*Oils, fats, sediments, and objects are screened out, and the water is disinfected. The remaining sludge then goes through a three-stage process that cooks it in high heat and pressure, sterilizing and softening it. The clean sludge is then sent to four 80-foot-tall anaerobic digesters, where giant mixers churn the liquid for two weeks while a population of microorganisms called “methanogens” eats the organic matter, producing methane gas for electricity that ultimately powers a third of the water plant’s operations. The solids then travel to a belt-filter press that squeezes out water and delivers the crumbly compost to bunkers that can hold 1,000 tons each.*

The resulting Bloom can be used to fertilize gardens and trees. Bloom is in high demand, Brian Riddle of Homestead Gardens said in the report.

DC Water required upgrades before it could produce Bloom, [according to](#) a blog post by George Hawkins, head of DC Water.

“Before we built our CAMBI system, we produced Class B biosolids. Not as clean, and subject to different regulations than Class A, this type of material works great on farms. We would pay millions of dollars a year to truck it down to farmers in Virginia, who were delighted to receive it for free. In fact, we had a 2-year waiting list!” he explained.

“But that’s a lot of trucks and a lot of money. It’s also the traditional way of recycling biosolids in the United States. With Class A Bloom, we are shifting our business from waste disposal to resource recovery,” he continued.

Resource recovery is touted by environmental policymakers around the world. The United Nations made a major push this year for water managers to support the recovery of resources from sewage. The UN “Why Waste Water?” campaign is a vehicle for the organization’s sewage messaging, which highlights recycled water as an important part of making the most out of sewage.

The [campaign factsheet](#) cites St. Petersburg, FL, as an example of an effective recycled water program.

“Since 1977, in St Petersburg, Florida, USA, a parallel network of pipes, separate from potable water mains, has served a mix of residential properties, and commercial and industrial parks, enabling them to use recycled water for irrigation, laundry, vehicle and building washing, and ornamental water features,” the fact sheet says.

For more on wastewater resource recovery visit Water Online’s [Sludge And Biosolids Processing Solutions Center](#).

# EAST BAY TIMES

**SB 649**

## **Cities fight bill to streamline cell antenna installations**

**By Ramona Giwargis**

*rgiwargis@bayareanewsgroup.com*

Lawmakers in 179 California cities including San Jose, Oakland and San Francisco are fighting a bill to streamline permitting for wireless antennas on public buildings, streetlamps and traffic signal poles that they say would limit local control over where they go.

California Senate Bill 649, by state Sen. Ben Hueso, D-San Diego, proposes scaling back permit processes for wireless antennas and equipment in an effort to meet demand for wireless services. It would cap how much a local government could charge wireless companies for leases to \$250 per year, though it does not prohibit them from “mutually agreeing” to a charge that’s different.

Supporters say the proposed law could lower cell phone bills for customers, increase wireless access, allow the state to deploy 5G networks and help California remain a leader in the wireless industry.

But the cities and counties opposing the bill say it would be a financial giveaway to telecom companies at the expense of taxpayers. Local officials, they say, would no longer approve the permits in a public hearing, and would lose their power to negotiate public benefits, critics say, such as network access for police, fire and parks.

“Our citizens should be concerned because they will no longer have any say-so over these things,” said San Jose Councilman Johnny Khamis. “It takes away the control of where we can place them, the aesthetic qualities and how much revenues we can charge for use of public space.”

Under the bill, phone companies like Verizon or AT&T could install antennas as large as 6 cubic feet and equipment boxes as large as 35 cubic feet — about the size of a refrigerator — sparking concerns about visual blight from the bulky equipment.

SB 649 is primarily supported by the Cellular Telecommunications and Internet Association which said it will help boost the economy. Locally, it’s supported by the Silicon Valley Leadership Group, the Oakland Metropolitan Chamber of Commerce and the East Bay Leadership Council.

CALinnovates, a San Francisco coalition of tech companies, said consumer demand for faster broadband is growing, and Hueso’s bill will help meet the demand.

“While increased connectivity will certainly allow more people to simultaneously stream over the top entertainment like Orange Is The New Black, small cells can also provide a cost-efficient method of increasing broadband speeds in rural communities, make public transportation systems more responsive and strengthen network connectivity during large public gatherings and events,” chief evangelist Kish Rajan wrote.

