

**MINUTES OF THE  
SAN JOSÉ/SANTA CLARA  
TREATMENT PLANT ADVISORY COMMITTEE**  
San José City Hall, T-1734  
Thursday, September 13, 2018 at 4:03 p.m.

**1. ROLL CALL**

Minutes of the Treatment Plant Advisory Committee convened this date at 4:03p.m. Roll call was taken with the following members in attendance:

**Committee Members:** Dev Davis, Lan Diep, Kolstad, Patrick Kwok (Alternate), Anthony Phan (Alternate) (4:06), Jim Ortbal (alternate), Kathy Watanabe (alternate)

**Absent:** Steven Leonardis, Sam Liccardo

**2. APPROVAL OF MINUTES**

A. June 14, 2018

**Item 2.A. was approved to note and file.**

**Ayes – 6** (Dev Davis, Diep, Kolstad, Patrick Kwok (alternate), Anthony Phan (Alternate), Jim Ortbal (alternate) Kathy Watanabe (alternate)

**Nays – 0**

**Absent – 3** (Leonardis, Liccardo, Anthony Phan (Alternate))

**3. UNFINISHED BUSINESS/REQUEST FOR DEFERRALS**

**4. DIRECTOR'S REPORT**

A. Director's Report (verbal)

- Monthly Progress Report

Assistant Director Napp Fukuda presented the Committee on the Progress Reports of May, June and July.

**5. AGREEMENTS/ACTION ITEMS**

A. Purchase of California Carbon Allowances

Staff Recommendation:

Adopt a Resolution authorizing the City Manager to negotiate and execute an agreement between the City of San José and Vitol, Inc., for the purchase of California Carbon Allowances for the San José-Santa Clara Regional Wastewater Facility (RWF) to fulfill the compliance obligation under the California Cap-and-Trade Program, for an amount of \$295,728.00

**This item is scheduled for consideration by the City Council on September 25, 2018.**

**On a motion made by Committee Member Alternate Jim Ortbal and a second by Committee Member Diep, TPAC recommended approval of staff's recommendation for Item 5.A.**

**Ayes – 6** (Dev Davis, Diep, Kolstad, Patrick Kwok (alternate), Jim Ortbal (alternate) Kathy Watanabe (alternate))

**Nays – 0**

**Absent – 3** (Leonardis, Liccardo, Anthony Phan (Alternate))

**B. Actions Related to Purchase Orders for Hazardous Fluid Waste Recycling, Disposal, and Related Services**

Staff Recommendation:

Adopt a resolution authorizing the City Manager to:

1. Execute two Purchase Orders with Safety-Kleen Systems, Inc. (Norwell, MA) for hazardous fluid waste recycling, disposal, and related services, including all labor, material, and equipment necessary to perform such services, for the Departments of Public Works and Environmental Services for an initial twelve-month period beginning on or about September 19, 2018 and ending September 30, 2019 in a combined amount not to exceed of \$145,000;
2. Approve a contingency of \$30,000 to amend purchase orders as required during the initial term in the event actual service needs exceed estimates, subject to the appropriation of funds; and
3. Execute purchase orders for up to four additional one-year option terms to extend the services through September 30, 2023, subject to the appropriation of funds.

**This item is scheduled for consideration by the City Council on September 18, 2018.**

**On a motion made by Committee Member Dev Davis and a second by Committee Member Lan Diep, TPAC recommended approval of staff's recommendation for Item 5.B.**

**Ayes – 6** (Dev Davis, Diep, Kolstad, Patrick Kwok (alternate), Jim Ortbal (alternate) Kathy Watanabe (alternate))

**Nays – 0**

**Absent – 3** (Leonardis, Liccardo, Anthony Phan (Alternate))

C. Approval of Citywide Insurance Renewals

Staff Recommendation:

Adopt a resolution authorizing the Director of Finance to select and purchase City property and liability insurance policies for the period October 1, 2018 to October 1, 2019, at a total cost not to exceed \$1,850,000, including a 15% contingency for additional property or assets scheduled, with the following insurance carriers:

- (1) Factory Mutual Insurance Company for Property Insurance, including Boiler & Machinery
- (2) Old Republic Aerospace, Phoenix Aviation Managers, for Airport Owners and Operators Liability including War Risks & Extended Perils Coverage (including Excess Automobile and Employers' Liability) and Police Aircraft Hull & Liability including War Risks & Extended Perils Coverage.
- (3) The Travelers Indemnity Company of Connecticut for Automobile Liability (Airport fleet vehicles including Shuttle Buses, Regional Wastewater Facility fleet vehicles, and Airport Shuttle Bus physical damage).
- (4) QBE Specialty Insurance Company for Secondary Employment Law Enforcement Professional Liability.
- (5) National Union Fire Insurance Company of Pittsburg, PA for Accidental Death, Accidental Dismemberment, and Paralysis Policy for the Police Air Support Unit.
- (6) Berkley Regional Insurance Company for Government Fidelity/Crime Coverage.

