

## SAN JOSÉ/SANTA CLARA TREATMENT PLANT ADVISORY COMMITTEE

SAM LICCARDO, CHAIR  
KATHY WATANABE, VICE CHAIR  
DEV DAVIS, MEMBER  
KIP HARKNESS, MEMBER  
DAVID COHEN, MEMBER

CARMEN MONTANO, MEMBER  
KAREN HARDY, MEMBER  
ROWENA TURNER, MEMBER  
PATRICK KWOK, MEMBER

### REGULAR MEETING AGENDA/TPAC

**4:00 p.m.**

**February 10, 2022**

**Virtual**

#### **\* COVID-19 NOTICE \***

**Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323 and 80343 this meeting will not be physically open to the public and the Treatment Plant Advisory Committee Members will be teleconferencing from remote locations.**

#### **How to join the virtual TPAC Meeting:**

By phone **(888) 475-4499 or (877) 853-5257** Meeting ID: **915 0854 1897**

By online **<https://sanjoseca.zoom.us/j/91508541897>**

#### **How to submit written Public Comment before the TPAC Meeting:**

By email to [ESDcouncilmemos@sanjoseca.gov](mailto:ESDcouncilmemos@sanjoseca.gov) by 12:00 p.m. the day of the meeting. Those emails will be considered as if they were part of the meeting. Please identify the Agenda Item Number in the subject line of your email.

#### **How to submit written Public Comment during the TPAC Meeting:**

Email during the meeting to [ESDcouncilmemos@sanjoseca.gov](mailto:ESDcouncilmemos@sanjoseca.gov), identifying the Agenda Item Number in the email subject line. Comments received will be included as a part of the meeting record but will not be read aloud during the meeting.

#### **How to provide Spoken Public Comment during the TPAC Meeting:**

By phone **(888) 475-4499 or (877) 853 5257** Meeting ID: **915 0854 1897** Click **\*9** to raise a hand to speak.

By online **<https://sanjoseca.zoom.us/j/91508541897>**

- a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
- c. When the Chair calls for the item on which you wish to speak, click on “Raise Hand.” Speakers will be notified shortly before they are called to speak.
- d. When called, please limit your remarks to the time limit allotted.

1. **ROLL CALL**

2. **APPROVAL OF MINUTES**

- A. January 13, 2022  
[Draft Minutes](#)

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

4. **DIRECTOR'S REPORT**

- A. Director's Report (verbal)  
CIP Quarterly Status Report: [October – December 2021](#)

5. **AGREEMENTS/ACTION ITEMS**

- A. **Approval of an Amended and Restated Design-Build Contract for the Design and Construction of the Digested Sludge Dewatering Facility Project at the San Jose-Santa Clara Regional Wastewater Facility**

**Staff Recommendation:**

- a) Approve the Amended and Restated Design-Build Contract with Walsh Construction Company II, LLC for the final design, construction, commissioning and acceptance testing of the Digested Sludge Dewatering Facility Project at the San José-Santa Clara Regional Wastewater Facility in a lump sum amount not to exceed \$131,161,646.
- b) Approve a construction contingency in the amount of \$12,115,379 for adjustments to the lump sum contract amount, all in accordance with the Amended and Restated Design-Build Contract.
- c) Adopt the following 2021-2022 Appropriation Ordinance Amendments in the San José-Santa Clara Treatment Plant Capital Fund:
- (1) Decrease the Yard Piping and Road Improvements appropriation to the Environmental Services Department by \$3,100,000; and
  - (2) Increase the Digested Sludge Dewatering Facility appropriation to the Environmental Services Department by \$3,100,000.

**[5. A. Memorandum  
Presentation  
Amended and Re-stated Contract](#)**

**This item is scheduled to be heard at City Council on March 1, 2022.**

6. **OTHER BUSINESS/CORRESPONDENCE**

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

A. **Actions Related to the Purchase Orders for Trucking and Debris and Asphalt Hauling Services**

**Staff Recommendation:**

Adopt a resolution authorizing the City Manager to:

- a) Execute purchase orders with One Stop, Inc. dba San José Transport (Gilroy, CA), 101 Trucking, Inc, (Gilroy, CA), and Alviso Rock, Inc (Alviso, CA) for trucking and debris and asphalt hauling services for an initial twelve-month period, starting on or about January 26, 2022 and ending on or about January 25, 2023, for a total cumulative compensation not-to exceed amount of \$593,000; and
- b) Exercise up to four (4) additional one-year options to extend the initial term of the purchase orders with the last option year ending on or about January 25, 2027, subject to the annual appropriation of funds

**This item was approved by City Council on January 25, 2022.**

B. **Report on Procurement of Insurance Products for Continuation of an Owner-Controlled Insurance Program for the San Jose-Santa Clara Regional Wastewater Facility**

**Staff Recommendation:**

Adopt a resolution authorizing the Director of Finance to:

- (1) Purchase insurance policies for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program with total cost not to exceed \$7,221,283 including estimated insurance premiums of \$4,661,872 and a total maximum deductible \$2,559,411, as well as a cash collateral fund of \$1,496,471 with premiums to be paid in four (4) annual installments, and subject to the annual appropriation of funds, as follows:
  - (a) Federal Insurance Company: Commercial General Liability Insurance and Workers' Compensation Insurance with a Program Agreement Endorsement stipulating terms of the cash collateral fund management
  - (b) Allied World Assurance Company, Inc.: Commercial Excess Liability Insurance
  - (c) Endurance Risk Solutions Assurance Company: Commercial Excess Liability Insurance
  - (d) Liberty Surplus Insurance Corporation: Commercial Excess Liability Insurance

- (e) Great American Assurance Company: Commercial Excess Liability Insurance
- (f) Westchester Surplus Lines Insurance Company: Commercial Excess Liability Insurance
- (g) Ironshore Specialty Insurance Company: Contractors Pollution Liability Insurance
- (h) Berkley Assurance Company: Owners Protective Professional Liability Insurance; and
- (2) Either renew an existing, or secure quotes and purchase a new, Master Builder's Risk Insurance policy with special endorsement for Flood to provide builder's risk coverage through 2026 as necessary, with a projected \$906,000 in premiums, the cost of which is included in the estimated insurance premiums above.

**This item was approved by City Council on January 25, 2022.**

**C. Project Labor Agreement**

**Recommendation:**

As recommended by the Mayor and City Council, provide feedback to staff regarding the direction provided by the Mayor and City Council on December 14, 2021, as outlined in the background section of this memorandum.

**8. REPORTS**

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

Monthly Procurement and Contract Activity Reports summarizes the purchase and contracting between \$100,000 and \$1.3 Million for Goods and \$100,000 and \$320,000 for Services

[Open PO Report November 2021 - January 2022](#)

**9. MISCELLANEOUS**

- A. The next TPAC Meeting is on **March 10, at 4:00 p.m.**, Virtual.

**10. OPEN FORUM**

**11. ADJOURNMENT**

NOTE: If you have any changes or questions, please contact April Kellett, Environmental Services (408) 975-2547.

To request an accommodation or alternative format for City-sponsored meetings, events or printed materials, please contact April Kellett (408) 975-2547 or (408) 294-9337 (TTY) as soon as possible, but at least three business days before the meeting/event.

**Availability of Public Records.** All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at San Jose City Hall, 200 East Santa Clara Street, 10<sup>th</sup> Floor, Environmental Services at the same time that the public records are distributed or made available to the legislative body.