The bill is opposed by California State Association of Counties, League of California Cities and Rural County Representatives of California.

“We don’t want refrigerators on poles outside of people’s windows,” said Rony Berdugo, a legislative representative for the League of California Cities. “Despite promises being made by the wireless industry, this bill does nothing to guarantee the technology meets 5G, that it gets deployed to underserved areas and that whatever cost-savings they see from this bill is passed on to their customers.”

San Jose Mayor Sam Liccardo, who went to the state Capitol last week to testify against the bill, said it forces the city to give wireless corporations access to public property without input about the equipment’s location or size.

The bill also doesn’t allow San Jose to charge fair rates for leases, he added, and provides no guarantee that low-income areas will get better wireless connectivity.

Despite opposition from Liccardo and the mayors of Oakland, San Francisco, Los Angeles, Santa Ana and Long Beach, the bill passed the state Senate earlier this year and the Assembly’s Local Government Committee on a 6-2 vote last week.

Bay Area lawmakers Jim Beall (D-San Jose), Bob Wieckowski (D-Fremont) did not vote on the bill when it came to the Senate floor in May. Senator Jerry Hill (D-San Mateo) voted in favor of it.

“We all expected that the committee would move the bill forward — as is customary for a powerful lobby like telecom — but by the time that this gets to the Assembly floor, we’ll hear considerably from the more than 150 California cities that have joined San Jose in opposing this massive taxpayer subsidy of a half-trillion dollar industry,” Liccardo said.

The bill next will be considered by the Assembly Communications and Conveyance Committee on July 12.

Supporters are hoping the legislation gets final approval by September. If approved by the Legislature, critics hope Gov. Jerry Brown vetoes the bill.

*Contact Ramona Giwargis at 408-920-5705.*

# EAST BAY TIMES

## WATER

### Toilet to tap? Some say it's time

Drought-stricken state wants to increase water-recycling measures in face of shortages

By Devika G. Bansal

[dbansal@bayareanewsgroup.com](mailto:dbansal@bayareanewsgroup.com)



As drought and water shortages become California's new normal, more and more of the water that washes down drains and flushes down toilets is being cleaned and recycled for outdoor irrigation.

But some public officials, taking cues from countries where water scarcity is a fact of life, want to take it further and make treated wastewater available for much more — even drinking.

"This is a potential new source of water for California," said former Assemblyman Rich Gordon. "We need to find water where we can."

In a sense, the water we drink today has been recycling since the beginning of time, thanks to the natural water cycle. Recycling wastewater in a treatment plant simply speeds up that process, and experts say the source of water is not as important as its quality.

“There are places in the world where people are drinking recycled water,” Gordon said. “In fact, it’s the water our astronauts drink at the space station.”

Water recycling is more the norm in countries like Singapore, Israel, Saudi Arabia and Australia, all of which have long had water shortages. Israel reclaims about 80 percent of its wastewater, while Singapore reclaims almost 100 percent. The reclaimed water is extensively used to irrigate agricultural lands and recharge aquifers in Israel, while most of Singapore’s water is used for industrial purposes.

And because sending loads of water into space wasn’t an option, NASA scientists installed the Environmental Control and Life Support System at the International Space Station so astronauts could safely drink recycled water.

A poll from last year revealed that 83 percent of Californians are “ready to use” recycled water “in their everyday lives.” And a spot survey in downtown San Jose supported the poll’s findings.



*Samples of water are used for a recent taste test held at the facility. Some people are advocating for adding recycled water to the supply of drinking water.*

“I would drink it,” said Ing-Shien Wu, a Mountain View resident who works in San Jose. “Yeah, it sounds weird. Yes, it was once your waste. But in some sense, we are recycling the water anyway. It goes out and it gets evaporated and comes back as rain. So if they have something that’s comparable, sure. Why not?”

Right now, as much as 5 percent of Santa Clara County’s water supply comes from recycled water, all of which is currently designated for nonpotable uses such as irrigation for landscaping and golf courses.