**This item is scheduled for consideration by the City Council on September 18, 2018.**

**On a motion made by Committee Member Lan Diep and a second by Committee Member Alternate Watanabe, TPAC recommended approval of staff's recommendation for Item 5.C.**

**Ayes – 7** (Dev Davis, Diep, Kolstad, Patrick Kwok (alternate), Anthony Phan (Alternate), Jim Ortbal (alternate) Kathy Watanabe (alternate)

**Nays – 0**

**Absent – 2** (Leonardis, Liccardo)

D. Wildlife Habitat at the San José- Santa Clara Regional Wastewater Facility

Staff Recommendation:

Accept this report highlighting established wildlife habitat at the San José-Santa Clara Regional Wastewater Facility, and ongoing habitat management activities for the Western Burrowing Owl.

**This item will be considered by the Transportation and Environment Committee on September 10, 2018, and is scheduled to be considered by the City Council at a later date.**

**On a motion made by Committee Member Lan Diep and a second by Committee Member Alternate Watanabe, TPAC recommended approval of staff's recommendation for Item 5.C.**

**Ayes – 7** (Dev Davis, Diep, Kolstad, Patrick Kwok (alternate), Anthony Phan (Alternate), Jim Ortbal (alternate) Kathy Watanabe (alternate))

**Nays – 0**

**Absent – 2** (Leonardis, Liccardo)

E. Master Service Agreement with HydroScience Engineers, Inc. for Engineering Support and Services for the San José/Santa Clara Regional Wastewater Facility

Staff Recommendation:

1. Approval of Master Service Agreement with HydroScience Engineers, Inc. for engineering support and services for the San José/Santa Clara Regional Wastewater Facility (Facility) for various operation and maintenance (O&M) projects requiring engineering support and services on an as-needed basis for an initial term starting from the date of execution to June 30, 2019, for a maximum compensation of \$500,000 during the initial term, subject to the annual appropriation of funds.
2. Adoption of a resolution authorizing the City Manager to exercise up to three twelve-month options to extend the term through June 30, 2022, for an amount not to exceed \$500,000 for each option term; and to amend the Agreement to adjust the compensation to reflect changes in support service needs, provided the total aggregate amount does not exceed \$2,000,000 for the full term, subject to the annual appropriation of funds.

**This item is scheduled for consideration by the City Council on September 25, 2018.**

Assistant Director Napp Fukuda verbally walked through this memo. Committee Member Alternate Patrick Kwok asked whether the HydroScience office was local. Assistant Director Fukuda confirmed that it was local.

**On a motion made by Committee Member Alternate Phan and a second by Committee Member Alternate Watanabe, TPAC recommended approval of staff's recommendation for Item 5.E.**

**Ayes – 7** (Dev Davis, Diep, Kolstad, Patrick Kwok (alternate), Anthony Phan (Alternate), Jim Ortbal (alternate) Kathy Watanabe (alternate))

**Nays – 0**

**Absent – 2** (Leonardis, Liccardo)

6. OTHER BUSINESS/CORRESPONDENCE

- A. Information Memo on Amended and Restated Design-Build Contract for Design and

Construction of the Cogeneration Facility at the San José-Santa Clara Regional Wastewater Facility.

**Item 6.A. was approved to note and file.**

Ayes – 7 (Dev Davis, Diep, Kolstad, Patrick Kwok (alternate), Anthony Phan (Alternate), Jim Ortbal (alternate) Kathy Watanabe (alternate)

Nays – 0

Absent – 2 (Leonardis, Liccardo)

7. **STATUS OF ITEMS PREVIOUSLY RECOMMENDED FOR APPROVAL BY TPAC**

- A. 8753 – Master Consultant Agreements With Construction Testing Services, Inc.; Signet Testing Labs, Inc.; And Consolidated Engineering Labs For Special Inspection And Materials Testing Services For The San José-Santa Clara Regional Wastewater Facility Capital Improvement Program

Staff Recommendation:

Approve Master Consultant Agreements with Construction Testing Services, Inc.; Signet Testing Labs, Inc.; and Consolidated Engineering Labs for special inspection and materials testing services for various capital improvement projects at the San José-Santa Clara Regional Wastewater Facility, from the date of execution through December 31, 2023, in a total amount not to exceed \$3,000,000 for each agreement, subject to the appropriation of funds.

