



Las Virgenes – Triunfo Joint Powers Authority
4232 Las Virgenes Road, Calabasas, CA 91302
818.251.2100



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Call and Notice of Special Meeting of the Governing Board of the
Las Virgenes – Triunfo Joint Powers Authority

A Special Meeting of the Governing Board of the Las Virgenes – Triunfo Joint Powers Authority (JPA) is hereby called, and notice of said Special Meeting is hereby given for **5:00 p.m. on Monday, October 30, 2023**, at Las Virgenes Municipal Water District, 4232 Las Virgenes Road, Calabasas, California 91302, to consider the following:

1. Call to Order
2. Special Meeting of October 30, 2023 (see attached agenda)
3. Adjourn

By Order of the Board of Directors
JANE NYE, Chair

A handwritten signature in blue ink, appearing to read "David W. Pedersen".

David W. Pedersen, P.E.
Deputy Secretary

Dated: October 25, 2023

Jane Nye
Chair, Las Virgenes-Triunfo
Joint Powers Authority
Chair, Triunfo Water & Sanitation District
Board of Directors

Jay Lewitt
Vice Chair, Las Virgenes-Triunfo
Joint Powers Authority
President, Las Virgenes Municipal Water District
Board of Directors

LAS VIRGENES TRIUNFO JOINT POWERS AUTHORITY
Las Virgenes Municipal Water District Board Room, 4232 Las Virgenes Road,
Calabasas, CA 91302

AGENDA
JOINT POWERS AUTHORITY - SPECIAL MEETING
MONDAY, OCTOBER 30, 2023 – 5:00 PM

PUBLIC PARTICIPATION: The public may join this meeting virtually or attend in person in the Board Room. Teleconference participants will be muted until recognized at the appropriate time by the Chair. To join via teleconference, please use the following Webinar ID:

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For members of the public wishing to address the Board during Public Comment or during a specific agenda item, please press "Raise Hand" if you are joining via computer; or press *9 if you are joining via phone; or inform the Executive Assistant/Clerk of the Board if attending in person.

Members of the public can also access and request to speak at meetings live on-line, with audio and limited video, at www.lvmwd.com/livestream. To ensure distribution of the agenda, please submit comments 24 hours prior to the day of the meeting. Those comments, as well as any comments received during the meeting, will be distributed to the members of the Board of Directors and will be made part of the official public record of the meeting. Contact Josie Guzman, Executive Assistant/Clerk of the Board, at (818) 251-2123 or jguzman@lvmwd.com with any questions.

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in the implementation thereof. Any person who requires a disability-related modification or accommodation, in order to attend or participate in a meeting, including auxiliary aids or services, may request such reasonable modification or accommodation by contacting the Executive Assistant/Clerk of the Board by telephone at (818) 251-2123 or via email to jguzman@lvmwd.com at least 48 hours prior to the meeting.

Members of the public wishing to address the Board of Directors are advised that a statement of Public Comment Protocols is available from the Clerk of the Board. Prior to speaking, each speaker is asked to review these protocols, complete a speakers' card, and hand it to the Clerk of the Board. Speakers will be recognized in the order the cards are received. A live webcast of the meeting will be available at LVMWD.com. Also, a web-based version of the speaker card is available for those who would like to submit written comments electronically or request to make public comment by telephone during the meeting.

PLEDGE OF ALLEGIANCE

1. **CALL TO ORDER AND ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **PUBLIC COMMENTS**

Members of the public may now address the Board of Directors ON MATTERS NOT APPEARING ON THE AGENDA, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2.

4. **CONSENT CALENDAR**

Matters listed under the Consent Calendar are considered to be routine, non-controversial and normally approved with one motion. If discussion is requested by a member of the Board on any Consent Calendar item, or if a member of the public wishes to comment on any item, that item will be removed from the Consent Calendar for separate action.

- 4.A **Minutes: Regular Meeting of October 3, 2023 (Pg. 6)**

Approve.

- 4.B **Financial Review for Fiscal Year 2022-23 (Pg. 13)**

Receive and file the financial review for Fiscal Year 2022-23 and adopt the updated Capital Improvement Program Budget for Fiscal Year 2023-24.

- 4.C **Carbon Tower Media Replacement: Authorization (Pg. 25)**

Authorize the Administering Agent/General Manager Agent to issue a purchase order to Carbon Supply, Inc., in the amount of \$47,170, for carbon tower media replacement.

- 4.D **Tapia Tertiary Filter Media Replacement: Authorization (Pg. 27)**

Authorize the Administering Agent/General Manager to issue a purchase order to Dig Alert Done Right, dba Hydro Pros, in the amount of \$124,903.87, for tertiary filter media replacement.

- 4.E **Water Infrastructure Finance and Innovation Act: Authorization of Application Fee (Pg. 29)**

Authorize the Administering Agent/General Manager to submit the Water Infrastructure Finance and Innovation Act application fee, in the amount of \$100,000, for the Pure Water Project Las Virgenes-Triunfo.

5. **ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS**

5.A **State and Federal Legislative Update (Pg. 31)**

5.B **Pure Water Project Las Virgenes-Triunfo: Update (Pg. 68)**

6. **ACTION ITEMS**

6.A **Proposed 2024 JPA Board Meeting Calendar (Pg. 70)**

Review the proposed 2024 JPA Board Meeting Calendar and make any scheduling changes.

6.B **Tapia Control Building Roof Replacement: Award (Pg. 73)**

Authorize the Administering Agent/General Manager to execute a contractual services agreement with The Garland Company, Inc., in the amount of \$315,000, for replacement of the control building roof at the Tapia Water Reclamation Facility.

6.C **Farm Sprayfield Operations and Maintenance: Renewal (Pg. 87)**

Authorize the Administering Agent/General Manager to execute Change Order No. 3 with W. Litten Land Preparation, in an amount not to exceed \$411,691, for the annual cost associated with operations and maintenance of the Rancho Las Virgenes Farm Sprayfields.

6.D **Malibou Lake Siphon Repair Project: Scope Change No. 3 (Pg. 90)**

Authorize the Administering Agent/General Manager Agent to execute Scope Change No. 3 with HDR, Inc., in the amount of \$137,730, for additional siphon alignment analysis and a revised design package for the Malibou Lake Siphon Repair Project.

6.E **Rancho Distribution Screw Conveyor No. 2 Project: Construction Award (Pg. 96)**

Find that the work is exempt from the provisions of the California Environmental Quality Act; award a construction contract, in the amount of \$123,300, to GSE Construction, Inc.; and reject all remaining bids upon receipt of the duly executed contract documents for the Rancho Screw Conveyor No. 2 Replacement Project.

7. **BOARD COMMENTS**

8. **ADMINISTERING AGENT/GENERAL MANAGER REPORT**

9. **FUTURE AGENDA ITEMS**

10. **INFORMATION ITEMS**

10.A **Supply and Delivery of Sodium Bisulfite: Award (Pg. 99)**

10.B **Supply and Delivery of Sodium Hypochlorite: Award (Pg. 150)**

10.C **Recycled Water Reservoir No. 2 Storm Repair Project: Construction Award (Pg. 175)**

11. **PUBLIC COMMENTS**

Members of the public may now address the Board of Directors ON MATTERS NOT APPEARING ON THE AGENDA, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2.

12. **ADJOURNMENT**

Pursuant to Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and applicable federal rules and regulations, requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the Executive Assistant/Clerk of the Board in advance of the meeting to ensure availability of the requested service or accommodation. Notices, agendas, and public documents related to the Board meetings can be made available in appropriate alternative format upon request.

**LAS VIRGENES – TRIUNFO
JOINT POWERS AUTHORITY
MINUTES
REGULAR MEETING**

5:00 PM

October 2, 2023

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Andy Coradeschi.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Chair Jane Nye in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Burns, Caspary, Coradeschi, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, and Wall

Absent: None

2. APPROVAL OF AGENDA

Administering Agent/General Manager David Pedersen asked that the Board pull Items 4B and 4C from the Consent Calendar, and consider those items together as action items.

Director Caspary moved to approve the agenda as amended to pull Consent Calendar Items 4B and 4C as action items. Motion seconded by Director Orkney.

Motion carried 10-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Regular Meeting of September 5, 2023: Approve

Director Orkney moved to approve Consent Calendar Item 4A. Motion seconded by Director Tjulander.

Motion carried 10-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A State and Federal Legislative Update

Ana Schwab, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK), reported that Senator Dianne Feinstein had passed away, and Governor Gavin Newsom was working on appointing her replacement. She also reported that Congress passed a continuing resolution to avert a government shutdown, and BBK was monitoring how the continuing resolution would affect the U.S. Bureau of Reclamation's Title XVI Program funding. She also noted that a motion was filed to vacate the Speaker of the House.

Lowry Crook, federal lobbyist for the JPA with BBK, stated that Senator Feinstein was a champion for California water issues.

Ms. Schwab stated that the U.S. Environmental Protection Agency (EPA) was expected to finalize the regulations for per- and polyfluoroalkyl substances (PFAS) Maximum Contaminant Levels (MCLs) by the end of the year, and the Senate Environment Public Works Committee was continuing to work on PFAS legislation.

Syrus Devers, state lobbyist for the JPA with Syrus Devers Advocacy, LLC, reported that the State Water Resource Control Board's would hold its first public workshop on October 4th regarding adoption the *Conservation as a California Way of Life* regulation. He stated that this regulation would set outdoor water conservation standards, which would affect water and sanitation agencies. He also reported that Governor Newsom signed AB 334 (Rubio) Public Contracts Conflicts of Interest, would allow contractors to bid on more than one phase of a contract under certain circumstances. He also stated that ACA 13 (Ward) Voting Thresholds was being held procedurally for the November 2024 ballot.

B Pure Water Project Las Virgenes-Triunfo: Update

Oliver Slosser, Engineering Program Manager, presented the report. He stated that the proposals from progressive design-build firms were expected in early November, and a recommendation for award would be presented to the JPA Board in February. He also stated that the focus was on the procurement of the Advanced Water Purification Facility's reverse osmosis concentrate pipeline. He reported that the final executed agreement was received for the \$10.2 million Bureau of Reclamation Title XVI grant. He also reported that the 1211 wastewater change petition application was filed with the State Water Resources Control Board for an amendment to the discharge limits to Malibu Creek. He responded to questions regarding continued monitoring at the Pure Water Demonstration Facility, the schedule for the reverse osmosis concentrate pipeline, and referring questions received from progress design-build firms to staff.

4. CONSENT CALENDAR – SEPARATE ACTION ITEMS

B State Legislative and Regulatory Advocacy

Authorize the Administering Agent/General Manager to execute a one-year professional services agreement with Syrus Devers Advocacy LLC, in the amount of \$81,000 with four one-year renewal options, for state legislative and regulatory advocacy services.

C Federal Legislative and Regulatory Advocacy Services

Authorize the Administering Agent/General Manager to execute a one-year professional services agreement with Best Best & Krieger LLP, in the amount of \$105,000 with four one-year renewal options, for federal legislative and regulatory advocacy services.

Administering Agent/General Manager David Pedersen presented Items 4B and 4C.

Director Caspary moved to approve Items 4B and 4C. Motion seconded by Director Lewitt.

Motion carried 10-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

6. ACTION ITEMS

A 2023 Climate Action and Adaptation Plan: Adoption

Pass, approve, and adopt proposed Resolution No. 32, adopting the 2023 Climate Action and Adaptation Plan.

RESOLUTION NO. 32

A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY ADOPTING THE 2023 CLIMATE ACTION AND ADAPTATION PLAN

(Reference is hereby made to Resolution No. 32 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.)

Joe McDermott, Director of Engineering and External Affairs, presented the report. He responded to questions regarding the requirement to reduce statewide greenhouse gas (GHG) emissions for fleet vehicles by stating that AB 1594 (Garcia) Medium and Heavy Duty Zero Emissions Vehicles Public Agency Utilities was on Governor Gavin Newsom's desk for his signature, which would seek to provide flexibility on this mandate.

Director Coradeschi moved to approve Item 6A. Motion seconded by Director Shapiro.

Motion carried 10-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Nye, Orkney, Polan Shapiro, Tjulander, Wall
NOES: None
ABSTAIN: None
ABSENT: None

B Municipal Financial Advisory Services: Award

Accept the proposal from PFM Financial Advisors LLC, and authorize the Administering Agent/General Manager to execute a five-year professional services agreement, in the amount of \$300,000, for municipal financial advisory services.

Don Patterson, Director of Finance and Administration, presented the report, and introduced Darren Hodge and Jaime Trejo from PFM Financial Advisors, LLC.