The bulk of that recycling happens at four wastewater treatment plants in the county, whose primary job is to remove all the junk from water before it is flushed into San Francisco Bay. But a small portion of the cleaned wastewater gets a second life — it goes through a few more steps that progressively remove the tiniest of pathogens and harmful chemicals.



*Reverse osmosis tubes are part of a four-step water purification system at the Silicon Valley Advanced Water Purification Center in San Jose.*

Making that water fit for public consumption requires more quality checks and more filtering — all of which shakes out at the Silicon Valley Advanced Water Purification Center, located at the base of the bay, along Zanker Road.

Since its opening in 2014, the plant has been producing about 8 million gallons of near-potable water every day. That’s enough to maintain about 10 Palm Springs golf courses for a day.

“We go above and beyond conventional treatments,” said Paolo Baltar, a civil engineer at the Santa Clara Valley Water District.

The Purification Center pumps partially cleaned water from the nearby San Jose Regional Wastewater Facility through thousands of tiny tubes to get rid of pathogens in a process called microfiltration. The water next flows through reverse osmosis membranes to remove salts, and it finally gets bombarded with intense ultraviolet light to break down any remaining chemicals or pathogens. The water quality is monitored constantly.



*Paolo Baltar, an engineer for the Santa Clara Valley Water District, shows off a strand used in the microfiltration tubes at the San Jose purification center, where wastewater is reclaimed for reuse.*

But before anyone can drink the purified water, it must go through one final cleaning: It is blitzed with hydrogen peroxide to kill any remaining pathogens.

What Santa Clara County is doing is nothing new — Orange County uses the same process to reclaim wastewater to pad its drinking water supply indirectly by pumping the purified water into the ground.

That's something the Santa Clara Valley Water District hopes to implement in the near future, said Nai Hsueh, a board member of the water agency.

"At this point, the purification center is experimental," Hsueh said. "But we are aggressively pursuing plans to produce purified water for potable use."

The agency has two more advanced water purification projects being planned — one a new plant in Sunnyvale, close to the Donald Summers Water Pollution Control Plant, as well as an expansion of the existing Zanker Road plant.

There is statewide interest in directly mixing the purified water into drinking water supplies, but the "ick" factor has been a barrier.

Terms such as "treated wastewater" and "toilet to tap" don't exactly help that perception. Singapore, for example, chose the term "NEWater" for its recycled water. The Santa Clara Valley Water District calls it "purified water."

A brewery in Half Moon Bay has a more creative approach: It periodically makes beer out of recycled wastewater. The brewing process is exactly the same, although the brewery isn't allowed to sell it yet.

"We're doing this to get people to be aware that this is water and we should be making use of these technologies that work," said Lenny Mendonca, owner of the Half Moon Bay Brewing Company.

To address the public perception issue, former Assemblyman Gordon was able to push Assembly Bill 2022 through the Legislature last year. It enables water agencies in the state to distribute bottles of advanced purified recycled water for educational purposes.

"The idea behind it was for people to get used to the concept that we can actually purify water to drinking standards," Gordon said.

