

**MINUTES OF THE
SAN JOSÉ/SANTA CLARA
TREATMENT PLANT ADVISORY COMMITTEE**

San José City Hall, T-1734
Thursday, June 13, 2019 at 4 p.m.

1. ROLL CALL

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

Committee Members: Debi Davis, Lan Diep, John Gatto, Steven Leonardis, Carmen Montano, Kathy Watanabe, Jim Ortbal (4:03p.m.)ⁱ

2. APPROVAL OF MINUTES

A. May 16, 2019

On a motion made by Committee Member Leonardis and a second by Committee Member Gatto, TPAC recommended approval of the minutes.

Ayes – 6 (Debi Davis, Diep, Gatto, Leonardis, Montano, Watanabe)

Absent– 3 (Dev Davis, Liccardo, Ortbal)

3. UNFINISHED BUSINESS/REQUEST FOR DEFERRALS

4. DIRECTOR’S REPORT

A. Director’s Report (verbal)

5. AGREEMENTS/ACTION ITEMS

A. Amendments to the Master Consultant Agreements with Consolidated Engineering Labs, Construction Testing Services, Inc., and Signet Testing Labs,

ⁱ Committee Member Jim Ortbal was absent for Item No. 1 Roll Call and for Item No. 2 Approval of the Minutes, but he arrived at 4:03 p.m., and was present for the remainder of the meeting.

Inc. for Special Inspection and Materials Testing Services for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program

Staff Recommendation:

Approve the Amended and Restated Master Consultant Agreements with Consolidated Engineering Laboratories, Construction Testing Services, Inc., and Signet Testing Labs, Inc. for special inspection and materials testing services to allow for premium pay, reductions in the minimum limits for Professional Liability Errors and Omissions insurance from \$5,000,000 to \$2,000,000 per claim limit, and revisions to the Schedule of Rates and Charges, with no extensions of the term or increases to the maximum total compensation.

This item is scheduled for consideration by the City Council on June 25, 2019.

Assistant Director Napp Fukuda described these Agreements to the Committee and was available for questions.

Committee Member Montano asked whether these companies had been used before and how long they had been used at the Facility.

Assistant Director Fukuda stated that they have been used since the beginning of the program.

Committee Member Montano asked if there had been a bid process.

Assistant Director Fukuda stated that yes there had and they had been chosen for their qualifications.

On a motion made by Committee Member Leonardis and a second by Committee Member Gatto, TPAC recommended approval of this item.

Ayes – 7 (Debi Davis, Diep, Gatto, Leonardis, Montano, Ortbal, Watanabe)

Absent– 2 (Dev Davis, Liccardo)

6. OTHER BUSINESS/CORRESPONDENCE

- A. Final Proposer Rankings and Intent to Negotiate the Design-Build Contract for the Digested Sludge Dewatering Facility Project at the San José- Santa Clara Regional Wastewater Facility

Assistant Director Fukuda described this Info Memo to the Committee and was

available for questions.

Vice Chair Debi Davis asked if we had used either of the companies before.

Assistant Director Fukuda replied in the affirmative.

Committee Member Gatto asked if there had been some sort of performance guidelines or requirements within the RFP.

Assistant Director Fukuda answered yes.

Committee Member Gatto asked if there was still an ongoing study for the overall biosolids marketing.

Assistant Director Fukuda answered yes and it was currently in progress.

Committee Member Gatto queried whether this study was a disposition issue or an overall method of handling the biosolids.

Assistant Director Fukuda answered that it was a disposition issue.

Committee Member Gatto asked how the budget was determined, was it a part of the bidding process or was it given to the companies?

Assistant Director Fukuda introduced Interim Deputy Director Marianna Chavez-Vazquez to explain the process.

Interim Deputy Director Chavez-Vazquez described the two-step process: first, request for qualifications that got the top three qualified companies.. Second, the companies submitted proposals for a basic design of what was expected and a scope of services for the preliminary services. This is a preliminary service quote based on the scope that we provided. Interim Deputy Director Chavez-Vazquez stated that the Committee would be getting the estimate of a budget but not a Guarantee Maximum Price yet, which would come to TPAC later once there is a more developed design scope.