Darren Hodge, Managing Director with PFM Financial Advisors, LLC, responded to a question regarding PFM's representative project for the Contra Costa Water District in issuing Series 2023 bond to close the existing senior lien and issuing a subordinate lien.

Director Polan moved to approve Item 6B. Motion seconded by Director Caspary.

Motion carried 10-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

7. BOARD COMMENTS

Director Caspary stated that he was pleased with the most recent coverage of the Pure Water Project Las Virgenes-Triunfo in *The Acorn*. He also stated that the City of New Orleans was experiencing saltwater intrusion moving up the Mississippi River due to a lack of freshwater flow. He noted that the City of New Orleans was taking steps to keep saltwater content from its water intake within legal limits, and California was seeking to do the same with the Sacramento River Delta by building an underwater berm to stop saltwater intrusion.

Director Orkney reported on the passing of Mark Abramson, an Agoura Hills resident who worked on issues related to the Malibu Creek Watershed and the restoration of the Malibu Lagoon. She asked that the meeting be adjourned in honor of Mark Abramson and Senator Dianne Feinstein.

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that a dedication ceremony would be held on October 12th for the Dave Roberts Wildflower Garden. He also reported that the Regional Water Quality Control Board would hold a hearing on November 16th for the JPA's time schedule order to adjust the chloride discharge limit from the Tapia Water Reclamation Facility to the Los Angeles River system. He reminded the Board that the next JPA Board Meeting would be held on October 30th, and the November 6th JPA Meeting was canceled due to a conflict with the WaterReuse California Conference. He also reported that flow in Malibu Creek measured 3.71 cubic feet per second (CFS).

9. FUTURE AGENDA ITEMS

None.

10. INFORMATION ITEMS

A Pure Water Project Advanced Water Purification Facility Production, Utilization, and Augmentation

Oliver Slosser, Engineering Program Manager, responded to a question regarding future augmentation sources to achieve 5,000 acre-feet yearly production by stating that this would be the goal for plant capacity by 2040.

11. PUBLIC COMMENTS

None.

12. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **5:51 p.m.**, in honor of Mark Abramson and Senator Dianne Feinstein.

Jane Nye, Chair

ATTEST:

Jay Lewitt, Vice Chair

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Finance and Administration

SUBJECT: Financial Review for Fiscal Year 2022-23

SUMMARY:

This report provides a preliminary summary of unaudited Fiscal Year 2022-23 financial results. The preliminary results provide more timely information to the Board and public before the audited financials are available in December 2023. The report also provides an updated Capital Improvement Project Budget for Fiscal Year 2023-24, reflecting final carryforward amounts, for adoption.

RECOMMENDATION(S):

Receive and file the financial review for Fiscal Year 2022-23 and adopt the updated Capital Improvement Program Budget for Fiscal Year 2023-24.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The updated Fiscal Year 2023-24 Capital Improvement Program Budget with adjusted carryforward amounts is \$40.5 million, which constitutes a decrease of approximately \$800,000 from the previously-adopted budget of \$41.3 million.

DISCUSSION:

Fiscal Year-End 2022-23 Financial Review:

The year-end financial review summarizes the JPA's financial information for the period of July 1, 2022 through June 30, 2023, as compared to budgetary estimates and prior year actuals.

JPA operating revenues in Fiscal Year 2022-23 were \$3.6 million, which were significantly below the prior year's revenues of \$5.4 million. The decrease in revenues for the JPA in Fiscal Year 2022-23 as compared to Fiscal Year 2021-22 was due to a one-time "indifference

payment" received from Southern California Edison for \$2.8 million in the prior year. The indifference payment compensated the JPA for increased "peak hour shift" costs that were approved by the California Public Utilities Commission. Fiscal Year 2022-23 revenues of \$3.6 million were above the \$2.8 million annual budget due mainly to a one-time insurance claim payment of \$581,000 received by the JPA in August 2022. The payment reimbursed the JPA for building damage repair costs at the Rancho Las Virgenes Composting Facility that resulted from the Woolsey Fire in 2018.

JPA operating expenses for Fiscal Year 2022-23 were \$30.3 million, which were \$3.6 million (or 13.7 percent) above the prior year's operating expenses of \$26.7 million. Increases in operating expenses versus the prior year were primarily due to higher general and administrative (G&A) costs, which were up \$2.1 million year-over-year. G&A costs of \$12.6 million were 2.6 percent above the \$12.3 million budget for Fiscal Year 2022-23, materially in-line with expectations.

Expenses of \$3.6 million at the Rancho Las Virgenes Composting Facility for Fiscal Year 2022-23 were up \$0.7 million year-over-year. The increase was driven mainly by deferred maintenance and building repairs initiated during the current year, along with a one-time cost of \$110,000 for the purchase and replacement of biofilter media.

Expenses of \$5.0 million at the Tapia Water Reclamation Facility were up 15.4 percent versus prior year expenses of \$4.3 million. Much of the increase was due to escalating chemical costs, including sodium hypochlorite and sodium bisulfite, as compared to the prior year.

Recycled water transmission and distribution costs of \$2.7 million in Fiscal Year 2022-23 were up 10.5 percent versus prior year expenses of \$2.5 million due mainly to increased electricity costs year-over-year.

The JPA's net position decreased by \$0.8 million in Fiscal Year 2022-23, from a beginning net position of \$101.1 million, to an ending net position of \$100.3 million. The decrease in net position was due to an annual depreciation expense of \$5.7 million outpacing participants' capital contributions of \$4.9 million within the fiscal year. Net Position represents the cumulative investments in capital assets of the JPA by its participants, Las Virgenes Municipal Water District and Triunfo Water & Sanitation District, reduced by accumulated depreciation.

Final Capital Improvement Project Budget:

The JPA's Fiscal Year 2023-24 Budget was adopted on June 5, 2023. The Fiscal Year 2023-24 Capital Improvement Program Budget included many projects that continue or carryover from Fiscal Year 2022-23. At the time of budget adoption, the carryforward amounts were estimated based on known project status in early May 2023 and projections for completed work during the remainder of the fiscal year. As a result, the carryforward amount estimates can differ from the actual amounts at fiscal year-end.

Since all projects and expenses were previously approved by the Board, staff has historically made corrections to the carryforward amounts at fiscal year-end. However, since staff for the second straight year is now presenting preliminary fiscal year-end results to the Board to increase the timeliness of important financial information, staff proposes to provide the Board an opportunity to adopt the final Fiscal Year 2023-24 Capital Improvement Program Budget that reflects the final carryforward amounts. This action allows for the budget book to be

updated accordingly and provide a more transparent document with the final budget amounts for each project.

Overall, the net effect of adjustments to carryforward amounts was a decrease of approximately \$800,000 from the original carryforward amount (\$41.3 million original carryforward amount in the adopted budget versus a \$40.5 million final carryforward amount). Estimated carryforward amounts for the Pure Water Project Las Virgenes-Triunfo of \$5.7 million were adjusted based on actual expenses for the year to \$5.1 million, comprising the majority of the difference between original and final carryforward amounts.

Attachment A provides a statement summarizing the Fiscal Year 2022-23 year-end financial results. All data provided is through June 30, 2023.

Attachment B provides the revised Fiscal Year 2023-24 Capital Improvement Project Budget with final carryforward amounts.

GOALS:

Ensure Effective Utilization of the Public's Assets and Money

Prepared by: Brian Richie, Finance Manager

ATTACHMENTS:

[Attachment A](#)

[Attachment B](#)

LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY
Statements of Revenues, Expenses, and Changes in Net Position
For the Years Ended June 30, 2023 (Preliminary) and 2022
(dollars in thousands)



	Annual Budget 2022/23	Through 100% of fiscal year Actual Year-to-Date		Variance with Prior Year Positive (Negative) 2022/23 to 2021/22
		2022/23	2021/22	
OPERATING REVENUES:				
Wholesale recycled water sales	\$ 2,691	\$ 2,944	\$ 2,534	\$ 410
Other income	65	634	2,898	(2,264)
Total operating revenues	2,756	3,578	5,432	(1,854)
OPERATING EXPENSES:				
Treatment Plant	3,995	5,004	4,336	668
Recycled water transmission and distribution	2,103	2,748	2,486	262
Compost Plant	3,289	3,622	2,919	703
Sewer	171	240	341	(101)
Depreciation*	5,703	5,703	5,825	(122)
General and administrative	12,337	12,660	10,521	2,139
Other operating expenses	261	358	259	99
Total operating expenses	27,859	30,335	26,687	3,648
OPERATING INCOME (LOSS) BEFORE BILLING TO PARTICIPANTS	(25,103)	(26,757)	(21,255)	(5,502)
Billing to Participants	19,400	20,721	15,384	5,337
OPERATING INCOME (LOSS)	(5,703)	(6,036)	(5,871)	(165)
NONOPERATING REVENUES (EXPENSES):				
Interest income (expense)	-	325	33	292
Other revenues (expenses)	-	8	14	(6)
Total nonoperating revenues (expenses)	-	333	47	286
NET INCOME (LOSS) BEFORE PARTICIPANTS' CAPITAL CONTRIBUTIONS	(5,703)	(5,703)	(5,824)	121
Participants' Capital contributions*	4,903	4,903	8,596	(3,693)
CHANGES IN NET POSITION	(800)	(800)	2,772	(3,572)
NET POSITION:				
Beginning of fiscal year	101,134	101,134	98,362	2,772
Ending Net Position	\$ 100,334	\$ 100,334	\$ 101,134	\$ (800)

*Depreciation expense and Participants' Capital contributions represent "non-cash" accounting entries that do not result in a required appropriation for the JPA. Estimates are based on current year actuals and included in the annual budget only for comparison purposes versus actual and prior year information.

Las Virgenes - Triunfo Joint Powers Authority
Capital Improvement Project Detail Fiscal Year 2023-24

Sanitation

SCADA System Communications Upgrade-CIP10520

	Project Manager	Priority	Project to Date	Project to Date	Carryforward
	Nkwenji	2	Expenditures	Appropriations	
Project Description:			73,753	93,100	19,347

Migration of the existing communication system from a serial radio network to an ethernet based radio network. Provide redundant data paths for uninterrupted communication. Eliminate need to rely on telephone company equipment.

	FY 23-24	FY 23-24	Future Year	Project Total
Sanitation Replacement (100%)	Appropriations	Budget	Appropriations	
LV Share Amount (70.6%)	454,664	468,323	1,748,124	
TWSD Share Amount (29.4%)	189,336	195,024	727,973	
Project Totals	644,000	663,347	2,476,097	3,213,197

Tapia Programmable Logic Controller Upgrades-10567

	Project Manager	Priority	Project to Date	Project to Date	Carryforward
	Nkwenji	2	Expenditures	Appropriations	
Project Description:			2,477,815	2,500,000	22,185

This project replaces programmable logic controllers (PLC's) with newer PLCs and provides necessary equipment upgrades (fiber optics, network switches and programming) to complete the installation. This is a program project which addresses Tapia in the first two years and contrate treatment in the third year. Design will occur in the first year for all facilities.

	FY 23-24	FY 23-24	Future Year	Project Total
Sanitation Replacement (100%)	Appropriations	Budget	Appropriations	
LV Share Amount (70.6%)	-	15,663	-	
TWSD Share Amount (29.4%)	-	6,522	-	
Project Totals	-	22,185	-	2,500,000

Summer Season TMDL Compliance-10619

	Project Manager	Priority	Project to Date	Project to Date	Carryforward
	Hurtado	2	Expenditures	Appropriations	
Project Description:			3,933,538	4,597,941	664,403

In February 2017 the SWRCB adopted the implementation Plan for the 2013 TMDL. The plan provides for compliance with summer time limits within five years. The options for compliance include a "side stream" treatment plant, the use of potable water and nutrient trading in the watershed. This CIP funds the selection, preliminary studies, outreach, CEQA analysis, preliminary design, and final design for the summer time compliance. Project 10611 (Duct Bank Infrastructure Upgrade) was added to this program for the FY19-20 planning period. Construction of a 1 MGD "side stream" treatment facility at Tapia to treat potable water for stream flow augmentation.

	FY 23-24	FY 23-24	Future Year	Project Total
Sanitation Replacement (100%)	Appropriations	Budget	Appropriations	
LV Share Amount (70.6%)	-	469,069	-	
TWSD Share Amount (29.4%)	-	195,334	-	
Project Totals	-	664,403	-	4,597,941

Pure Water Project-CIP10635

	Project Manager	Priority	Project to Date	Project to Date	Carryforward
	Slosser	2	Expenditures	Appropriations	
Project Description:			7,376,768	12,473,632	5,096,864

The Pure Water Project relies on indirect potable reuse, a water supply strategy now adopted by many cities and water agencies in California and across the United States to provide local, reliable water. The ultimate, full-scale project will minimize the discharging of usable recycled water into Malibu Creek and instead will convert this resource into a viable source for potable, locally-produced water. The full-scale project involves the construction of several pipelines and an advanced treatment plant that will convert recycled water into pure drinking water. The Pure Water Project creates an affordable and reliable local water supply that will be cost-competitive with imported water, help stabilize water rates, safeguard the local economy, and significantly reduce the uncertainty of supply associated with importing water due to climate change and long-term and reoccurring drought conditions. The project will require public participation and acceptance, regional leadership, and funding to move from concept to reality.

