

**MINUTES OF THE  
SAN JOSÉ/SANTA CLARA  
TREATMENT PLANT ADVISORY COMMITTEE**  
City Hall, Council Chambers  
Thursday, December 10, 2015 at 4:30 p.m.

**1. ROLL CALL**

Minutes of the Treatment Plant Advisory Committee convened this date at 4:38 p.m. Roll call was taken with the following members in attendance:

**Committee Members:** Jose Esteves, John Gatto, Pat Kolstad, Steven Leonardis, Jamie Matthews, Manh Nguyen, Pierluigi Oliverio, Dave Sykes, Sam Liccardo

**2. APPROVAL OF MINUTES**

A. November 19, 2015

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

**Ayes – 9** (Esteves, Gatto, Kolstad, Liccardo, Leonardis, Matthews, Nguyen, Oliverio, Sykes)

**Nays – 0**

**Absent – 1** (Liccardo)

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

**4. DIRECTORS REPORT**

A. Directors Report (verbal)  
Monthly progress report

There were no items to report.

**5. AGREEMENTS/ACTION ITEMS**

A. San José- Santa Clara Regional Wastewater Facility Ten-Year Funding Strategy Report Update

Staff Recommendation: Accept the status report on the Ten-Year Funding Strategy for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program, and approve staff's recommendation of projects for which to seek State Revolving Fund loans.

**This item is scheduled for consideration by the City Council on January 12, 2016.**

**On a motion by Committee Member Leonardis and a second by Committee Member Oliverio, TPAC recommended approval of the following:**

1. To accept the status report on the Ten-Year Funding Strategy for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Project

**Ayes – 6** (Kolstad, Liccardo, Matthews, Nguyen, Oliverio, Sykes)

**Nayes – 3** (Esteves, Gatto, Leonardis)

**Absent – 0**

2. To approve staff's recommendation of projects for which to seek State Revolving Fund loan

**Ayes – 7** (Esteves, Kolstad, Liccardo, Matthews, Oliverio, Nguyen, Sykes)

**Nayes – 2** (Gatto, Leonardis)

**Absent – 0**

- B. Master Consultant Agreement with Kennedy-Jenks Consultants, Inc. for Engineering Services for “#7448- Filter Rehabilitation Project” at the San Jose-Santa Clara Regional Wastewater Facility

Staff Recommendation: Approve a master consultant agreement with Kennedy/Jenks Consultants, Inc. to provide engineering services for the “#7448- Filter Rehabilitation Project” at San José- Santa Clara Regional Wastewater Facility from the date of execution through June 30, 2023 in a total amount not to exceed \$4,950,000, subject to appropriation of funds.

**This item is scheduled for consideration by the City Council on December 15, 2015.**

**On a motion by Committee Member Kolstad and a second by Committee Member Oliverio, TPAC recommended approval of the Staff Recommendation for Item 5.B.**

**Ayes – 8** (Esteves, Gatto, Kolstad, Leonardis, Matthews, Nguyen, Oliverio, Sykes)

**Nayes – 0**

**Absent – 1** (Liccardo)

**6. OTHER BUSINESS/CORRESPONDENCE**

- A. The 2015 Annual Report on Plant Operational Reserve Capacity for all Agencies.

**TPAC accepted the 2015 Annual Report on Plant Operational Reserve Capacity for all Agencies.**

**Ayes – 8** (Esteves, Gatto, Kolstad, Leonardis, Matthews, Nguyen, Oliverio, Sykes)

**Nayes – 0**

**Absent – 1** (Liccardo)

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

A. San José- Santa Clara Regional Wastewater Facility Master Agreements Amendments

Staff Recommendations:

- (a) General discussion of interests and concerns related to the proposed amendments to the Master Agreement for the San José-Santa Clara Regional Wastewater Facility; and
- (b) Direct staff to return with the draft Amendment and Restatement of the Master Agreements to include amendments that would be necessary to secure State Revolving Fund loans and short term financing for the Tributary Agencies' obligation for the capital projects in FY 15-16; and
- (c) Direct staff to coordinate with the City of Santa Clara to evaluate the scope of the proposed amendments, and return to the City Council with recommendations on whether to proceed with negotiations, and a process and budget to negotiate the amendments as part of the 2015-2016 mid-year budget process.

