

## SAN JOSE/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.**

**August 11, 2022**

**Virtual**

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

**Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323, 80343, 80363, 80400, 80445, 80481, 80507, 80576, and 80609 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. Click **\*6** to unmute when called.

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. June 9, 2022  
[Draft Minutes](#)

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

4. **DIRECTOR'S REPORT**

- A. Director's Report (verbal)  
CIP Quarterly Status Report: [April – June 2022](#)

5. **AGREEMENTS/ACTION ITEMS**

- A. **Election of Chair**
- B. **Election of Vice Chair**
- C. **Amendment to the 2022-2023 Operating and Maintenance Budget**

**Staff Recommendation:**

Accept the following amendments to the San José-Santa Clara Regional Wastewater Facility (“RWF”) 2022-2023 Operating & Maintenance Budget adopted by San José City Council on June 21, 2022.

1. Update the estimated cost distributions for the City of San José, the City of Santa Clara, and each Tributary Agency in the 2022-2023 Operating and Maintenance Budget as shown in this memorandum.
2. In the San Jose – Santa Clara Treatment Plant Operating Fund:
  - (a) Increase the estimated revenue attributable to the City of Santa Clara by \$5,106,930, adjusting the budget item entitled “Contributions - Santa Clara”, from \$14,460,990 to \$19,567,920;
  - (b) Increase the cumulative estimated revenue attributable to the Tributary Agencies by \$7,228,896, adjusting the budget item entitled “Contributions - Other Agencies” from \$20,447,988 to \$27,676,884; and
  - (c) Establish the Prior Fiscal Year Agency Payment appropriation to the Environmental Services Department in the amount of \$12,335,826.

**5. C. Memorandum**

**This item is scheduled to be heard by City Council on October 18, 2022.**

**D. Construction Contingency Increase for the 7382-Digester and Thickener Facilities Upgrade Project at the San Jose-Santa Clara Regional Wastewater Facility**

**Staff Recommendation:**

Approve a \$3,107,049 increase to the construction contingency amount of \$67,490,625 for a revised total contingency amount of \$70,597,674, to provide funding for the City's negotiated settlement of a loss of productivity claim and changes to the Project control system increasing the not-to-exceed amount from \$175,415,625 to a total revised contract amount not-to-exceed \$178,522,674 for the 7382 – Digester and Thickener Facilities Upgrade Project

[5. D. Memorandum](#)

[5. D. Presentation](#)

**This item is scheduled to be heard at City Council on August 23, 2022.**

**E. Report on Bids and Award of Construction Contract for 8781 – Fire Life Safety Upgrades Project at the San Jose-Santa Clara Regional Wastewater Facility**

**Staff Recommendation:**

Report on bids and award of construction contract for the 8781 – Fire Life Safety Upgrades Project Re-Bid to the lowest bidder, Blocka Construction, Inc., in the amount of \$2,839,000 and approve a 15 percent construction contingency in the amount of \$425,850.

[5. E. Memorandum](#)

[5. E. Presentation](#)

**This item is scheduled to be heard at City Council on August 23, 2022.**

**F. Second Amendment to the Master Consultant Agreement with BSI America Professional Services, Inc. for Safety Professional Services**

**Staff Recommendation**

Approve the Second Amendment to the Master Consultant Agreement with BSI America Professional Services, Inc. for safety professional services, increasing the amount of compensation by \$250,000 for a total agreement not to exceed \$540,000, and extending the term of the agreement from August 31, 2022, to February 28, 2023.

[5. F. Memorandum](#)

**This item is scheduled to be heard at City Council on August 23, 2022.**

6. **OTHER BUSINESS/CORRESPONDENCE**

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

A. **Discharge Regulations and Future Impacts on the San José – Santa Clara Regional Wastewater Facility**

**Staff Recommendation:**

Accept a report on future wastewater discharge requirements and their potential impacts on Regional Wastewater Facility Capital Projects.