	FY 23-24	FY 23-24	Future Year	Project Total
Sanitation Replacement (100%)	Appropriations	Budget	Appropriations	
LV Share Amount (70.6%)	9,355,234	12,953,620	234,856,300	
TWSD Share Amount (29.4%)	3,895,806	5,394,284	97,801,349	
Project Totals	13,251,040	18,347,904	332,657,649	363,479,185
Project Offset			Net Project	363,479,185

Las Virgenes - Triunfo Joint Powers Authority
Capital Improvement Project Detail Fiscal Year 2023-24

Rancho Las Virgenes Storm Water Diversion-CIP10668

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Leu	2	3,746	3,746	-

Replacement of two storm water diversion structures at the Rancho Las Virgenes Composting Facility. Structures have lifted and need to be addressed. The drainage from the V-ditch goes to a discharge point in Las Virgenes Creek. There is a concern that sludge and/or reclaimed water entering into the V-ditch could enter the creek via the drainage from the V-ditch. An open/close valve should be installed at the drainage area so that operators control the contents of the V-ditch. A sump pump system with discharge piping should also be included so that the contents can be pumped either to the field or offsite.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	121,361	121,361	-	
TWSD Share Amount (29.4%)	50,539	50,539	-	
Project Totals	171,900	171,900	-	175,646

Tapia Effluent Pump Station-CIP10702

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Leu	2	15,252	196,000	180,748

Remove or abandon in place existing 4160 volt feeders currently suspended from the top slab of the Effluent Pump Station wet well, underneath the existing MCCs. Perform electrical design and replace the overhead 4160 volt feeders. Ensure coordination with 480 volt switch gear improvements.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	-	127,608	-	
TWSD Share Amount (29.4%)	-	53,140	-	
Project Totals	-	180,748	-	196,000

Tapia Tertiary Filter Rehab-CIP10703

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Hurtado	2	-	60,000	-

Tertiary Filters concrete rehabilitation. Approximately 25 locations that require a 1 square foot patching with rebar repair. Replace 45 metal plates (2' X 4') on the filter deck and fix concrete around the plates with proper joint sealer. Also include the repair of an electrical panel in the Filter gallery. Replace existing electric actuators at filter structure with new electric actuators. Program plant control system to function with both remote PLC control of actuators and local actuator control. Upgrade local controls to replace old filter annunciator panels which are currently located on the top deck of the filter structure.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	35,300	35,300	279,576	
TWSD Share Amount (29.4%)	14,700	14,700	116,424	
Project Totals	50,000	50,000	396,000	446,000

Multi Site Security Assessment and Improvement JPA-CIP10724

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Nkwenji	2	4,530	105,000	100,470

Security Assessment of various District sites and facilities. This will include access controls and security camera installations and improvements.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	242,299	313,231	566,607	
TWSD Share Amount (29.4%)	100,901	130,439	235,953	
Project Totals	343,200	443,670	802,560	1,250,760

**Las Virgenes - Triunfo Joint Powers Authority
Capital Improvement Project Detail Fiscal Year 2023-24**

Tapia Flow Equalization-CIP10737

	Project Manager	Priority	Project to Date	Project to Date	
	Leu/Slosser	1	Expenditures	Appropriations	Carryforward
Project Description:			710	450,000	449,290

This project consists of the development of a preliminary design report to evaluate the storage and conveyance of Tapia primary effluent to help store and equalize the diurnal peak flows that Tapia sees between dry and wet weather events. This maximizes effluent available for the AWT and also improves and provides consistent water quality for the feed water to the AWT.

	FY 23-24	FY 23-24	Future Year	
Sanitation Replacement (100%)	Appropriations	Budget	Appropriations	Project Total
LV Share Amount (70.6%)	2,350,980	2,668,179	2,350,980	
TWSD Share Amount (29.4%)	979,020	1,111,111	979,020	
Project Totals	3,330,000	3,779,290	3,330,000	7,110,000

Concrete Corrosion/Crack Repair-Tapia-CIP10741

	Project Manager	Priority	Project to Date	Project to Date	
	Triplett/Hurtado	1	Expenditures	Appropriations	Carryforward
Project Description:	Hurtado		-	132,000	132,000

Repair failing concrete at the Tapia Water Reclamation Facility.

	FY 23-24	FY 23-24	Future Year	
Sanitation Replacement (100%)	Appropriations	Budget	Appropriations	Project Total
LV Share Amount (70.6%)	128,492	221,684	-	
TWSD Share Amount (29.4%)	53,508	92,316	-	
Project Totals	182,000	314,000	-	314,000

Fire Hardening- JPA Facilities FY2022-24-CIP10743

	Project Manager	Priority	Project to Date	Project to Date	
	Korkosz	2	Expenditures	Appropriations	Carryforward
Project Description:			-	528,000	528,000

Fire hardening strategy for JPA facilities includes preventive measures and protection systems for both internal and external sources of fire. Potential facility improvements include: 1) employing advanced detectors and utilizing a plant fire safety systems; and 2) evaluation and, if feasible, installation of a perimeter fire defense system. Fire Hardening also includes creating larger defensible space around critical structures and providing wider access roads and preventative improvements to facilities.

	FY 23-24	FY 23-24	Future Year	
Sanitation Replacement (100%)	Appropriations	Budget	Appropriations	Project Total
LV Share Amount (70.6%)	-	372,768	-	
TWSD Share Amount (29.4%)	-	155,232	-	
Project Totals	-	528,000	-	528,000

003 Discharge Point Rehab-CIP10745

	Project Manager	Priority	Project to Date	Project to Date	
	Hurtado	1	Expenditures	Appropriations	Carryforward
Project Description:			128,867	273,080	144,213

Evaluate and repair failed 003 Discharge point pipeline (into Malibu Creek). Contract for inspection, an engineering study and a design report to determine the most cost effective means to repair failed 24" potable water pipeline from the Tapia Water Reclamation Facility to Malibu Creek. The pipeline will be used to supply potable supplement to the Malibu Creek during low flow periods. Approximately one (1) mile of pipeline needs to be and preventative improvements to facilities.

	FY 23-24	FY 23-24	Future Year	
Sanitation Replacement (100%)	Appropriations	Budget	Appropriations	Project Total
LV Share Amount (70.6%)	391,830	493,644	-	
TWSD Share Amount (29.4%)	163,170	205,569	-	
Project Totals	555,000	699,213	-	828,080

Las Virgenes - Triunfo Joint Powers Authority
Capital Improvement Project Detail Fiscal Year 2023-24

Centrate Tank Inspection and Rehabilitation Assessment-CIP10748

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Hurtado	2	3,568.00	132,000	128,432

Tank inspections and recommendations for rehabilitation.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	-	90,673	-	
TWSD Share Amount (29.4%)	-	37,759	-	
Project Totals	-	128,432	-	132,000

Tapia Sludge Wet Well Re-Circulation-CIP10752

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Triplett	2	-	62,800	62,800

The re-circulation (mixing) piping at the Tapia sludge wet wells is corroded and develops leaks. This project replaces this piping.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	35,300	79,637	48,855	
TWSD Share Amount (29.4%)	14,700	33,163	20,345	
Project Totals	50,000	112,800	69,200	182,000

Tapia Air Line Repair-CIP10753

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Hurtado/Acevedo	1	-	330,000	330,000

The air line which conveys compressed air to the treatment process has leaks which not only allow air to escape, but also allow contaminants to enter into the pipeline and potentially the air diffusers. A large portion of this line was repaired, however a section of the pipeline was not addressed. This section needs to be addressed to stop leakage and protect the diffuser membranes.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	-	232,980	-	
TWSD Share Amount (29.4%)	-	97,020	-	
Project Totals	-	330,000	-	330,000

Trunk Sewer System Improvements-CIP10756

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Korkosz/Leu	2	18,802	18,802	-

Annual program to replace or rehabilitate trunk sewer system components based on CCTV, condition assessment & SSMP, end of useful life, or obsolescence.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	354,130	354,130	-	
TWSD Share Amount (29.4%)	147,470	147,470	-	
Project Totals	501,600	501,600	-	501,600

Tapia Secondary Clarifier Rehabilitation-CIP10794

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Hurtado/Leu	1	53,963	847,000	793,037

Repair the secondary clarifiers. The current launders are leaking and need to have the wall seal repaired. Replacement on the inlet diffusers and skimming tubes is also necessary as they are corroded and leaking. Recaulking the expansion joints and structural repairs to catwalks are needed as they are separating from the wall.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	-	559,884	-	
TWSD Share Amount (29.4%)	-	233,153	-	
Project Totals	-	793,037	-	847,000

Las Virgenes - Triunfo Joint Powers Authority
Capital Improvement Project Detail Fiscal Year 2023-24

Tapia Effluent Pump Station Rehabilitation-CIP10795

	Project Manager	Priority	Project to Date	Project to Date	
	Hurtado/Leu	3	Expenditures	Appropriations	Carryforward
Project Description:			-	-	-

Increase reliability and safety of electrical feed as well as upgrade motor starting capabilities and pumps.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	2,298,166	2,298,166	-	
TWSD Share Amount (29.4%)	957,026	957,026	-	
Project Totals	3,255,192	3,255,192	-	3,255,192

Tapia Control Building Improvements-CIP10796

	Project Manager	Priority	Project to Date	Project to Date	
	Hurtado/Korkosz	2	Expenditures	Appropriations	Carryforward
Project Description:			-	-	-

The control building at Tapia is aging and in need of significant repairs, remodeling, and other improvements.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	594,014	594,014	-	
TWSD Share Amount (29.4%)	247,366	247,366	-	
Project Totals	841,380	841,380	-	841,380

JPA Condition Assessment and Rehabilitation Planning-CIP10797

	Project Manager	Priority	Project to Date	Project to Date	
	Korkosz/Leu	1	Expenditures	Appropriations	Carryforward
Project Description:			783	100,000	99,217

Hire engineering firm to assess all electrical systems and make recommendations on necessary rehab or replacement of switch gear, VFD's transformers, switching, etc.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	-	70,047	-	
TWSD Share Amount (29.4%)	-	29,170	-	
Project Totals	-	99,217	-	100,000

Centrifuge Controls Upgrade-CIP10798

	Project Manager	Priority	Project to Date	Project to Date	
	Korkosz	1	Expenditures	Appropriations	Carryforward
Project Description:			-	158,400	158,400

With the summertime compliance project being constructed next year, the 001 out fall meter will be removed. Additionally, the Tapia groundwater meter has aged out and the 003 meter needs to be replaced. These meters are regulatory required. This project replaces the 001, 003 and the Tapia groundwater effluent meters.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	260,443	372,274	-	
TWSD Share Amount (29.4%)	108,457	155,026	-	
Project Totals	368,900	527,300	-	527,300

Rancho Reliability Improvements FY22-24-CIP10799

	Project Manager	Priority	Project to Date	Project to Date	
	Hurtado/Rabaja	2	Expenditures	Appropriations	Carryforward
Project Description:			132,000	132,000	-

Annual program to replace or rehabilitate facilities and equipment at the Rancho facility based on failure, beyond useful life, or obsolescence.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	93,192	93,192	-	
TWSD Share Amount (29.4%)	38,808	38,808	-	
Project Totals	132,000	132,000	-	132,000

Las Virgenes - Triunfo Joint Powers Authority
Capital Improvement Project Detail Fiscal Year 2023-24

Tapia Water Reclamation Facility Improvements FY22-24-CIP10800

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Hurtado/Bril	2	132,000	132,000	-

Annual program to replace or rehabilitate facilities and equipment at the Rancho facility based on failure, beyond useful life, or obsolescence.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	93,192	93,192	-	
TWSD Share Amount (29.4%)	38,808	38,808	-	
Project Totals	132,000	132,000	-	132,000

Tapia Aluminum Sulfate Tank Replacement-CIP10801

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Hurtado/Korkosz	1	37,266	816,000	778,734

Replace aging sodium bisulfite tank that is leaking. Project includes feed pump and delivery pipeline.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	11,649	561,435	-	
TWSD Share Amount (29.4%)	4,851	233,799	-	
Project Totals	16,500	795,234	-	832,500

Rancho Control Building HVAC Replacement-CIP10802

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Hurtado/Korkosz	2	75,200	330,000	254,800

Replace HVAC at Rancho Control Building. HVAC has reached end of useful life and is not feasible to replace existing unit.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	-	179,889	-	
TWSD Share Amount (29.4%)	-	74,911	-	
Project Totals	-	254,800	-	330,000

Malibou Lake Siphon Project-CIP10803

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	Korkosz/Leu	1	328,729	1,337,000	1,008,271

Repair Malibou Lake Siphon to address inflow and infiltration at the site.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (28.93%)	481,685	773,377	-	
TWSD Share Amount (71.07%)	1,183,316	1,899,894	-	
Project Totals	1,665,000	2,673,271	-	3,002,000

Rancho Las Virgenes - New Flare-CIP10804

	Project Manager	Priority	Project to Date Expenditures	Project to Date Appropriations	Carryforward
Project Description:	HurtadoZhao	1	14,659	150,000	135,341

Design and install a new larger flare that can handle all of the digester gas flow (over 100 scfm). The current flare, which has a limited capacity of 75 scfm will remain in place to provide redundancy. The current flare does not have the capacity to dispose of all of the digester gas.