**The proposed recommendation was approved by the City Council on June 19, 2018.**

- B. Recycling Program Approval of A Design-Build Contract With Ch2m Hill Engineers, Inc. For The Headworks Project At The San José-Santa Clara Regional Wastewater Facility

Staff Recommendation:

1. Adopt a resolution adopting the Addendum to the Environmental Impact Report for the San José-Santa Clara Regional Wastewater Facility in accordance with the California Environmental Quality Act (CEQA), as amended, and adopting a related Mitigation Monitoring and Reporting Program.
2. Approve the design-build contract with CH2M Hill Engineers, Inc. for the Headworks Project at the San José-Santa Clara Regional Wastewater Facility in an amount not to exceed \$5,666,354 for the performance of preliminary services under the contract.

3. Approve a design contingency in the amount of \$566,635 for City-approved changes to the scope of preliminary services.
4. Adopt a resolution authorizing the City Manager or his designee to:
  - a. Negotiate and execute a separate amendment to the contract to allow CH2M Hill Engineers, Inc. to proceed with subsurface investigations prior to the City's execution of the definitive contract amendment in an amount not to exceed \$1,000,000;
  - b. Approve a construction contingency in the amount of \$1,000,000 for City-approved changes to the scope of the subsurface investigations.
  - c. Execute change orders in excess of \$100,000 up to the amount of the approved contingency for changes to the scope of the preliminary services work or subsurface investigations.

**The proposed recommendation was approved by the City Council on June 19, 2018.**

C. Report On Bids And Award Of Contract For 8684– Pond A18 South Gate Levee Repair

Staff Recommendation:

Report on bids and award of a construction contract for 8684 Pond A18 South Gate Levee Repair to the apparent low bidder Sweetwater Construction, Inc. for the base bid in the amount of \$217,493 and approval of a construction contingency of 15 percent in the amount of \$32,624.40.

**The proposed recommendation was approved by the City Council on June 19, 2018.**

**Item 7.A., 7.B. and 7.C. was approved to note and file.**

**Ayes – 7** (Dev Davis, Diep, Kolstad, Patrick Kwok (alternate), Anthony Phan (Alternate), Jim Ortbal (alternate) Kathy Watanabe (alternate)

**Nays – 0**

**Absent – 2** (Leonardis, Liccardo)

8. **REPORTS**

A. Open Purchase Orders Greater Than \$100,000 (including Service Orders)

The attached monthly Procurement and Contract Activity Report summarizes the purchase and contracting of goods with an estimated value between \$100,000 and \$1.17 million and of services between \$100,000 and \$290,000 for the months of June, July and August.

**Item 8.A. was approved to note and file.**

**Ayes – 7** (Dev Davis, Diep, Kolstad, Patrick Kwok (alternate), Anthony Phan (Alternate), Jim Ortbal (alternate) Kathy Watanabe (alternate)

**Nayes – 0**

**Absent – 2** (Leonardis, Liccardo)

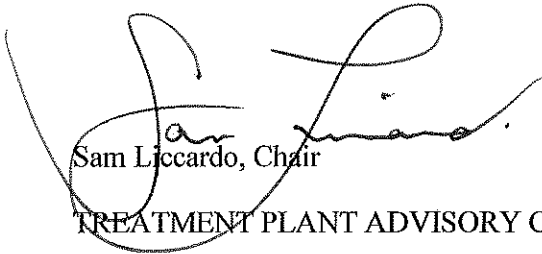
**9. MISCELLANEOUS**

A. The next TPAC Meeting is on **October 11, 2018, at 4:00 p.m.**, City Hall, Room 1734.

**10. OPEN FORUM**

**11. ADJOURNMENT**

A. The Treatment Plant Advisory Committee adjourned at 4:12 p.m.



Sam Liccardo, Chair

TREATMENT PLANT ADVISORY COMMITTEE