

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

San José City Hall, Virtual
Thursday, November 10, 2022, at 4:00 p.m.

1. ROLL CALL

Minutes of the Treatment Plant Advisory Committee convened this date at 4:02 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, Kip Harkness, Kathy Watanabe, Rowena Turner (4:03 p.m.)

2. APPROVAL OF MINUTES

A. September 8, 2022

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

Ayes - 7 (Cohen, Davis, Hardy, Harkness, Kwok, Turner, Watanabe)

Nays - 0

Absent - 2 (Liccardo, Montano)

3. UNFINISHED BUSINESS/REQUEST FOR DEFERRALS

4. DIRECTOR'S REPORT

A. Director's Report (verbal)

Environmental Services Department Director Kerrie Romanow announced that Deputy Director Amit Mutsuddy was attending his last TPAC meeting and expressed appreciation for the exemplary work he has done and congratulated him on his move to East Bay Municipal Utility District. She advised that the RWF CIP Quarterly Status Report was available and introduced Assistant Director Napp Fukuda who gave a brief presentation on project highlights and accomplishments during the July – September 2022 reporting period. There were no questions or comments from the committee or public.

5. AGREEMENTS/ACTION ITEMS

A. Amend Purchase Order for Ferric Chloride

Staff Recommendation:

Adopt a resolution authorizing the City Manager to amend purchase order OP62260 with Kemira Water Solutions, Inc. (Atlanta, GA) for Ferric Chloride to increase compensation by \$1,200,000, for a revised maximum compensation not-to-exceed \$2,500,000 for the period ending on June 30, 2023.

This item is scheduled to be heard at City Council on November 15, 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 Cohen and a second by Committee Member Turner, TPAC recommended approval of item 5. A.

Ayes - 7 (Cohen, Davis, Hardy, Harkness, Kwok, Turner, Watanabe)

Nays - 0

Absent - 2 (Liccardo, Montano)

B. Actions Related to the Purchase order for Cationic Emulsion Polymer

Staff Recommendation:

1. Amend purchase order OP 62535 with SNF Polydyne, Inc. (Riceboro, GA) for Cationic Emulsion Polymer to increase compensation by \$546,328, for a revised maximum compensation not-to-exceed \$932,448 for the period ending on July 12, 2023.

2. Exercise up to three additional one-year options to extend the term of the purchase order, with the last option ending on or about July 12, 2026, subject to the appropriation of funds.

This item is scheduled to be heard at City Council on November 15, 2022.

Assistant Director Fukuda advised there was no presentation on this item, however staff from the City's finance department was available for questions. Finance Department Program Manager, Fletcher Barnes, Amit Mutsuddy and Kerrie Romanow responded to questions and comments from Committee members Cohen, Hardy and Chair Watanabe regarding product pricing structure, RWF's capacity to stockpile supplies and need for product. There were no questions from the public.

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

Ayes - 7 (Cohen, Davis, Hardy, Harkness, Kwok, Turner, Watanabe)

Nays - 0

Absent - 2 (Liccardo, Montano)

C. Construction Contingency Increase for the 7731 – Nitrification Clarifier Rehabilitation – Phase 1 Project at the San José-Santa Clara Regional Wastewater Facility

Staff Recommendation:

Approve a \$5,200,000 increase to the original construction contingency amount of \$5,237,000 for a revised total contingency amount of \$10,437,000, increasing the not-to-exceed amount of the contract from \$31,421,000 to a total revised contract amount not-to-exceed of \$36,621,000, and a 218 workday time extension to the project substantial completion date for the 7731 - Nitrification Clarifier Rehabilitation - Phase 1 Project.

This item is scheduled to be heard at City Council on November 29, 2022.

Assistant Director Fukuda introduced Public Works Deputy Director Mathew Nguyen who gave a presentation on this item. Deputy Director Nguyen responded to comments and questions from Committee member Kwok regarding cost over-runs, condition assessments and design changes. Deputy Director Mutsuddy responded to Committee member Kwok's inquiry regarding adherence to current water and air permit regulations. Committee member Hardy's questions regarding contingency cost distribution were answered by Deputy Director Nguyen. Assistant Director Fukuda responded to Committee member Turner's comments and constructive criticism regarding the increased contingency and lessons learned. There were no questions from the public.

Action: On a motion made by Committee Member Davis and a second by Committee Member Cohen, TPAC recommended approval of item 5. C.

Ayes - 5 (Cohen, Davis, Hardy, Harkness, Watanabe)

Nays - 2 (Kwok, Turner)

Absent - 2 (Liccardo, Montano)

6. OTHER BUSINESS/CORRESPONDENCE

7. STATUS OF ITEMS PREVIOUSLY RECOMMENDED FOR APPROVAL BY TPAC

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 was approved by City Council on September 20, 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 **December 8, 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 5:04 p.m.



Kathy Watanabe, Chair
TREATMENT PLANT ADVISORY COMMITTEE