

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

San José City Hall, Virtual  
Thursday, September 8, 2022, at 4:00 p.m.

**1. ROLL CALL**

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

**Committee Members:** David Cohen, Dev Davis, Karen Hardy, Patrick Kwok, Sam Liccardo, Kathy Watanabe, Kip Harkness (4:04 p.m.), Carmen Montano (4:04 p.m.), Rowena Turner (4:04 p.m.)

**2. APPROVAL OF MINUTES**

A. August 11, 2022

**Action: On a motion made by Committee Member Liccardo and a second by Committee Member Davis, TPAC recommended approval of the Minutes:**

**Ayes - 6** (Cohen, Davis, Hardy, Kwok, Liccardo, Watanabe)

**Nays - 0**

**Absent - 3** (Harkness, Montano, Turner)

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

**4. DIRECTOR'S REPORT**

A. Director's Report (verbal)

Environmental Services Department Assistant Director Napp Fukuda provided a brief presentation on Switchgear M4 Replacement and G3 and G3A Removal project which was completed by contractor Blocka ahead of schedule using only 2% of the 15% contingency budgeted. Assistant Director Fukuda responded to a question from Committee Member Kwok regarding the fatality which occurred during work on the Advanced Facility Control Meter Replacement project by sub-contractor Kewitt. Deputy Director of RWF Operations and Maintenance Amit Mutsuddy responded to a question from Chair Watanabe regarding operations at RWF during the heat wave advising that since 80% of energy used is generated on site, the PG&E supplied energy requirements were minimal and one minor heat related issue did not affect operations.

5. **AGREEMENTS/ACTION ITEMS**

A. **Recommendation to the City Council on Insurance Renewals for San José-Santa Clara Regional Wastewater Facility**

**Staff Recommendation:**

Recommend the City Council authorize the Director of Finance to:

(a) Select and purchase City property and liability insurance policies for the Regional Wastewater Facility for the period October 1, 2022 to October 1, 2023, at a total cost not to exceed \$524,899 as well as an 18.0% contingency for additional property or assets scheduled, subject to the appropriation of funds with the following insurance carriers:

- (1) Factory Mutual Insurance Company for Property Insurance, including Boiler & Machinery and Terrorism Risk Insurance Act Coverage;
- (2) Beazley Syndicate 2623/623 at Lloyd's for Terrorism Insurance;
- (3) Arch Specialty Insurance Company and The Princeton Excess and Surplus Lines Insurance Company for \$15 million in excess flood insurance for locations in high and moderate hazard flood zones on a 50/50 quota share basis; and
- (4) Gemini Insurance Company for Auto Liability Insurance for the vehicle fleets at the Regional Wastewater Facility.

**This item is scheduled to be heard at City Council on September 20, 2022**

Assistant Director Fukuda advised there was no presentation on this item, however staff from the City's finance department was available for questions. There were no questions from the public or the committee.

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

**Ayes - 9** (Cohen, Davis, Hardy, Harkness, Kwok, Liccardo, Montano, Turner, Watanabe)  
**Nays - 0**

6. **OTHER BUSINESS/CORRESPONDENCE**

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

A. **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.

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

**B. 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

**This item was approved by City Council on August 23, 2022.**

**C. 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.

**This item was approved by City Council on August 23, 2022.**

**D. 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.

**This item was approved by City Council on August 23, 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.

Chair Watanabe noted that there were no comments or questions from the public or committee on Items 6 - 8.

**9. MISCELLANEOUS**

**A.** The next TPAC Meeting is on **October 13, 2022, at 4:00 p.m.**, Virtual.

**10. OPEN FORUM**

There were no comments or questions from the public or committee.

**11. ADJOURNMENT**

The Treatment Plant Advisory Committee was adjourned at 4:14 p.m.



Kathy Watanabe, Chair  
TREATMENT PLANT ADVISORY COMMITTEE