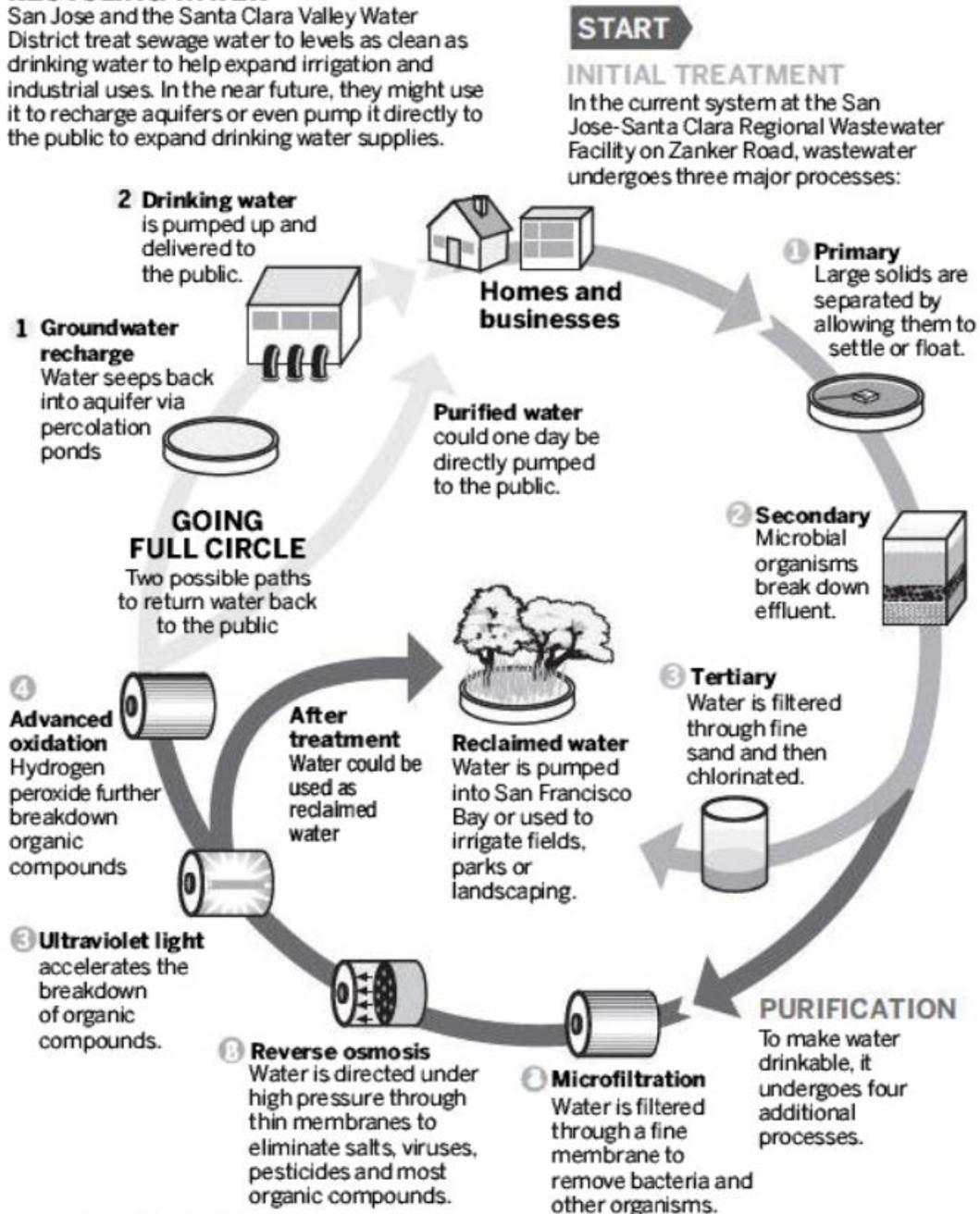
The new law went into effect in January. But the Santa Clara Valley Water District doesn't seem to have any plans to move forward with the bottling process. In part, this is because the law requires having a bottled water facility approved by the U.S. Food and Drug Administration on site, Baltar said.

The Purification Center on Zanker Road does its own outreach through public tours for people to see and understand the water's journey from being slightly muddied to becoming crystal clear. What the tours don't do, however, is have people taste the water for themselves. But regardless, Hsueh said, the tours are useful to convince people of the high quality of the recycled water.

"When people see it," said Garth Hall, a deputy operating officer at the water district, "they see it's just water."

## RECYCLING WATER

San Jose and the Santa Clara Valley Water District treat sewage water to levels as clean as drinking water to help expand irrigation and industrial uses. In the near future, they might use it to recharge aquifers or even pump it directly to the public to expand drinking water supplies.



Contact Devika G. Bansal at 408-920-5314.

News Feature | July 11, 2017

## D.C. To Regulate 'Flushable' Wipes

*By Sara Jerome*



Washington D.C. will begin cracking down on flushable wipes next year in an effort that could lead other states to regulate the pesky products.

“Starting next year, companies that make wet wipes sold in the District must prove that products labeled ‘flushable’ won’t damage the pipes. Otherwise, the package must make it clear that flushing the wipes is a no-no,” *The Washington Post* reported.

“Proponents of the bill — including DC Water, the city’s water utility — say the standards are needed because most wet wipes do not break down when flushed, causing stoppages in the sewer system,” WAMU reported.

