

**MINUTES OF THE
SAN JOSE/SANTA CLARA
TREATMENT PLANT ADVISORY COMMITTEE**
City Hall, City Manager's Office, 17th Floor, Room 1734
Thursday, March 12, 2015 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 taken, with the following members in attendance:

Chair: Jamie Matthews; **Committee members:** Pierluigi Oliverio, Margie Matthews, Jose Esteves, Angela Chen (alternate), Pat Kolstad, David Sykes, Steven Leonardis

Absent: Committee Members: John Gatto, Sam Liccardo

2. **APPROVAL OF MINUTES**

A. February 12, 2015

Item 2.A was approved to note and file.

Ayes – 8 (Matthews, Oliverio, Matthews, Esteves, Chen, Marsalli, Kolstad, Sykes, Leonardis)

Nays – 0

David Wall spoke on this item.

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

4. **DIRECTORS REPORT**

A. Directors Verbal Report:

- Monthly Progress Report

5. **AGREEMENTS/ACTION ITEMS**

A. Resolution of the San José City Council declaring and finding that public interest and necessity demand the immediate procurement and award of engineering and construction contracts to perform emergency replacement of Pond A18's northern gate structure located at the San José/Santa Clara Regional Wastewater Facility without competitive bidding

Staff Recommendation: Place the following items on the agenda for the March 3, 2015 City Council Meeting:

1. Accept the staff report detailing the current status of the San José/Santa Clara Regional Wastewater Facility's Pond A18's northern gate structure, the likelihood for failure, the consequences of failure, and the plan for immediate action to remove and replace the structure.

2. Adopt a resolution by four-fifths of the City Council as required by California Public Contract Code 22050:
 - a. Declaring and finding that, based on substantial evidence, public interest and necessity demand the immediate procurement and award of engineering and construction contracts to perform emergency replacement of the San José/Santa Clara Regional Wastewater Facility's Pond A18's northern gate structure without competitive bidding and that the emergency replacement will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency;
 - b. Delegating authority to the Directors of Environmental Services and Public Works to negotiate and award the engineering and construction contracts necessary to replace the northern gate structure in order to protect Pond A18 and levees in an amount not to exceed \$1 million.

The proposed Resolution was heard and approved by Council on March 3, 2015.

TPAC Recommendation: Report back with information, if any, regarding Pond A18's purchase agreement mentioning maintenance requirements in reference to the gate structure.

Mr. David Wall spoke on this item.

B. San José – Santa Clara Regional Wastewater Facility Staffing Status Report

Staff Recommendation: Accept this status report on the staffing situation at the San José-Santa Clara Regional Wastewater Facility

The proposed Status Report is scheduled for Council consideration on March 24, 2015.

On a motion by Committee Member Leonardis and a second by Committee Member Oliverio, TPAC unanimously approved to adopt the staff recommendation in item 5.B.

Ayes – 8 (Matthews, Oliverio, Matthews, Esteves, Chen, Marsalli, Kolstad, Sykes, Leonardis)

Nays – 0

Mr. David Wall spoke on this item.

C. Continuation Amendments to Master Agreements for Consultant Services with CH2M Hill and GHD for Engineering Services for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program

Staff Recommendations:

1. Approve the Third Amendment to the Master Agreement with CH2M HILL, for engineering services for the San José-Santa Clara Regional Wastewater Facility, extending the term from June 30, 2015 to December 31, 2017, at no additional cost to the City.
2. Approve the Second Amendment to the Master Agreement with GHD, for engineering services for the San José-Santa Clara Regional Wastewater Facility, extending the term from June 30, 2015 to December 31, 2016, at no additional cost to the City.

The proposed Amendments are scheduled for Council consideration on March 17, 2015.

On a motion by Committee Member Leonardis and a second by Committee Member Sykes, TPAC unanimously approved to adopt the staff recommendation in item 5.C.