	FY 23-24 Appropriations	FY 23-24 Budget	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	391,830	487,381	-	
TWSD Share Amount (29.4%)	163,170	202,960	-	
Project Totals	555,000	690,341	-	705,000

Las Virgenes - Triunfo Joint Powers Authority
Capital Improvement Project Detail Fiscal Year 2023-24

Grit Chamber Mixing System Replacement-CIP10805

	Project Manager	Priority	Project to Date	Project to Date	
	Hurtado/Leu	3	Expenditures	Appropriations	Carryforward
Project Description:			-	-	-

Replace grit chamber mixing system with a more efficient mixing system.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	139,788	139,788	-	
TWSD Share Amount (29.4%)	58,212	58,212	-	
Project Totals	198,000	198,000	-	198,000

Rancho: Replace Agitators-CIP10806

	Project Manager	Priority	Project to Date	Project to Date	
	Hurtado	3	Expenditures	Appropriations	Carryforward
Project Description:			411,939	1,304,250	892,311

Purchase new compost agitators to replace the existing ones.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	-	629,972	-	
TWSD Share Amount (29.4%)	-	262,339	-	
Project Totals	-	892,311	-	1,304,250

Rancho Las Virgenes SCADA Improvements-CIP10807

	Project Manager	Priority	Project to Date	Project to Date	
	Nkwenji	2	Expenditures	Appropriations	Carryforward
Project Description:			-	855,000	855,000

Upgrade Process Control and Instrumentation System (PCIS) at Rancho. Rancho's PLC and HMI systems are inconsistent with current District Standards for Operational Technology.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	186,384	790,014	-	
TWSD Share Amount (29.4%)	77,616	328,986	-	
Project Totals	264,000	1,119,000	-	1,119,000

Tapia Selector Channel Wall Infill-CIP10809

	Project Manager	Priority	Project to Date	Project to Date	
	Nkwenji	2	Expenditures	Appropriations	Carryforward
Project Description:			49,061	396,220	347,159

Bypass Channel No. 2, removal of existing pipes and gates, and infilling existing penetrations between the Selector Channel and Channel No. 2

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	-	245,094	-	
TWSD Share Amount (29.4%)	-	102,065	-	
Project Totals	-	347,159	-	396,220

Tapia Flood Wall Improvements - CIP10813

	Project Manager	Priority	Project to Date	Project to Date	
		2	Expenditures	Appropriations	Carryforward
Project Description:			-	-	-

Hydraulic analysis of Malibu Creek and its flooding effects at Tapia. This study will also include the analysis of the new Malibu Canyon Bridge from LA County Public Works, effects

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	139,788	139,788	-	
TWSD Share Amount (29.4%)	58,212	58,212	-	
Project Totals	198,000	198,000	-	198,000

Las Virgenes - Triunfo Joint Powers Authority
Capital Improvement Project Detail Fiscal Year 2023-24

Hach Equipment Replacement - CIP10812

	Project Manager	Priority	Project to Date	Project to Date	
	Hurtado	2	Expenditures	Appropriations	Carryforward
Project Description:			-	-	-

Replacement of outdated Hach equipment which has reached the end of its useful life.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	105,900	105,900	-	
TWSD Share Amount (29.4%)	44,100	44,100	-	
Project Totals	150,000	150,000	-	150,000

RANCHO DISTRIBUTION SCREW CONVEYOR #1 - CIP10818

	Project Manager	Priority	Project to Date	Project to Date	
	Leu	1	Expenditures	Appropriations	Carryforward
Project Description:			-	-	-

Replace screw conveyor No 1 to insure even distribution of compost into reactor chambers for processing. Screw Conveyor No 1 has deteriorated and needs replacement.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	262,052	262,052	-	
TWSD Share Amount (29.4%)	109,126	109,126	-	
Project Totals	371,178	371,178	-	371,178

Sanitation Summary

Participant Share	Carryforward	FY 23-24	FY 23-24
		Appropriations	Budget
LVMWD Share Amount	8,885,655	18,527,673	27,413,328
TWSD Share Amount	4,295,367	8,698,217	12,993,584
Project Totals	13,181,022	27,225,890	40,406,912

Recycled Water

RW Reservoir #2 Storm Repairs and Inflow Problems - CIP10811

	Project Manager	Priority	Project to Date	Project to Date	
	Johnson	1	Expenditures	Appropriations	Carryforward
Project Description:			-	-	-

Improve water quality in Reservoir 2 by upgrading infiltration trench and catch basin discharging directly into reservoir 2. Sedimentation basins will also be regraded to match the original design to capture sediment runoff prior to discharging into reservoir 2.

	FY 23-24	FY 23-24	Future Year	
	Appropriations	Budget	Appropriations	Project Total
Recycled Water Replacement Fund				
LV Share Amount (70.6%)	74,554	74,554	-	
TWSD Share Amount (29.4%)	31,046	31,046	-	
Project Totals	105,600	105,600	-	105,600

Recycled Water Summary

Participant Share	Carryforward	FY 23-24	FY 23-24
		Appropriations	Budget
LVMWD Share Amount	-	74,554	74,554
TWSD Share Amount	-	31,046	31,046
Project Totals	-	105,600	105,600

GRAND TOTAL CIP

	Carryforward	FY 23-24	FY 23-24
		Appropriations	Budget
LVMWD Share Amount	8,885,655	18,602,226	27,487,881
TWSD Share Amount	4,295,367	8,729,264	13,024,631
Project Totals	13,181,022	27,331,490	40,512,512

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Facilities and Operations

SUBJECT: Carbon Tower Media Replacement: Authorization

SUMMARY:

Regular replacement of the granular activated carbon media in the towers at the Tapia Water Reclamation Facility (Tapia) and LVMWD's two sewer lift stations is necessary as part of the on-going odor control and maintenance program. Tapia carbon towers due for media replacement alternate each year. Headworks Tower No. 2 and Primary Sedimentation Tower Nos. 1 and 3 are due for media replacement. In addition, the tower media for Lift Station Nos. 1 and 2 is replaced annually. A request for bids was posted on the District's website and shared with qualified contractors, resulting in five bids received. Staff recommends that the work be awarded to Carbon Supply, Inc., in the amount of \$47,170.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager Agent to issue a purchase order to Carbon Supply, Inc., in the amount of \$47,170, for carbon tower media replacement.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The total cost of the work is \$47,170, which is approximately 15% less than last year. The cost of carbon media replacement for the Tapia Water Reclamation Facility is allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District. The cost of carbon media replacement for Lift Station Nos. 1 and 2 is allocated 100% to LVMWD because these are LVMWD-only facilities. Sufficient funds are available in the adopted Fiscal Year 2023-24 JPA Budget for the work.

DISCUSSION:

Regular replacement of the granular activated carbon media in the towers at the Tapia Water Reclamation Facility (Tapia) and LVMWD sewer lift stations is necessary as part of the on-

going odor control and maintenance program. There are four carbon towers for Tapia’s headworks facility and three carbon towers for the primary sedimentation tanks. These carbon towers need to have the media replaced regularly. This fiscal year, two primary carbon towers (6,000 pounds each) and one headworks carbon tower (18,000 pounds) are scheduled for replacement. Carbon life expectancy for the primary carbon towers is approximately one year, while the headworks carbon towers is approximately two years. Additionally, there is a 600-pound carbon tower at each lift station that needs media replacement annually. A request for quotes was advertised on the District’s website, and five bids were received for the work, as follows:

Carbon Supply, Inc.	\$47,170.00
Karbonous, Inc.	\$54,085.90
Carbon Activated Corp.	\$55,000.00
DADR dba Hydro Pros	\$105,797.44
Newterra Corporation	\$176,422,40

Staff recommends issuing a purchase order to the lowest, responsible bidder, Carbon Supply, Inc., in the amount of \$47,170. For comparison purposes, the bid amount for the work performed last year by Carbon Activated Corporation was \$55,597.16. Carbon Supply, Inc., is an industry specialist, providing turn-key services for filter media replacement. Staff met with Carbon Supply, Inc. representatives to discuss the work in detail and are confident that they will complete the job successfully.

GOALS:

Construct, Manage and Maintain all Facilities and Provide Services to Assure System Reliability and Environmental Compatibility

Prepared by: Veronica Hurtado, Water Reclamation Manager

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Facilities and Operations

SUBJECT: Tapia Tertiary Filter Media Replacement: Authorization

SUMMARY:

Regular replacement of the media for the tertiary filters at the Tapia Water Reclamation Facility is necessary to maintain effectiveness. The cycle to replace the media in all 12 filters began in 2018 with two filters addressed each year. For this year, Filter Nos. 11 and 12 are due to have their media replaced. A request for bids was posted to the District’s website and shared with qualified contractors, resulting in five bids received. Staff recommends that the work be awarded to Dig Alert Done Right, dba Hydro Pros, in the amount of \$124,903.87.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to issue a purchase order to Dig Alert Done Right, dba Hydro Pros, in the amount of \$124,903.87, for tertiary filter media replacement.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The cost of the work is \$124,903.87. Sufficient funds are available in the adopted Fiscal Year 2023-24 JPA Budget.

DISCUSSION:

Regular replacement of the media for the tertiary filters at the Tapia Water Reclamation Facility is necessary to maintain effectiveness. The tertiary filters are used to remove particulate matter before disinfection and discharge or reuse of the treated recycled water effluent. There are 12 tertiary filters at the Tapia Water Reclamation Facility that need to have their media replaced approximately every 12 to 15 years due to a loss of anthracite from backwashing and a decrease in performance over time. For this fiscal year, Filter Nos. 11 and 12 are scheduled for media replacement. The last time the media was replaced in these filters

was 2010. Each filter contains four-feet of anthracite placed over a one-foot layer of gravel, which separates the anthracite from the underdrain to prevent it from escaping the filter. Once Filter Nos. 11 and 12 are addressed, there will be several years before the cycle will begin again.

A request for quotes was advertised on the District's website, and five bids were received for the work, as follows:

DADR dba Hydro Pros	\$124,903.87
Karbonous, Inc.	\$128,084.00
ERS Industrial Services, Inc.	\$133,260.00
Carbon Activated Corp.	\$166,780.51
MPEnvironmental Services, Inc.	\$265,317.40

Staff recommends issuing a purchase order to the lowest, responsible bidder, Dig Alert Done Right, dba Hydro Pros, in the amount of \$124,903.87. The cost of the work has increased since last year when Filter Nos. 9 and 10 had their media replaced by Karbonous, Inc., in the amount of \$115,526. Staff met with a representative from Hydro Pros and are confident that they will complete the work successfully.

GOALS:

Construct, Manage and Maintain all Facilities and Provide Services to Assure System Reliability and Environmental Compatibility

Prepared by: Veronica Hurtado, Water Reclamation Manager

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Finance and Administration

SUBJECT: Water Infrastructure Finance and Innovation Act: Authorization of Application Fee

SUMMARY:

On December 21, 2022, the Las Virgenes-Triunfo Joint Powers Authority (JPA) was invited to apply for Water Infrastructure Finance and Innovation Act (WIFIA) funding. Since that time, the Pure Water Project Las Virgenes-Triunfo financing team has been diligently working towards completion of the application prior to the December 31, 2023 deadline. At this time, staff seeks authorization to submit the \$100,000 WIFIA application fee to the U.S. Environmental Protection Agency.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to submit the Water Infrastructure Finance and Innovation Act application fee, in the amount of \$100,000, for the Pure Water Project Las Virgenes-Triunfo.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

Sufficient funds for the application fee are available in the adopted Fiscal Year 2023-24 JPA Budget.