Six states, including Maryland, are considering similar measures, the report said. The D.C. law, despite already passing the city council, could be reversed if the U.S. Congress decides to undo it. U.S. Rep. Andy Harris, R-MD, may introduce legislation to block the D.C. law.

“Since Congress has the ultimate say over what goes on in Washington, D.C., it’s possible we would deal with this through an appropriations measure that makes D.C. think twice about banning a product that’s helpful — flushable wipes,” Harris said, per the report.

Rep. Eleanor Holmes Norton, D-DC, argued that members of Congress from other states should let D.C. make its own decision on this. She blamed industry for stirring up resistance to the law in Congress.

“This is a serious issue,” she said, “but it’s hard not to laugh when a lobbyist group is trying to keep the Congress from taking action that would keep its own sewers and the sewers of the District of Columbia from being stopped up.”

Cities across the country have faced problems with wipes. Here’s how a lawsuit about flushable wipes, filed last year, explained the problem, per the *Star Tribune*: “Flushable wipes remain intact long enough to pass through private wastewater drain pipes into the municipal sewer line, causing clogs and other issues for municipal and county sewer systems and wastewater treatment plants, resulting in thousands, if not millions, of dollars of damages.”

George Hawkins, general manager of D.C. Water, described the wipe problem like this: “We have seen them at all stages of the treatment process. It’s like a gluing agent that can capture other things and cause backups.”

The Association of the Nonwoven Fabrics Industry represents flushable wipes manufacturers. It says the product is “compatible” with healthy sewer systems, the *Post* report said.

To read more about the issues presented by so-called “flushable” wipes visit Water Online’s Flushables Solutions Center.

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## Moraga finally begins repairing massive sinkhole from 2016

By Alison Graham

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Construction crews began repairing a massive sinkhole Monday that swallowed a large portion of sidewalk in Moraga almost a year and a half ago.

A storm in March 2016 created the sinkhole — 15 feet wide, 20 feet long and 15 feet deep — at the busy intersection of Rheem Boulevard and Center Street.

Town officials said Monday that fixing the crater will cost \$3 million. Last month, Moraga officials declared a fiscal emergency after dipping into reserve funds to help pay for it.

Edric Kwan, Moraga's public works director, said the town also requested federal funding for repairs. Now, \$1.3 million in federal funding has come through, so on Monday, construction crews began moving equipment and material to the site, setting up detour and construction signs, and working on traffic control.

The repair project will require crews to tear up the intersection and work around pipes underneath.

"There's a whole spaghetti bowl of utilities all around there," Kwan said. "So it's complicated."

The intersection will remain closed for the duration of the project, which is set to finish by mid-October and before the rainy season.

The sinkhole appeared on March 13, 2016, after several days of heavy rain.

Soil eroded around a storm drain pipe, which created a large cavity underneath the street. Without reinforcement, the area collapsed, taking with it a traffic signal pole and a PG&E electrical switch vault.

The collapse also ruptured a 4-inch gas line, prompting the temporary evacuation of two nearby shopping centers.

Town officials say they will repair the pipe with reinforced concrete. Then crews will backfill the area with soil, replace the traffic signal and repair the sidewalks.

The sinkhole has since remained largely untouched as the town waited for federal emergency funding.

In addition to the sinkhole on Rheem Boulevard, Moraga has seen smaller sinkholes throughout town that have damaged other storm drains. Kwan said drain repairs will cost no less than \$26 million.

The sinkholes aren't the only natural disasters to hit Moraga. In April, engineers from the East Bay Municipal Utility District noticed cracks in the 81-year-old Canyon Road bridge over Moraga Creek and closed it indefinitely. The bridge carried 6,000 cars a day.

Officials set aside \$5 million from Moraga's reserve funds to pay for the bridge and the big sinkhole. With only \$1.5 million left in its reserve fund, Moraga declared a fiscal emergency on June 28, said Amy Cunningham, director of administrative services.

The declaration will allow the town to hold a special election and ask voters to approve a tax measure on a majority vote if they choose to, according to Michael Coleman, fiscal policy adviser for the League of California Cities.

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