Ayes – 8 (Matthews, Oliverio, Matthews, Esteves, Chen, Marsalli, Kolstad, Sykes, Leonardis)

Nays – 0

D. Project Delivery and Procurement Strategy for the San José-Santa Clara Regional Wastewater Facility

Staff Recommendation:

1. Accept this staff report on the proposed project delivery and procurement strategy for the San José-Santa Clara Regional Wastewater Facility's Capital Improvement Program and refer to the full Council for approval.
2. Recommend that Council adopt a resolution that approves the use of low bid design-build and progressive design-build as potential delivery methods for projects in the San José-Santa Clara Regional Wastewater Facility's Capital Improvement Program and that delegates authority to the Directors of Environmental Services and Public Works, or their designees, to make a determination on the appropriate delivery method for each project.

The proposed Project Delivery and Procurement Strategy is scheduled for Council consideration on March 24, 2015.

On a motion by Committee Member Matthews and a second by Committee Member Kolstad, TPAC approved to adopt the staff recommendation requesting follow-up to a public comment by Mr. David Wall requesting to investigate how much deliverables since January 9, 2015.

Ayes – 8 (Matthews, Oliverio, Matthews, Esteves, Chen, Marsalli, Kolstad, Sykes, Leonardis)

Nays – 0

E. San José-Santa Clara Regional Wastewater Facility Ten-Year Funding Strategy

Staff Recommendation: Accept the staff report on the San José-Santa Clara Regional Wastewater Facility Ten-Year Funding Strategy

The proposed Strategy is scheduled for Council consideration on March 24, 2015.

TPAC Recommendation:

1. **Allow staff from the different agencies to work together to provide other financial options and return to TPAC with this information in April, 2015.**
2. **On a request by Council Member Oliverio, staff was asked to return with information on what would be involved to analyze the feasibility of selling the San José-Santa Clara Regional Wastewater Facility to a private company, or otherwise outsourcing the Facility.**

6. **OTHER BUSINESS/CORRESPONDENCE**

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

A. Sanitary Sewer Flow Study Update

Staff Recommendation:

1. Accept the updated staff report regarding the attached Sanitary Sewer Flow; and
2. Approve the proposed changes and policy recommendations for future updates to the revenue program for the San José – Santa Clara Regional Wastewater Facility.

The proposed Update was heard and approved by Council on March 3, 2015.

B. First Amendment to the Consultant Agreement with Brown and Caldwell for Engineering services for the digester and thickener Facilities Upgrade Project

Staff Recommendation:

- a. Approve the First Amendment to the Consultant Agreement with Brown and Caldwell for engineering services for the Digester and Thickener Facilities Upgrade project at the San José – Santa Clara Regional Wastewater Facility, modifying the scope of services and increasing the amount of compensation by \$1,999,884, for a total agreement amount not to exceed \$14, 017,410; and extending the term of agreement from December 31, 2019 to June 30, 2020.

- b. Adopt the following 2014-2015 Appropriation Ordinance Amendments in the San Jose – Santa Clara Treatment Plant Capital Fund:
 - (1) Decrease the Energy Generation Improvements appropriation to the Environmental Services Department in the amount of \$955,000;
 - (2) Decrease the Digested Sludge Dewatering in the amount of \$545,000; and
 - (3) Increase the Digester and Thickener Facilities Upgrade appropriation to the Environmental Services Department in the amount of \$1,500,000.

The proposed Amendment was heard and approved by Council on February 24, 2015.

Item 7A and 7B were approved to note and file.

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 \$1.08 million and of services between \$100,000 and \$270,000.

Item 8.A was approved to note and file.

9. MISCELLANEOUS

- A. The next TPAC meeting is April 9, 2015, at 4:30 p.m. City Hall, Room 1734.

10. PUBLIC COMMENT

11. ADJOURNMENT

A. The Treatment Plant Advisory Committee adjourned at 6:02 p.m.

Minutes approved by the Treatment Plant Advisory Committee on April 9, 2015

A handwritten signature in blue ink, appearing to read "Kerrie Romanow".

Kerrie Romanow
Director of Environmental Services, Secretary to TPAC