DISCUSSION:

On October 12, 2022, the JPA Board approved a budget of \$364 million for the Pure Water Project Las Virgenes-Triunfo. At that time, the Board also adopted Resolution No. 21, authorizing the Administering Agent/General Manager to be the JPA's representative for the WIFIA funding process.

On December 21, 2022, the JPA received an invitation to apply for a WIFIA loan, in the amount of \$184,092,534, or up to 49% of the estimated project cost. As part of the application

process, the JPA Board approved a contract with Kroll Bond Rating Agency, LLC (Kroll), for the required indicative rating required by WIFIA as part of the application process. On August 7, 2023, the JPA Board authorized the formation of the Las Virgenes-Triunfo Public Financing Authority to facilitate the debt financing of the project.

Over the past several months, the project financing team, comprised of staff from Las Virgenes Municipal Water District, Triunfo Water and Sanitation District, Funding Source Advisors LLC, PFM Financial Advisors, Stradling Yocca Carlson & Rauth, and Jacobs have been diligently working towards completion of the application prior to the December 31, 2023 deadline. Most recently, on October 23, 2023, the financing team met with Kroll to present the finance structure and credit worthiness of Las Virgenes Municipal Water District, Triunfo Water and Sanitation District, and, more specifically, the credit worthiness of the enterprise funds to be pledged to secure and repay the debt.

As staff finalizes the application materials, JPA Board authorization is necessary for payment of the \$100,000 WIFIA application fee. The application fee allows the U.S. Environmental Protection Agency (EPA) to begin the financial and legal analysis of the application. The fee serves as a deposit towards the credit processing fee that ranges from \$150,000 to \$500,000 and reimburses the EPA for the cost to originate and process the loan. The full credit processing fee is due upon loan origination. Despite the loan fees, WIFIA is a desirable funding source due to its favorable interest rate and flexible terms.

Prepared by: Donald Patterson, Director of Finance and Administration

Las Virgenes-Triunfo Joint Powers Authority

October 19, 2023

John Freshman, Ana Schwab, Lowry Crook, and Samantha Sabol

Congress

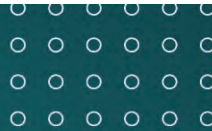
Congress Works to Avert a Government Shutdown, Kevin McCarthy Ousted as Speaker of the House of Representatives

The House of Representatives worked quickly to pass a continuing resolution (CR), preventing a government shutdown and extending current federal spending levels for federal agencies and programs to a November 17th deadline. H.R. 5860, *the Continuing Appropriations Act, 2024 and Other Extensions Act*, included an extension of Federal Aviation Administration authorities through December 31st, as well as \$16 billion in emergency funding to FEMA for the Disaster Relief Fund. Notably, the CR did not include supplemental funding for Ukraine, which faced opposition from some conservative lawmakers.

The bill passed in the House on September 30th, with a vote of 335-91, just ahead of the October 1st 12:00 a.m. deadline. The effort received support from 209 Democrats, and opposition from 90 Republicans, driving tension between then-Speaker McCarthy and House Republicans. The bill passed the Senate with a vote of 88-9, and President Joe Biden signed it into law on the same day.

Passage of the CR in the House of Representatives solidified a fight within the Republican Party, with Congressman Matt Gaetz (R-FL) introducing a motion to vacate the speaker. Eight House Republicans, and 208 Democrats voted in favor of the resolution, and on October 3rd the House of Representatives voted to remove Speaker Kevin McCarthy from his post. Until the House of Representatives votes in a new Speaker, Rep. Patrick McHenry (R-NC) will serve as Speaker Pro-Tempore.

This development has led to an unprecedented paralysis in the House, as McCarthy's previous election as speaker involved numerous ballots, and Republicans have struggled to maintain a functioning majority for legislative purposes. This could also delay the FY24



appropriations process, as a new Speaker will have to clear the hurdle of government funding only a month into their tenure.

As of October 20th, the Speaker of the House position remains unoccupied. Representative Jim Jordan (R-OH) fell short of the 217 votes needed after three votes on the House floor. Consequently, the House Republican Conference voted to remove Representative Jordan as the GOP speaker nominee with a secret vote tally of 86-112. Several Republicans have announced their intentions to vie for the vacant position, including Representatives Tom Emmer (R-MN), Kevin Hern (R-OK), Byron Donalds (R-FL), Mike Johnson (R-LA), Jack Bergman (R-MI), and previous candidate Austin Scott (R-GA). Republicans are scheduled to gather for a candidate forum on Monday, October 23rd, with a floor vote scheduled for Tuesday. Majority Whip Tom Emmer is currently viewed as the frontrunner, but given the party's recent turnover of its established leaders, it remains uncertain which representative will garner the support of 217 members.

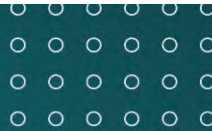
Senator Dianne Feinstein's Passing, and Laphonza Butler's Appointment

The death of Senator Dianne Feinstein marks the end of an era in California politics, leaving a void in the leadership of water-related issues in the state. She was a key figure in pushing for large-scale water engineering projects and consensus-building among various water factions in California. In recent years, Senator Feinstein focused on addressing recurring droughts in the Western United States, collaborating across the aisle in Congress on relief efforts. A notable achievement was the 2016 Water Infrastructure Improvements for the Nation (WIIN) Act, where she acted as a champion and a key mediator among various competing interests.

Laphonza Butler has been appointed by California Governor Gavin Newsom and sworn into the Senate on October 3rd, to serve the remaining months of the late Senator Dianne Feinstein's term, ending on January 3, 2025. Now-Senator Butler has expressed that she will not run for a full six-year term in the seat in next year's election.

Butler is known for her most recent work on abortion rights as President of Emily's List, an organization that supports Democratic women who endorse abortion rights during electoral campaigns. Prior to this role, now-Senator Butler served as the president of Service Employees International Union Local 2015, the largest labor union in California. Butler's track record on many issues is a relative unknown.

Senator Butler was appointed to the Senate Judiciary, Banking, Housing & Urban Affairs; Homeland Security & Governmental Affairs; and Rules & Administration Committees.



Senator Alex Padilla Appointed to Senate Energy and Natural Resources Committee

On October 18th, Senator Alex Padilla (D-CA) was appointed to the Senate Energy and Natural Resources Committee, signifying a significant opportunity for California's clean energy transition and drought resiliency efforts. California has been on the forefront of addressing the climate crisis, grappling with historic drought conditions and the escalating threat of wildfires and other natural disasters. Senator Padilla's new role will allow him to build upon his efforts as Chair of the Senate Environment and Public Works Subcommittee on Fisheries, Water, and Wildlife to ensure reliable access to clean drinking water and resilient water resources in California, as well as around the United States. Senator Padilla's appointment to this committee also holds great promise for advancing California's clean energy ambitions and enhancing the state's capacity to withstand environmental challenges.

Senators Mark Kelly (D-AZ) and Kyrsten Sinema (I-AZ) have also secured notable committee assignments. Senator Kelly will be taking a seat on the Senate Intelligence Committee, an essential body responsible for overseeing the nation's intelligence agencies. Senator Sinema will be joining the Senate Appropriations Committee, which plays a pivotal role in allocating federal funds and shaping the federal budget.

Senate Environment and Public Works Committee Holds Hearing on Drought Impacts on Drinking Water Access and Water Availability

On September 20th, the Senate Environment and Public Works (EPW) Committee held a hearing titled, "Examining Drought Impacts on Drinking Water Access and Water Availability". Currently, over two million Americans lack safe drinking water, disproportionately affecting vulnerable populations, such as children and the elderly. The nationwide drought exacerbates this issue, emphasizing the need for coordinated water policies. The fragmented responsibilities of federal agencies regarding water quality, quantity, and affordability add to the challenge, a problem seen across communities.

Effective Water Management

During the hearing Mr. Kyle Jones, the policy and legal director of the Community Water Center, shed light on the pressing challenges facing California's access to clean, safe, and affordable drinking water, particularly in the context of drought and arid conditions in the Western United States. One of the foremost concerns is the widespread failure of water systems in California, with 395 systems serving 800,000 people currently in disrepair, and



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an additional 3 million residents facing the imminent risk of losing access to clean water due to supply insecurity and contamination. The situation is exacerbated by the plight of domestic wells, with 180,000 of them either failing or at risk, disproportionately impacting marginalized communities in rural areas. Mr. Jones underscored these challenges, recounting how individuals have been forced to take out substantial loans, exceeding \$60,000, to access replacement wells, resulting in a loss of home equity and financial resources.

Need for Comprehensive Water Data

In an interaction between Senator Catherine Cortez Masto (D-NV) and Michael Brain, a representative from the Bureau of Reclamation, they discussed the importance of water data and the Senator's proposed legislation, *S.1118, the Open Access Evapotranspiration Data Act*. This bill aims to make existing data related to water usage and evaporation available to the public through the U.S. Geological Survey. The goal is to help water users and managers in understanding water supply, use, and scarcity in different ecosystems, particularly for U.S. agricultural lands.

Mr. Brain acknowledged the importance of water data and its role in fulfilling the mission of the Department of the Interior and the Bureau of Reclamation. He noted that they support ongoing research to improve the utility of this data, recognizing that it benefits not only government agencies but also their partners and water users.

Senate Committee on Environment and Public Works Holds Hearing on the Implications of the *Sackett v. Environmental Protection Agency* and the "Sackett Rule"

On October 18th, the Senate Committee on Environment and Public Works convened a hearing in response to the Supreme Court's *Sackett v. EPA* decision, as well as the "Sackett Rule" unveiled by the EPA on September 8th. In May, the Supreme Court narrowed the scope of federal wetland protection governed by the waters of the United States (WOTUS) regulation. The Court's decision limited protection to wetlands that exhibit a "continuous surface connection" to streams, oceans, rivers, or lakes, as opposed to the earlier criterion of wetlands with a "significant nexus" to federal waters. As a consequence of this ruling, some assessments suggest that over half of the nation's wetlands are no longer afforded federal protection.

The corresponding "Sackett Rule" aimed to amend the 2023 definition of WOTUS to align with the Supreme Court's decision on *Sackett v. EPA*. It attempted to provide clarity by stating that interstate wetlands are not automatically considered part of interstate waters. The rule set criteria for wetlands to fall under federal jurisdiction, either by being "adjacent"



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to other jurisdictional waters or meeting the criteria of "additional waters." The redefined term "adjacent" required a continuous surface connection. Additionally, the "additional waters" category now covers lakes and ponds that are relatively permanent and have a continuous surface connection to certain downstream waters.

During his opening statement, Chairman Tom Carper (D-DE) expressed concerns over the Supreme Court's ruling in *Sackett v. EPA*, fearing it would disrupt more than four decades of established agency practices and precedents that aligned with the original intent of the Clean Water Act. He emphasized the potential consequences, including the loss of Clean Water Act protections for over half of the nation's wetlands, with severe implications for both the environment and the economy. Ms. Revels, representing the Houston-based non-profit organization Bayou City Waterkeeper, echoed these worries, pointing out that many wetlands across the United States lack direct connections to jurisdictional waters, casting doubt on their protection under federal regulations.

Ranking Member Shelby Moore Capito (R-WV) on the other hand voiced apprehension over the EPA's "*Sackett Rule*" and its failure to fully implement the Supreme Court's recent *Sackett v. EPA* decision. She argued that the Supreme Court's decision aimed to achieve a cooperative balance, recognizing that state and local governments are better suited to understand and manage their local water issues. She believes the ruling should have put an end to back-and-forth federal jurisdiction adjustments, but the recent rule changes will open the door to more legal challenges and create the need for future rules for the Waters of the United States.

During an interaction between Senator Capito and Ms. Bodine, a representative from the law and lobbying firm Earth & Water Law who previously served as Assistant Administrator for Enforcement and Compliance Assurance at the Environmental Protection Agency during the Trump administration, Ms. Bodine expressed her concerns regarding the ambiguity and lack of clarity in the rule-writing efforts of the Biden administration. Ms. Bodine emphasized that even though the phrase "significant nexus" had been removed from the rule language, the definitions and specifics related to water jurisdiction remained in the preamble, which holds legal significance. This adjustment in the rule could potentially give rise to additional legal disputes, possibly culminating in another Supreme Court case. In the interim, it is likely to result in ongoing case-by-case determinations.