**This item was heard and accepted by the Transportation and Environment Committee on May 2, 2022.**

B. **Report on Request for Proposal for a Laboratory Information Management System**

**Staff Recommendation:**

Accept the report on the Request for Proposal and adopt a resolution authorizing the City Manager to:

(a) Negotiate and execute an agreement with Ethosoft, Inc. (Norcross, GA) for a laboratory information management system, including associated professional services such as implementation, training, support, and maintenance, for an initial one-year term beginning on or about June 15, 2022 and ending June 14, 2023, with a total maximum compensation not to exceed \$248,060, subject to the appropriation of funds;

(b) Negotiate and execute amendments and change orders as required for any unanticipated changes for a contingency amount not to exceed \$50,000 during the initial one-year term, subject to the appropriation of funds; and

(c) Exercise up to nine one-year options to extend the term of the agreement and the software license with the last option ending on or about June 14, 2032 in alignment with the software renewal term, subject to the appropriation of funds. (Finance)

**This item was approved by City Council on June 14, 2022.**

C. **Amend Purchase Order for Ferrous Chloride (FeCl<sub>2</sub>)**

**Staff Recommendation:**

Authorize the City Manager to amend purchase order OP 60556 with Kemira Water Solutions, Inc. (Lawrence, KS) for Ferrous Chloride (FeCl<sub>2</sub>) to increase compensation by \$670,000, for a revised maximum compensation not-to-exceed \$1,970,000 for the period ending on June 30, 2022. (Finance).

**This item was approved by City Council on June 14, 2022.**

**D. Amendment to Purchase Orders for Fuel and Petroleum Products as Needed**

**Staff Recommendation**

Adopt a resolution authorizing the City Manager to:

(a) Amend open purchase order OP 60662 with Western States Oil Co (San José, CA) for fuel and petroleum products as needed to:

(1) Retroactively approve the seven one-year options that extended the term to July 31, 2022;

(2) Increase compensation by \$2,120,000 for a revised maximum compensation not-to-exceed \$7,620,000 through the seventh option term ending July 31, 2022;

(3) Negotiate and execute a purchase order to extend services for up to two additional option terms for a total of nine options through July 31, 2024, subject to the appropriation of funds;

(b) Amend open purchase order OP 60659 with Valley Oil Company (Mountain View, CA) for fuel and petroleum products as needed to:

(1) Retroactively approve the seven one-year options that extended the term to July 31, 2022;

(2) Negotiate and execute a purchase order to extend services for up to two additional option terms for a total of nine options through July 31, 2024, subject to the appropriation of funds; and

(c) Approve a contingency of \$380,000 for any unforeseen changes in the dynamic commodity market for fuel and petroleum products, subject to the appropriation of funds. (Finance)

**This item was approved by City Council on June 7, 2022.**

**E. Report on Bids and Award of Contract for 10166 - Repairs of Water Services and Mains: 2022-2025**

**Staff Recommendation:**

Report on bids and award of contract for the 10166 - Repairs of Water Services and Mains: 2022-2025 project to the lowest responsive bidder, San Jose Water Company in the amount of \$2,922,646.74.

**This item was approved by City Council on June 14, 2022.**

**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

**8. A. Open PO Report June - July 2022**

- B. Report on Activities Undertaken by the Director of Environmental Services Pursuant to Title 27 of the San Jose Municipal Code for the Period of January 1, 2022 – June 30, 2022.**

**8. B. Report**

**9. MISCELLANEOUS**

- A. The next TPAC Meeting is on **September 8, 2022 at 4:00 p.m.**, Virtual.**

**10. OPEN FORUM**

**11. ADJOURNMENT**

*The [Code of Conduct](#) is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.*

NOTE: If you have any changes or questions, please contact April Kellett, Environmental Services (408) 975-2547, [april.kellett@sanjoseca.gov](mailto:april.kellett@sanjoseca.gov).

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.