Committee Member Gatto asked for clarification on what the actual construction costs will be versus what the first phase preliminary costs

Interim Deputy Director Chavez-Vazquez clarified that the first phase preliminary costs would be nine to ten million dollars of the \$125 million total for the project.

Committee Member Gatto asked Director Kerrie Romanow if the funding costs will be staged when the contracts are issued or if the full amount will be due this year.

Director Romanow asked Interim Director Chavez-Vazquez if she remembered how it was budgeted.

Interim Deputy Director Chavez-Vazquez stated that the amount due this year is just the amount for the preliminary services and a couple of early work packages. In the next fiscal year, is the bulk of the construction and therefore the rest of the costs.

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

A. First Amendment to the Master Agreement with Golder Associates for Environmental Support Services

Staff Recommendation:

Approve the First Amendment to the Master Agreement with Golder Associates for environmental consulting services, increasing the amount of compensation by \$500,000, for a total agreement not to exceed \$1,000,000. No extension is being recommended on the term of the agreement, which expires on June 30, 2020.

This item was approved by the City Council on May 21, 2019.

B. Agreements with ABB Inc., DBA ABB DE, Inc., for a Distributed Control Unit (DCU) upgrade and ongoing support and maintenance at the San José/Santa Clara Regional Wastewater Facility

Staff Recommendation:

Adopt a resolution authorizing the City Manager to:

- a. Negotiate and execute an agreement with ABB Inc., dba ABB DE, Inc., (Wickliffe, OH) to upgrade distributed control units at the San José/Santa Clara Regional Wastewater Facility, including hardware, software, programming, configuration, and related professional services, beginning May 1, 2019 and ending December 31, 2022 for a maximum not-to-exceed compensation of \$6,377,000, subject to the appropriation of funds; and
- b. Execute the Water Care Enhanced Agreement with ABB Inc., dba ABB DE, Inc. (Wickliffe, OH) and annual purchase orders pursuant to the terms of the Water Care Enhanced Agreement for ongoing support and

maintenance (\$233,194 per year) and as-needed parts replacement and repair and rebuilding services (estimated at \$500,000-\$750,000 per year) for a five-year term beginning May 1, 2019 and ending April 30, 2024 and for a combined compensation not to exceed \$3,915,970, subject to the appropriation of funds; and

- c. Negotiate and execute amendments and change orders to the agreements as required for unanticipated changes, subject to the appropriations of funds.

This item was approved by the City Council on May 21, 2019.

C. Discharge Regulations and Future Impacts on the San José-Santa Clara Regional Wastewater Facility

Staff Recommendation:

Accept the annual update on regulatory items related to the San José-Santa Clara Regional Wastewater Facility.

This item was accepted by the T&E Committee on May 6, 2019.

D. Proposed 2020-2024 CIP Budget

Staff Recommendation: TPAC approval of the San José/Santa Clara Regional Wastewater Facility Control Proposed 2020-2024 Capital Improvement Program.

The San José/Santa Clara Regional Wastewater Facility Proposed 2020-2024 Capital Improvement Program is scheduled for Council consideration on June 11, 2019, and for adoption on June 18, 2019.

E. Proposed 2019-2020 O&M Budget

Staff Recommendation: TPAC approval of the San José/Santa Clara Regional Wastewater Facility Control Proposed 2019-2020 Operating Budget.

The San José/Santa Clara Regional Wastewater Facility Proposed 2019-2020 Operating Budget is scheduled for Council consideration on June 11, 2019, and for adoption on June 18, 2019.

Items 7.A, 7.B., 7.C., 7.D., and 7.E. were approved to note and file.

Ayes – 7 (Debi Davis, Diep, Gatto, Leonardis, Montano, Ortbal, Watanabe)

Absent– 2 (Dev Davis, 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.

9. MISCELLANEOUS

A. The next TPAC Meeting is on **August 8, 2019, at 4:00 p.m.**, City Hall, Room 1734.

10. OPEN FORUM

11. ADJOURNMENT

A. The Treatment Plant Advisory Committee adjourned at 4:15 p.m.

Sam Liccardo, Chair

TREATMENT PLANT ADVISORY COMMITTEE