House Energy and Commerce Environment, Manufacturing, and Critical Materials Subcommittee hold Hearing on EPA Efforts to Limit Chemicals

On October 18th, the House Energy and Commerce Environment, Manufacturing, and Critical Materials Subcommittee held a hearing titled “Exposing EPA Efforts to Limit Chemicals Needed for Life Saving Medical Devices and Other Essential Products” This hearing follows recent demands for heightened regulation of chemicals that pose risks to both the environment and the well-being of ordinary citizens, such as Per- and Polyfluorinated Substances (PFAS).

Throughout the hearing, representatives from the American Chemistry Council and Advanced Medical Technology Association highlighted the prevalence of PFAS in essential products across various industries, including lithium-ion batteries, fuel cells, prosthetic devices, and IV bags. They stressed the importance of PFAS regulations targeting only those PFAS that pose risks to human and environmental health, while safeguarding industries critical to our country's economic prosperity.

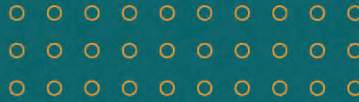
Tracey Woodruff from the UC-San Francisco Program on Reproductive Health and the Environment reminded those in attendance that PFAS chemicals have already contaminated drinking water supplies across the US. This contamination has increased the risk of multiple health problems including kidney cancer, cardiovascular related effects, immune system damage, and decreased fetal growth. She is one of many scientists who have urged the EPA to regulate PFAS collectively as a class of chemicals, rather than tackling them one by one. This approach would be more efficient and effective in safeguarding people from the health risks associated with PFAS.

Implementing a blanket regulation for PFAS as a class of chemicals, while efficient in safeguarding public health, could potentially pose significant challenges for industries and water providers. Such a broad approach might necessitate costly and resource-intensive adjustments to meet new compliance standards, impacting the economic viability of certain industries and potentially leading to higher costs for water treatment and distribution, which could, in turn, affect consumers.

Recent Water Infrastructure Legislation

S.2917 - Rural Water System Disaster Preparedness and Assistance Act

Senator Cortez Masto's (D-NV) bill seeks to amend the Consolidated Farm and Rural Development Act to create an emergency preparedness and response technical assistance program. This program will provide grants to eligible entities that operate rural water or wastewater systems to help them prepare for and respond to natural or man-



made disasters, as determined by the Secretary. Eligible entities are non-profit organizations with experience in emergency technical assistance and the capacity to deploy qualified personnel. The bill outlines various activities that grant recipients can undertake, including disaster response planning, infrastructure assessment, emergency services, and support for disadvantaged communities. It authorizes appropriations of \$20,000,000 annually from fiscal years 2024 through 2028 to implement the program.

S.2928 - Water Infrastructure Subcontractor and Taxpayer Protection Act

Senator Kelly's (D-AZ) bill would amend the Water Infrastructure Finance and Innovation Act of 2014 (WIFIA), establishing payment and performance security requirements for projects that receive assistance under said act. Specifically, it would require that projects have payment and performance security to ensure the completion and financial stability of the projects. The bill outlines conditions under which state or local requirements can be considered sufficient, and it also mandates the use of bonds when such requirements are not met. This legislation aims to enhance the financial security of water infrastructure projects and protect taxpayers' interests.

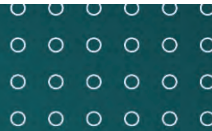
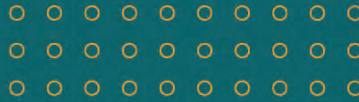
Federal Budget/Appropriations



Ukraine, Israel and Border Supplemental Funding Package

Supplemental funding for Ukraine is facing uncertainty in Congress following Representative Kevin McCarthy's removal as House Speaker, which has provided an opportunity for Republican hardliners to potentially delay another round of aid to Ukraine. American assistance for Ukraine's efforts against Russia's invasion will depend largely on the next Speaker of the House. While aid to Ukraine still enjoys broad congressional support, the division within the Republican Party on this issue has raised concerns among Ukraine's allies. Despite these political maneuvers, President Joe Biden remains determined to continue U.S. support for Ukraine. Senate Appropriations Ranking Member Susan Collins (R-ME) has floated the idea of tying Ukraine aid to the annual defense spending bill, but this could complicate passage of a normally bipartisan bill at a time when both chambers are struggling with the appropriations process.

Following the October 7th attack on Israel by Hamas, President Joe Biden has pledged to bolster military support for Israel. This promise has raised questions about whether Washington can ramp up defense aid to Israel without jeopardizing aid for Ukraine, especially given the current state of disarray in the Republican-controlled House of



Representatives. Congress could consider a standalone spending bill combining aid for Ukraine and Israel, or include both in an Omnibus Appropriations package or CR, which Congress must pass to keep the federal government open before the current CR measure expires midnight on November 17th.

On October 20th, President Joe Biden unveiled a comprehensive emergency funding request totaling nearly \$106 billion. The request includes \$61.4 billion for a year's worth of assistance for Ukraine to counter Russia's invasion. It also seeks \$14.3 billion to bolster Israel's defenses and \$10 billion for humanitarian efforts, including assistance for Palestinian civilians. Additionally, the request includes \$13.6 billion to enhance the US-Mexico border security and combat fentanyl trafficking, along with \$7.4 billion for various national security priorities, including support for allies in the Indo-Pacific like Taiwan. The proposal faces a challenging political climate in Congress, with divisions over Ukraine aid and the selection of a new House Speaker.

Administration/Agency

EPA Mandates PFAS Data Reporting for Community Protection

On September 28th, U.S. Environmental Protection Agency (EPA) finalized a rule to collect comprehensive data on per- and polyfluoroalkyl substances (PFAS) in the United States. This significant development is a part of the Biden-Harris Administration's ongoing efforts to address PFAS pollution and prioritize public health and environmental justice. Under the Toxic Substances Control Act (TSCA), manufacturers and importers of PFAS and PFAS-containing articles since 2011 are required to report information related to these substances, including their uses, volumes, environmental impacts, and more to the EPA. This data will greatly enhance the understanding of PFAS usage and facilitate the formulation of policies to safeguard the public from these persistent chemicals.

The final rule expands the definition of PFAS to include 41 additional substances of concern and is expected to cover at least 1,462 PFAS used in the U.S. since 2011. It also simplifies reporting requirements, lessening the burden on small-scale research and development users and importers of PFAS-containing articles. The data must be submitted to the EPA within 18 months of the rule's effective date, with a six-month extension for small businesses.



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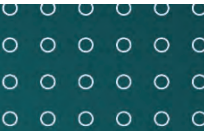
Judicial/Courts



3M Set to Oppose Approval of Huge Class in PFAS Case at 6th Circuit

The Sixth Circuit Court of Appeals is set to hear oral arguments in a case that challenges the approval of what's described as one of the largest class actions in history, with potentially 11.8 million Ohio residents involved. The class action, *Kevin Hardwick v. 3M Co.* involves 3M, DuPont, and eight other PFAS (per- and polyfluoroalkyl substances) producers and seeks to examine the health effects of PFAS through a scientific panel. The appeals court's decision is expected to have significant implications for PFAS lawsuits across the United States, regardless of the outcome. If the court upholds the class designation, it may lead to additional appeals and encourage similar lawsuits. If the court rejects the class designation, it could provide insights for plaintiffs on how to reshape proposed classes in the future.

The case is characterized by the use of a 0.05 parts-per-trillion (ppt) threshold for PFAS in blood serum, which the Sixth Circuit has noted is virtually undetectable with current technology. Additionally, the court expressed concerns about the class's cohesion and the potential for massive liability for defendants. This case will be closely watched as it could have a significant impact on the handling of PFAS-related litigation and class actions in the United States.



Funding Opportunities



Bureau of Reclamation

The Bureau of Reclamation opened the funding opportunity for the WaterSMART Drought Response Program. This opportunity is available to increase water management resiliency, and to address the impacts of water supply shortages. Projects should increase reliability of water supply, improve water management, or construction of water supply projects. Applications are due **October 31, 2023**. More information can be found [here](#).

The Bureau of Reclamation opened the funding opportunity for the Large-Scale Water Recycling Projects for Fiscal Years 2023 and 2024. Through this program, the Bureau of Reclamation will provide a 25% cost share for projects with a cost greater or equal to \$500 million dollars. Large-scale water recycling projects will help to mitigate drought and develop new sources of water supply for communities in need. The deadline for Phase I is **November 21, 2023**. More information can be found [here](#).

The Bureau of Reclamation opened the funding opportunity for the WaterSMART Cooperative Watershed Management Grant program. This program will promote the development of a watershed group, and watershed restoration and management. The deadline for Phase I projects is **December 5, 2023**. More information can be found [here](#).

The Bureau of Reclamation opened the funding opportunity for the Title XVI WIIN Act Water Reclamation and Reuse Projects for Fiscal Years 2023 and 2024. Through this program, the Bureau of Reclamation will provide a 25% cost share up to \$30 million for projects that will provide supplemental water supplies by recycling/reusing agricultural drainage water, wastewater, brackish surface and groundwater, and other sources of contaminated water. The deadline for the first application period is **December 7, 2023**. More information can be found [here](#).

The Bureau of Reclamation opened the funding opportunity for the Title XVI Congressionally Authorized Water Reclamation and Reuse Project for Fiscal Years 2023 and 2024. Through this program, the Bureau of Reclamation will provide a 25% cost share up to \$20 million for projects that will provide supplemental water supplies by recycling/reusing agricultural drainage water, wastewater, brackish surface and groundwater, and other sources of contaminated water. Authorized projects must be approved by Congress. The deadline for the first application period is **December 7, 2023**. More information can be found [here](#).



The Bureau of Reclamation opened the WaterSMART: Aquatic Ecosystem Restoration Projects opportunity. This grant will support the study, design, and implementation of restoration projects that improve the health and ecosystem for fish, wildlife, and aquatic habitats. Applications are due **January 24, 2024**. More information can be found [here](#).

The Bureau of Reclamation opened their funding opportunity for WaterSMART: Planning and Project Design. This grant opportunity is available to assist in improving water management operations, and planning activities related to water supply. This includes water access for disadvantaged communities, project-specific design elements, and comprehensive drought contingency plans. Proposals received after October 17, 2023, and before **April 2, 2024**, at 4:00 p.m. (MT) will be considered for FY 2024 funding, contingent on appropriations. More information can be found [here](#).



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October 2023 Bill Tracking Matrix

