

DRAFT
MINUTES OF THE
SAN JOSÉ/SANTA CLARA
TREATMENT PLANT ADVISORY COMMITTEE
City Hall, Environmental Services, 10th Floor, Room 1047
Thursday, November 12, 2009 at 4:30 p.m.

1. ROLL CALL

Minutes of the Treatment Plant Advisory Committee convened this date at 4:30 p.m. Roll call was then taken, with the following members in attendance:

Committee members: Bob Livengood (Vice Chair), Kevin Moore, Patricia Mahan, Madison Nguyen, John Gatto, Nora Campos, Ken Yeager.

Staff present: Monica Perras, Dale Ihrke, Mansour Nasser, John Stufflebean, Mollie Dent, Kirsten Struve, Beth Gonzales, Mark Giovanetti, Eric Rosenblum.

Others present: Jeff Janssen, (City of San Jose) Alan Kurotori, (City of Santa Clara), Steve Machida, (Cupertino Sanitary District), Kathleen Phalen (City of Milpitas), Robert Reid, (West Valley Sanitation District), Bob Wilson, (City of Santa Clara), John Ryan, (CH2MHill), David Wall (San José City Resident).

2. APPROVAL OF MINUTES

Minutes of October 8, 2009.

Motion by Committee member Moore and second by Committee member Gatto to accept the minutes of October 8, 2009. Committee Member Reed was not present.

3. UNFINISHED BUSINESS

4. CORRESPONDENCE

5. REPORTS

- A. Open Purchase Orders Greater Than \$100,000
The attached monthly Procurement and Contract Activity Report summarizes the purchase and contracting of goods with an estimated value between \$100,000 and \$1 million and of services between \$100,000 and \$250,000.

Motion by Committee Member Moore, seconded by Committee Member Gatto to accept the report.

6. AGREEMENTS

- A. Technical Committee Recommendation (Handout)

Motion by Committee Member Mahan, seconded by Committee Member Moore to accept the Technical Committee Recommendation.

B. Agreements – TPAC Recommendation for Approval Requested

The following item is scheduled to be approved by the San Jose City Council on November 17, 2009:

1. Adopt a resolution authorizing the City Manager to negotiate and execute the Sixth Amendment to the construction service agreement with City of Santa Clara for the South Bay Water Recycling Program, revising the approved project list, increasing the maximum amount payable by \$3,000,000 to a total maximum amount not to exceed \$30,600,000 and extending the term of the agreement by eighteen months to December 31, 2011.

Motion by Committee Member Nguyen, seconded by Committee Member Campos to accept Item 6.B.1. Committee Member Gatto voted no.

2. Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the San José-Santa Clara Treatment Plant Capital Fund:
 - a. Increase the appropriation to the Environmental Services Department for the Revised South Bay Action Plan – SBWR Extension by \$3,410,000; and
 - b. Decrease the Ending Fund Balance by \$3,410,000.
3. Award the purchase of office furniture to Western Contract Interiors (San Jose, CA) for a total amount not to exceed \$298,477, including delivery, assembly, installation and all applicable sales taxes, based upon a previously awarded bid that contained additional quantity pricing, and authorize the Director of Finance to:
 - a. Execute purchase orders as required to meet the Environmental Services Department Water Pollution Control Plant's (Plant) timeline for staff relocation to the Environmental Services Building located at 4245 Zanker Road; and
 - b. Approve a contingency in the amount of \$29,848 for any unforeseen changes or requirements

Motion by Committee Member Nguyen, seconded by Committee Member Campos to accept Items 6.B.2 (a & b), and 6.B.3 (a & b).

C. Agreements – TPAC Recommendation for Approval Requested

The following items are scheduled to be approved by the San Jose City Council on December 1, 2009:

1. Adoption of a resolution authorizing the Director of Finance to execute a continuation of and first amendment to the agreement between the City of

San Jose and First Alarm Security & Patrol to extend the initial twelve (12) month agreement term for security guard services an additional four (4) months through January 31, 2010, and to increase compensation by \$60,000 for a not-to-exceed amount of \$248,130.

Motion by Committee Member Mahan, seconded by Committee Member Moore to accept Item 6.C.1.

D. Informational Items – TPAC Item Previously Recommended for Approval

The following items were approved by the San Jose City Council on October 6, 2009:

1. Adoption of a resolution authorizing the Director of Environmental Services to:
 - a. Award the Contract for the Arzino Ranch Demolition Project to the lowest responsive bidder in an amount not to exceed \$506,000, and approve a ten percent construction contingency, subject to the concurrence of the Treatment Plant Advisory Committee; and
 - b. Hear and decide any timely bid protest(s), to make the City's final determination as to lowest responsive and responsible bidder, or to reject all bids and re-bid the project.
2. Adoption of a resolution approving the Arzino Ranch Demolition Project and incorporating environmental mitigation measures as set forth in the Mitigation Monitoring and Reporting Program (MMRP) for the project.

E. Informational Item – TPAC Item Previously Recommended for Approval

The following items were approved by the San Jose City Council on October 20, 2009.

1. Adopt a resolution authorizing the City Manager to negotiate and execute an agreement with the Santa Clara Valley Water District (District) for cost sharing associated with water conservation programs in FY 2009-2010, under which the City will receive an amount not to exceed \$205,000 and the City will pay the District an amount not to exceed \$500,000 for a net cost to the City of \$295,000.
2. Approval of an amendment to the agreement with Mobile Modular Management Corporation to:
 - a. Extend the term of the agreement by six months to July 12, 2010, and Increase the total maximum amount of compensation from \$98,856.93 to \$122,322.69
3. Adopt a resolution:

- a. Authorizing the Director of Environmental Services to execute a first amendment to the New Construction of Various Equipment 2008-2009 Contract with Anderson Pacific Engineering and Construction Inc. to:
 1. Change the contract term from a one year term with the option of two additional one year terms to a two year contract term.
 2. Modify the compensation to enable the payment of the total contract amount up to \$1,450,930.00 over a two year term instead of paying the total contract amount over a one year term with two optional one year terms

Motion by Committee Member Campos, seconded by Committee Member Gatto to accept Informational Items 6.D.1&2, 6.E.1-3.

7. MISCELLANEOUS

- A. The next TPAC meeting will be Thursday, December 10, 2009, at 4:30 p.m. City Hall, Environmental Services, 10th Floor, Room 1047.

8. PUBLIC COMMENT

David Wall commented on Zanker Road status.

10. ADJOURNMENT

- A. The Treatment Plant Advisory Committee adjourned at 4:45 p.m.

Chuck Reed, Chair
Treatment Plant Advisory Committee