**The proposed recommendations were approved by Council on December 1, 2015.**

C. Approval of Final Proposer Ranking and Authorization to Negotiate the Design-Build Contract for the Cogeneration Facility Project at the San José- Santa Clara Regional Wastewater Facility

Staff Recommendation:

Adopt a resolution:

- (a) Approving the final proposer ranking for design-build firms for the Cogeneration Facility at the San José – Santa Clara Regional Wastewater Facility.
- (b) Authorizing the City Manager to negotiate the design-build contract for the Cogeneration Facility Project with CH2M HILL Engineers, Inc. (CH2M HILL)
- (c) Authorizing the City Manager to terminate negotiations with CH2M HILL, and to negotiate the design-build contract for the Cogeneration Facility Project with the second-ranked proposer, in the event that the City Manager determines that the City and CH2M HILL cannot agree upon the terms of the design-build contract.
- (d) Finding the Initial Study and Mitigated Negative Declaration for the San José-Santa Clara Regional Wastewater Facility (RWF) Cogeneration Project is complete, and was prepared in compliance with the California Environmental Quality Act (CEQA), and incorporating environmental mitigation measures as set forth in the Mitigation Monitoring and Reporting program for the project.

**The proposed resolutions were adopted by Council on December 1, 2015.**

D. Second Amendment for Legal Services Agreement for Regional Wastewater Facility Capital Program

Staff Recommendation:

Adopt a resolution authorizing the City Attorney to execute a Second Amendment to the legal services agreement with Hawkins, Delafield & Wood LLP, to modify the initial term of December 1, 2014 through December 1, 2015, to December 1, 2014 through June 20, 2016, to coincide with the fiscal year appropriations which will increase the amount available in the initial term to \$700,000, and to modify the number of option terms from two terms to one term, without increasing the total maximum amount of compensation of \$1,000,000 available under the contract, subject to appropriation of funds by City Council, to support the San José-Santa Clara Regional Wastewater Facility ("RWF") capital improvement program.

**The proposed resolution was adopted by Council on December 1, 2015.**

E. Master Consultant Agreement with CDM Smith Inc. for Engineering and Construction Management Services for the "7701- Headworks Project" at the San José- Santa Clara Regional Wastewater Facility

Staff Recommendation:

Approve a master consultant agreement with CDM Smith Inc. to provide engineering and construction management services for the Headworks Improvements (including Headworks Critical Improvements) and New Headworks at the San José-Santa Clara Regional Wastewater Facility for a period beginning on the date of execution through December 31, 2022 in a total amount not to exceed \$9,670,000, subject to the appropriation of funds.

**The proposed recommendation was approved by Council on December 1, 2015.**

F. Report on Bids and Award of Contract for 7946- Process Water Pumps Replacement Project

Staff Recommendation:

1. Award of a construction contract for 7946 – Process Water Pumps Replacement Project to the low bidder, Anderson Pacific Engineering Construction, Inc., in the amount of \$382,100
2. Approval of a construction contingency of 15 percent in the amount of \$57,315

**The proposed recommendations were approved by Council on December 1, 2015.**

G. Execute An Open Purchase Order with ABB Inc.  
Staff Recommendation:

Authorize the City Manager to:

- (a) Execute an Open Purchase Order with ABB Inc. (Wickliss, OH) for hardware repair, replacement, and rebuilding services for the Distributed Control Systems (DCS) at the Regional Wastewater Facility, for the term December 1, 2015 through November 30, 2016 in an amount not to exceed \$750,000 per year; and
- (b) Execute change orders to purchase additional parts and services subject to the appropriation of funds; and
- (c) Execute additional purchase orders for the subsequent annual purchase of hardware repair, replacement, and rebuilding services through November 30, 2018 subject to the appropriation of funds.

**The proposed recommendations were accepted by Council on December 1, 2015.**

H. Clean Water State Revolving Fund Loan Application

Staff Recommendation:

Adopt the following resolutions:

- (a) Authorize the City Manager to execute and deliver documents to the State Water Resources Control Board to complete the financial assistance application for a Clean Water State Revolving Fund Loan to finance the Digester and Thickener Facilities Upgrade Project at the San José-Santa Clara Water Pollution Control Plant;
- (b) Declare the official intent of the City of San José to reimburse itself for certain capital expenditures related to the Digester and Thickener Facilities Upgrade Project from the proceeds of the Clean Water State Revolving Fund Financing Agreement Project Funds; and
- (c) Pledge revenues received from the San José Sewer Service and Use Charge, the City of Santa Clara, and from Outside Users that are deposited into the San José-Santa Clara Treatment Plant Fund pursuant to San José Municipal Code Chapter 4.80 and written agreements with these agencies for each agency's share of the capital cost including repayment of any and all Clean Water State Revolving Fund financings for the Digester and Thickener Facilities Upgrade Project.

**The proposed resolutions were adopted by Council on November 10, 2015.**

8. REPORTS

- A. There were no items to report.

9. **MISCELLANEOUS**

A. The next TPAC meeting is January 14, 2016, at 4:30 p.m. City Hall, Room 1734.

10. **PUBLIC COMMENT**

David Wall spoke.

11. **ADJOURNMENT**

A. The Treatment Plant Advisory Committee adjourned at 5:21 p.m.



Jamie Matthews, Chair  
TREATMENT PLANT ADVISORY COMMITTEE