Legislation	Summary	Status	Cosponsors	# of Cosponsors
H.R. 186 Water Supply Permitting Coordination Act	To authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes.	01/09/2023 Introduced by Rep. Tom McClintock (R-CA-4) 2/21/2023 Referred to the Subcommittee on Water, Wildlife, and Fisheries.	Rep. Doug LaMalfa (R-CA-1); Rep. David Valadao (R-CA-21); Rep. Cliff Bentz (R-OR-2); Rep. Burgess Owens (R-UT-4); Rep. Pete Stauber (R-MN-8);	5
H.R. 215 WATER for California Act	To provide long-term water supply and regulatory reliability to drought-stricken California, and for other purposes.	1/09/2023 Introduced by Rep. David Valadao (R-CA-21) 4/28/2023 Subcommittee on Water, Wildlife, and Fisheries Discharged.	Rep. Ken Calvert (R-CA-42); Rep. John Duarte (R-CA-13); Rep. Mike Garcia (R-CA-25); Rep. Darrell Issa (R-CA-50); Rep. Kevin Kiley (R-CA-3); Rep. Young Kim (R-CA-39); Rep. Doug LaMalfa (R-CA-1); Rep.	11
H.R. 250 Clean Water SRF Parity Act	This bill expands the state revolving fund established under the Clean Water Act, including by allowing low-interest loans to be given to privately owned treatment works to address wastewater. Currently, loans are given to wastewater systems that are publicly owned.	01/10/2023 Introduced by Rep. John Garamendi (D-CA-8) 02/01/2023 Referred to the Subcommittee on Water Resources and Environment.	Rep. Mike Bost (R-IL-12); Rep. Donald Norcross (D-NJ-1); Rep. Abigail Spanberger (D-VA-7)	3
H.R. 369 NIST Wildland Fire Communications and Information Dissemination Act	To require the National Institute of Standards and Technology to conduct research on public safety communication coordination standards among wildland firefighters and fire management response officials.	01/17/2023 Introduced by Rep. Young Kim (R-CA-40) 06/21/2023 Committee Consideration and Mark-up Session Held	Rep. Mike Garcia (R-CA-25); Rep. Teresa Leger Fernandez (D-NM-3); Rep. Joe Neguse (D-CO-2); Rep. Melanie Ann Stansbury (D-NM-1)	4
S. 64 Water Rights Protection Act of 2023	A bill to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes.	01/25/2023 Introduced by Senator John Barrasso (R-WY) 01/25/2023 Referred to the Committee on Energy and Natural Resources.	Sen. Mike Crapo (R-ID); Sen. James Risch (R-ID)	2
S. 188 Wildfire Emergency Act of 2023	A bill to direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes.	01/31/2023 Introduced by Senator Dianne Feinstein (D-CA) 01/31/2023 Referred to the Committee on Energy and Natural Resources.	Sen. Alex Padilla (D-CA); Sen. Steve Daines (R-MT); Sen. Ron Wyden (D-OR)	3
H.J.Res 27 Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Army, Corps of Engineers, Department of Defense and the Environmental Protection Agency relating to 'Revised Definition of Waters of the United States'.	This joint resolution nullifies the rule titled Revised Definition of "Waters of the United States," which was submitted by the U.S. Army Corps of Engineers and the Environmental Protection Agency on January 18, 2023. The rule specifies which bodies of water fall under the scope of the Clean Water Act and are thereby under federal jurisdiction and protected. For example, the definition in the 2023 rule includes certain wetlands and ephemeral waters (e.g., waters that flow intermittently). The 2023 rule replaced the 2020 Navigable Waters Protection Rule that included a narrower definition of waters of the United States.	02/02/2023 Introduced by Rep. Sam Graves (R-MO-06). 04/18/2023 The Chair directed the Clerk to notify the Senate of the action of the House.	Rep. Ken Calvert (R-CA-42); Rep. John Duarte (R-CA-13); Rep. Mike Garcia (R-CA-25); Rep. Darrell Issa (R-CA-50); Rep. Kevin Kiley (R-CA-3); Rep. Doug LaMalfa (R-CA-1); Rep. Tom McClintock (R-CA-4); Rep. David Valadao (R-CA-21); Rep. Robert Aderholt (R-AL-4); Rep. Mark Alford (R-MO-4); Rep. Rick Allen (R-GA-12); Rep. Mark Amodei (R-NV-2); Rep. Kelly Armstrong (R-ND-1); Rep. Jodev	170
S.J. Res. 7 A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Army, Corps of Engineers, Department of Defense and the Environmental Protection Agency relating to 'Revised Definition of Waters of the United States'.	This joint resolution nullifies the rule titled Revised Definition of "Waters of the United States," which was submitted by the U.S. Army Corps of Engineers and the Environmental Protection Agency on January 18, 2023. The rule specifies which bodies of water fall under the scope of the Clean Water Act and are thereby under federal jurisdiction. The 2023 rule replaced a 2020 rule that included a narrower definition of waters of the United States.	02/02/2023 Introduced By Senator Shelley Moore Capito (R-WV). 02/13/2023 Star Print ordered on the joint resolution.	Sen. John Barrasso (R-WY); Sen. Marsha Blackburn (R-TN); Sen. John Boozman (R-AR); Sen. Mike Braun (R-IN); Sen. Katie Britt (R-AL); Sen. Ted Budd (R-NC); Sen. Bill Cassidy (R-LA); Sen. Susan Collins (R-ME); Sen. John Cornyn (R-TX); Sen. Thomas Cotton (R-AR); Sen. Kevin Cramer (R-ND); Sen. Mike Crapo (R-ID); Sen. Ted Cruz (R-TX); Sen. Steve Daines (R-MT); Sen. Joni Ernst (R-IA);	49



H.R. 872 FISH Act	This bill gives the Fish and Wildlife Service (FWS) the sole authority to protect endangered or threatened species that are anadromous species (species of fish that spawn in fresh or estuarine waters and that migrate to ocean waters) or catadromous species (species of fish that spawn in ocean waters and migrate to fresh or estuarine waters). Currently, the FWS shares this authority with the National Marine Fisheries Service.	02/08/23 Introduced by Rep. Ken Calvert (R-CA-41) 02/21/23 Referred to the Subcommittee on Water, Wildlife, and Fisheries.	Rep. Jim Costa (D-CA-16); Rep. Darrell Issa (R-CA-50); Rep. Doug LaMalfa (R-CA-1); Rep. Tom McClintock (R-CA-4); Rep. Jay Obernolte (R-CA-8); Rep. Michelle Steel (R-CA-48); Rep. Mike Simpson (R-ID-2);	7
H.R. 873 Water Quality and Environmental Innovation Act	To authorize the Administrator of the Environmental Protection Agency to award grants and contracts for projects that use emerging technologies to address threats to water quality, and for other purposes.	02/08/2023 Introduced by Rep. Byron Donalds (R-FL-19) Referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Science, Space, and Technology.	Rep. Josh Gottheimer (D-NJ-5)	1
H.R.934 To require the Secretary of Agriculture to carry out activities to suppress wildfires, and for other purposes	This bill would require the Secretary of Agriculture to carry out activities to suppress wildfires, and for other purposes	02/09/2023 Introduced by Rep. Tom McClintock (R-CA-5) 05/23/2023 Subcommittee Hearings Held	Rep. Ken Calvert (R-CA-42); Rep. John Duarte (R-CA-13); Rep. Darrell Issa (R-CA-50); Rep. Doug LaMalfa (R-CA-1); Rep. Jay Obernolte (R-CA-8); Rep. Daniel Newhouse (D-WA-4)	6
H.R. 1049 Protecting Airport Communities from Particle Emissions Act	To direct the Administrator of the Federal Aviation Administration to conduct a study relating to ultrafine particles, and for other purposes.	02/14/2023 Introduced by Rep. Adam Smith (D-WA-9) 02/24/23 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.	Rep. Suzan DelBene (D-WA-1); Rep. Pramila Jayapal (D-WA-7); Rep. Grace Meng (D-NY-6); Rep. Eleanor Norton (D-DC-1)	4
S.466 Federal PFAS Research Evaluation Act	The bill requires the National Science Foundation (NSF) to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (NASEM) to conduct a two-phase study and report on the research and development needed to advance human exposure estimation and toxicity hazard estimation of individual or total PFAS.	02/16/2023 Introduced by Sen. Gary Peters (D-MI) 02/16/2023 Read twice and referred to the Committee on Commerce, Science, and Transportation	Sen. Richard Durbin (D-IL); Sen. Jerry Moran (R-KS); Sen. Jeanne Shaheen (D-NH)	3
H.R.1142 - To amend the Endangered Species Act of 1973 to require consideration of economic impact in making a listing decision with respect to the list of threatened and endangered species, and for other purposes.	This bill would amend the Endangered Species Act of 1973 to require consideration of economic impact in making a listing decision with respect to the list of threatened and endangered species, and for other purposes.	02/21/2023 Introduced by Rep. August Pfluger (R-TX-11) 03/22/2023 Referred to the Subcommittee on Water, Wildlife, and Fisheries.	Rep. Tom McClintock (R-CA-4); Rep. Ronny Jackson (R-TX-13); Rep. Tracey Mann (R-KS-1); Rep. Greg Steube (R-FL-17)	4
H.R. 1152 Water Quality Certification and Energy Project Improvement Act of 2023	This bill would amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.	02/24/2023 Introduced by Rep. David Rouzer (R-NC-7) 03/17/2023 Reported by the Committee on Transportation and Infrastructure. H. Rept. 118-10.	Rep. Garret Graves (R-LA-6); Rep. Scott Perry (R-PA-10)	2
H.R. 1181 To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.	This bill extends the maximum term for certain permits issued under the National Pollutant Discharge Elimination System (NPDES) program. Specifically, the bill extends the maximum term for NPDES permits issued to states or municipalities from 5 to 10 years. Under the program, the Environmental Protection Agency issues permits to discharge pollutants from point sources, such as pipes, into waters of the United States.	02/24/2023 Introduced by Rep. John Garamendi (D-CA-8) 02/27/2023 Referred to the Subcommittee on Water Resources and Environment.	Rep. Eric Swalwell (D-CA-15); Rep. Ken Calvert (R-CA-42); Rep. Andre Carson (D-IN-7); Rep. Garret Graves (R-LA-6);	4
H.R. 1430 Determination of NEPA Adequacy Streamlining Act	This bill would direct the Secretary of the Interior and the Secretary of Agriculture to use certain previously completed environmental assessments and environmental impact statements to satisfy the review requirements of the National Environmental Policy Act of 1969, and for other purposes.	03/07/2023 Introduced by Rep. David Valadao (R-CA-21) 04/25/2023 Referred to the Subcommittee on Forestry.		0
H.R.1517 Relief for Farmers Hit with PFAS Act	This bill would authorize the Secretary of Agriculture to provide grants to States, territories, and Indian Tribes to address contamination by perfluoroalkyl and polyfluoroalkyl substances on farms, and for other purposes.	03/09/2023 Introduced by Rep. Chellie Pingree (D-ME-1) 03/09/2023 Referred to the House Committee on Agriculture	Rep. Teresa Leger Fernandez (D-NM-3); Rep. Jared Golden (D-ME-2); Rep. Marie Perez (D-WA-3); Rep. Elissa Slotkin (D-MI-8)	4



S.747 Relief for Farmers Hit with PFAS Act	This bill would authorize the Secretary of Agriculture to provide grants to States, territories, and Indian Tribes to address contamination by perfluoroalkyl and polyfluoroalkyl substances on farms, and for other purposes.	03/09/2023 Introduced by Sen Susan Collins (R-ME) 03/09/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Tammy Baldwin (D-WI); Sen. Kirsten Gillibrand (D-NY); Sen. Maggie Hassan (D-NH); Sen. Angus King (I-ME); Sen. Ben Lujan (D-NM); Sen. Bernie Sanders (I-VT); Sen. Jeanne Shaheen (D-NH)	7
H.R. 1586 Forest Protection and Wildland Firefighter Safety Act of 2023	This bill would allow the Secretary of the Interior and the Secretary of Agriculture to use a fire retardant, chemical, or water for fire suppression, control, or prevention activities.	3/14/2023 Introduced by Rep. Doug LaMalfa (R-CA-1) 05/17/2023 Ordered to be Reported - House Committee on Natural Resources	Rep. Jay Obernolte (R-CA-8); Rep. David Valadao (R-CA-21); Rep. Ken Calvert (R-CA-42); Rep. Jim Costa (D-CA-16); Rep. Rick Crawford (R-AR-1); Rep. John Duarte (R-CA-13); ; Rep. John Garamendi (D-CA-3);	30
H.R. 1 Lower Energy Costs Act	To lower energy costs by increasing American energy production, exports, infrastructure, and critical minerals processing, by promoting transparency, accountability, permitting, and production of American resources, and by improving water quality certification and energy projects, and for other purposes.	03/14/2023 Introduced by Rep. Steve Scalise (R-LA-1) 03/30/2023 The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 1.	Rep. Tom McClintock (R-CA-4); Rep. Robert Aderholt (R-AL-4); Rep. Rick Allen (R-GA-12); Rep. Kelly Armstrong (R-ND-1); Rep. Troy Balderson (R-OH-12); Rep. Lauren Boebert (R-CO-3); Rep. Michael Burgess (R-TX-26); Rep. Kat Cammack (R-FL-3); Rep. Mike Carey (R-OH-15); Rep. Buddy Carter (R-GA-1); Rep. Dan Crenshaw (R-TX-2); Rep. John	49
S. 820 Protecting Consumers from PFAS Act	This bill would require the Consumer Product Safety Commission (CPSC) to be added to the Administration interagency work group that coordinates federally funded PFAS research and development.	03/15/2023 Introduced by Sen. Gary Peters (D-MI) 06/14/2023 Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment favorably.	Burgess (R TX-26) Re Sen. Susan Collins (-ME); Sen. Cynthia Lummis (R-WY); Sen. Peter Welch (D-VT)	3
H.R.1729 Water Affordability, Transparency, Equity, and Reliability Act	This bill would establish a trust fund to provide for adequate funding for water and sewer infrastructure, and for other purposes.	03/22/2023 Introduced by Rep. Bonnie Watson Coleman (D-NJ-12) 04/25/2023 Referred to the Subcommittee on Commodity Markets, Digital Assets, and Rural Development.	Rep. Kevin Mullin (D-CA-15); Rep. Jimmy Panetta (D-CA-20); Rep. Ro Khanna (D-CA-17); Rep. Barbara Lee (D-CA-13); Rep. Ted Lieu (D-CA-33); Rep. Doris Matsui (D-CA-6); Rep. Scott Peters (D-CA-53); Rep.	75
H.R. 1740 To amend the Water Infrastructure Finance and Innovation Act of 2014 to establish payment and performance security requirements for projects, and for other purposes.	To amend the Water Infrastructure Finance and Innovation Act of 2014 to establish payment and performance security requirements for projects, and for other purposes.	3/23/2023 Introduced by Rep. Mike Bost (R-IL-12). 03/31/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.	Rep. Troy Balderson (R-OH-12); Rep. Stephen Lynch (D-MA-8); Rep. Chris Pappas (D-NH-1); Rep. Donald Payne (D-NJ-10); Rep. Daniel Webster (R-FL-10)	5
S. 1022 Define WOTUS Act of 2023	This bill would amend the Federal Water Pollution Control Act to modify the definition of navigable waters, and for other purposes.	03/29/2023 Introduced by Sen. Mike Braun (R-IN) 03/29/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. Joni Ernst (R-IA); Sen. Chuck Grassley (R-IA)	2
H.R. 2419 Canal Conveyance Capacity Restoration Act	This bill would provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes.	03/30/2023 Introduced by Rep. Jim Costa (D-CA-16) 05/08/2023 Referred to the Subcommittee on Water, Wildlife, and Fisheries.	Rep. John Garamendi (D-CA-3); Rep. Josh Harder (D-CA-10)	2
H.R.2670 National Defense Authorization Act for Fiscal Year 2024	This bill authorizes FY2024 appropriations and sets forth policies for Department of Defense (DOD) programs and activities, military construction, and the national security programs of the Department of Energy (DOE). The bill authorizes appropriations, but does not provide budget authority, which is provided by appropriations legislation.	04/18/2023 Introduced by Rep. Mike Rogers (R-AL-3) 07/14/2023 On passage Passed by the Yeas and Nays: 219 - 210	Rep. Adam Smith (D-WA-9)	1



