

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

San José City Hall, Virtual
Thursday, February 10, 2022 at 400 p.m.

1. ROLL CALL

Minutes of the Treatment Plant Advisory Committee convened this date at 4:00 p.m. Chair Liccardo called the meeting to order and asked for roll call. Roll call was taken with the following members in attendance:

Committee Members: David Cohen, Karen Hardy, Kip Harkness, Patrick Kwok, Sam Liccardo, Carmen Montano, Rowena Turner, Kathy Watanabe

2. APPROVAL OF MINUTES

A. January 13, 2021

Action: On a motion made by Committee Member Hardy and a second by Committee Member Turner, TPAC recommended approval of the Minutes:

Ayes - 7 (Cohen, Hardy, Harkness, Kwok, Liccardo, Montano, Turner)

Nays - 0

Absent - 2 (Davis, Watanabe)

3. UNFINISHED BUSINESS/REQUEST FOR DEFERRALS

4. DIRECTOR'S REPORT

A. Director's Report (verbal)
CIP Quarterly Status Report: **October – December 2021**

Environmental Services Department Director Kerrie Romanow stated that there was no report, pointed out that the CIP Quarterly Status Report was available for review and there would be a presentation of the CIP Semiannual Report at the next TPAC meeting.

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.

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

Director Romanow stated there was a presentation on this item. CIP Deputy Director Mariana Chavez-Vazquez made a presentation and concluded by saying she and staff were available for questions. Chair Liccardo provided background on the history of the project and invited questions or comments from the public, there were none. Chair Liccardo recognized Committee Members Kwok, Hardy, Montano, Turner, and Watanabe. Director Romanow, Senior Deputy City Attorney Jennifer Pousho, Deputy Director Vazquez, and CIP Program Manager David Ohlson responded to questions and contributed to discussion by the committee regarding various aspects of the project, project history, Milpitas Guiding Principles, and the Plant Master Plan.

Action: On a motion made by Committee Member Watanabe and a second by Committee Member Hardy, TPAC recommended approval of item 5. A.

Ayes - 6 (Cohen, Hardy, Harkness, Liccardo, Montano, Watanabe)

Nays - 2 (Kwok, Turner)

Absent - 1 (Davis)

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:

1. 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
2. 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.

This item was approved by City Council on December 14, 2021.

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

November 2021 – January 2022

Chair Liccardo noted the items in Sections 6, 7, and 8. There were no questions from the committee or the public.

9. MISCELLANEOUS

- A. The next TPAC Meeting is on **March 10, 2022 at 4:00 p.m.**, Virtual Meeting.

10. OPEN FORUM

Chair Liccardo invited questions or comments, there were none.

11. ADJOURNMENT

The Treatment Plant Advisory Committee was adjourned at 4:59 p.m.



Sam Liccardo, Chair
TREATMENT PLANT ADVISORY COMMITTEE