H.R. 2735 Coastal State Climate Preparedness Act of 2023	This bill directs the Department of Commerce to establish a coastal climate change adaptation preparedness and response program. Under the program, Commerce must (1) assist coastal states with voluntarily developing coastal climate change adaptation plans, and (2) provide financial and technical assistance as well as training for coastal states to implement the adaptation plans.	04/20/2023 Introduced by Rep. Salud Carbajal (D-CA-24) 05/22/2023 Referred to the Subcommittee on Water, Wildlife, and Fisheries	Rep. Ted Lieu (D-CA-33) ; Rep. Brian Fitzpatrick (R-PA-1);	2
H.R. 2787 To amend the Consolidated Farm and Rural Development Act to modify provisions relating to rural decentralized water systems grants.	This bill would amend the Consolidated Farm and Rural Development Act to modify provisions relating to rural decentralized water systems grants.	04/20/2023 Introduced by Rep. Terri Sewell (D-AL-7) 05/15/2023 Referred to the Subcommittee on Commodity Markets, Digital Assets, and Rural Development.	Rep. Mike Rogers (R-AL-3)	1
H.R. 2811 Limit, Save, Grow Act of 2023	This bill increases the federal debt limit and decreases spending. It also repeals several energy tax credits, modifies the permitting process and other requirements for energy projects, expands work requirements for the Supplemental Nutrition Assistance Program (SNAP) and other programs, and nullifies regulations for the cancellation of federal student loan debt.	04/25/2023 Introduced by Rep. Jodey Arrington (R-TX-19) 05/04/2023 Committee on the Budget. Hearings held.	Rep. Rep. Tom McClintock (R-CA-4) ; Rep. Stephanie Bice (R-OK-5); Rep. Michael Burgess (R-TX-26); Rep. Buddy Carter (R-GA-1); Rep. James Comer (R-KY-1); Rep. Chuck Edwards (R-NC-11); Rep. Virginia Foxx (R-NC-5); Kay Granger (R-TX-12); Rep. Sam	19
S.1360 PFAS Exposure Assessment and Documentation Act	This bill would require DOD to ensure that any periodic health assessment, physical assessment for recently separated members, pre-deployment medical examination, post-deployment medical examination, and post-deployment health reassessment provided to a member of the Armed Forces includes an evaluation of whether the member has been exposed to PFAS or was based or stationed at a military installation with a known or suspected release of PFAS during the period the member was there.	04/27/2023 Introduced by Sen. Jeanne Shaheen (D-NH) 04/27/2023 Read twice and referred to the Committee on Armed Services		0
H.R.3027 Reclamation Climate Change and Water Program Reauthorization Act	This bill would reauthorize funding for the Reclamation Climate Change and Water Program.	04/28/2023 Introduced by Rep. Katie Porter (D-CA-47) 06/14/2023 Subcommittee Hearings Held	Rep. Sydney Kamlager (D-CA-37) ; Rep. Mike Levin (D-CA-49) ; Rep. Zoe Lofgren (D-CA-19) ; Rep. Grace Napolitano (D-CA-32) ; Rep. Melanie Ann Stansbury (D-NM-1); Rep. Earl	8
S.1427 Agriculture PFAS Liability Protection Act	This bill would exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.	05/03/2023 Introduced by Sen. Cynthia Lummis (R-WY) 05/03/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. Markwayne Mullin (R-OK); Sen. Pete Ricketts (R-NE); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	7
S. 1429 Resource Management PFAS Liability Protection Act	This bill would exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.	05/03/2023 Introduced by Sen. Cynthia Lummis (R-WY) 05/03/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. Markwayne Mullin (R-OK); Sen. Pete Ricketts (R-NE); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	7
S. 1430 Water Systems PFAS Liability Protection Act	This bill would exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.	05/03/2023 Introduced by Sen. Cynthia Lummis (R-WY) 05/03/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. Markwayne Mullin (R-OK); Sen. Pete Ricketts (R-NE); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	7
S.1432 Fire Suppression PFAS Liability Protection Act	This bill would exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 for the release of certain perfluoroalkyl or polyfluoroalkyl substances, and for other purposes.	05/03/2023 Introduced by Sen. Cynthia Lummis (R-WY) 05/03/2023 Read twice and referred to the Committee on Environment and Public Works	Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. Markwayne Mullin (R-OK); Sen. Pete Ricketts (R-NE); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	7



S.1433 Airports PFAS Liability Protection Act	This bill would exempt certain aviation entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 for the release of certain perfluoroalkyl or polyfluoroalkyl substances, and for other purposes.	05/03/2023 Introduced by Sen. Cynthia Lummis (R-WY) 05/03/2023 Read twice and referred to the Committee on Environment and Public Works	Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. Markwayne Mullin (R-OK); Sen. Pete Ricketts (R-NE); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	7
S. 1449 RESTART Act	This bill seeks to improve the environmental review process, and for other purposes.	05/04/2023 Introduced by Sen. Shelley Capito (R-WV) 05/04/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. John Barrasso (R-WY); Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. James Lankford (R-OK); Sen. Cynthia Lummis (R-WY); Sen. Pete Ricketts (R-NE); Sen. James Risch (R-ID); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	10
S.1456 SPUR Act	This bill would provide for certain energy development, permitting reforms, and for other purposes.	05/04/2023 Introduced by Sen. Joh Barrasso (R-WY) 05/04/2023 Read twice and referred to the Committee on Energy and Natural Resources.	Sen. Shelley Capito (R-WV); Sen. Bill Cassidy (R-LA); Sen. Steve Daines (R-MT); Sen. Josh Hawley (R-MO); Sen. John Hoeven (R-ND); Sen. Cindy Hyde-Smith (R-MS); Sen. James Lankford (R-OK); Sen. Mike Lee	10
H.R.3192 PFAS Registry Act	This bill would require the Secretary of Veterans Affairs to establish and maintain a registry for certain individuals who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam on military installations.	05/10/2023 Introduced by Rep. Chris Pappas (D-NH-1) 05/26/2023 Referred to the Subcommittee on Health	Rep. Brian Fitzpatrick (R-PA-1); Rep. Ann Kuster (D-NH-2); Rep. Mike Lawler (R-NY-17)	3
H.R.3389 Emergency Wildfire Fighting Technology Act	This bill would require the Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of the Interior to conduct an evaluation with respect to the use of the container aerial firefighting system (CAFFS), and for other purposes.	05/16/2022 Introduced by Rep. David Valadao (R-CA-22) 06/23/2023 Referred to the Subcommittee on Forestry	Rep. Jim Costa (D-CA-16); Rep. Mike Garcia (R-CA-25); Rep. Josh Harder (D-CA-10); Rep. Darrell Issa (R-CA-50); Rep. Kevin Kiley (R-CA-3); Rep. Doug Lamborn (R-CO-5); Rep. Daniel Newhouse (R-WA-4); Rep. Mark	9
H.R.3396 To require the standardization of reciprocal fire suppression cost share agreements, and for other purposes.	This bill would require the standardization of reciprocal fire suppression cost share agreements, and for other purposes.	05/17/2023 Introduced by Rep. Josh Harder (D-CA-10) 05/23/2023 Subcommittee Hearings Held	Rep. Doug LaMalfa (R-CA-1); Rep. John Curtis (R-UT-3); Rep. Chris Stewart (R-UT-2)	3
H.R.3439 - To direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes	This bill would direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes.	05/17/2023 Introduced by Rep. Jimmy Panetta (D-CA-20) 05/22/2023 Referred to the Subcommittee on Federal Lands	Rep. Adam Schiff (D-CA-28); Rep. Mike Thompson (D-CA-5); Rep. Salud Carbajal (D-CA-24); Rep. Jim Costa (D-CA-16); Rep. Mark DeSaulnier (D-CA-11); Rep. John Garamendi (D-CA-3); Rep. Barbara Lee (D-CA-13); Rep. Andrea Salinas (D-OR-6);	8
H.R.3457 SUPERSAFE Act	This bill would direct the Administrator of the Environmental Protection Agency to establish a consortium relating to exposures to toxic substances and identifying chemicals that are safe to use.	05/18/2023 Introduced by Rep. Zoe Lofgren (D-CA-18) 05/18/2023 Referred to the House Committee on Energy and Commerce		0
H.R.3499 Direct Hire to Fight Fires Act	This bill would amend title 5, United States Code, to provide direct hire authority to appoint individuals to Federal wildland firefighting and firefighting support positions in the Forest Service or the Department of the Interior, and for other purposes.	05/18/2023 Introduced by Rep. Darrell Issa (R-CA-50) 05/23/2023 Subcommittee Hearings Held	Rep. Doug LaMalfa (R-CA-1)	1
S.1715 Wildfire Emergency Act of 2023	This bill would direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes.	05/18/2023 Introduced by Sen. Dianne Feinstein (D-CA) 05/18/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Alex Padilla (D-CA); Sen. Steve Daines (R-MT); Sen. Ron Wyden (D-OR)	



H.R.3675 Western Water Accelerated Revenue Repayment Act	amend the Water Infrastructure Improvements for the Nation Act to extend certain contract prepayment authority.	05/25/2023 Introduced by Rep. Lauren Boebert (R-CO-3) 06/14/2023 Subcommittee Hearings Held	Rep. Tom McClintock (R-CA-4); Rep. Paul Gosar (R-AZ-4); Rep. Harriet Hageman (R-WY-1); Rep. Doug Lamborn (R-CO-5); Rep. Mike Lawler (R-NY-17); Rep. Troy Nehls (R-TX-22); Rep.	9
H.R. 3746 Fiscal Responsibility Act of 2023	This bill would provide for a responsible increase to the debt ceiling.	05/29/2023 Introduced by Rep. Patrick McHenry (R-NC-10) 06/03/2023 Became Public Law No: 118-5.		0
H.R.3871 Research for Healthy Soils Act	This bill would amend the Food, Agriculture, Conservation, and Trade Act of 1990 to include as a high-priority research and extension area research on microplastics in land-applied biosolids on farmland.	06/06/2023 Introduced by Rep. Marie Perez (D-WA-3) 06/06/2023 Referred to the House Committee on Agriculture	Rep. Young Kim (R-CA-39)	1
H.R.4018 Headwaters Protection Act	This bill would amend the Healthy Forests Restoration Act of 2003 to reauthorize and improve the Water Source Protection Program, and for other purposes.	06/12/2023 Introduced by Rep. Jim Costa (D-CA-21) 06/12/2023 Referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources	Rep. David Valadao (R-CA-21); Rep. Earl Blumenauer (D-OR-3); Rep. Brittany Pettersen (D-CO-7); Rep. Kim Schrier (D-WA-8); Rep. Melanie Ann Stansbury (D-NM-1)	5
H.R.4052 National Infrastructure Bank Act	facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Bank, and for other purposes.	06/13/2023 Introduced by Rep. Danny Davis (D-IL-7) 06/13/2023 Referred to the Subcommittee on Highways and Transit	Rep. Barbara Lee (D-CA-13); Rep. Eric Swalwell (D-CA-15)	2
H.R.4235 Wildfire Technology Demonstration, Evaluation, Modernization, and Optimization Act	This bill would direct the Secretary of Agriculture and the Secretary of the Interior to establish a wildfire technology testbed pilot program, and for other purposes.	06/21/2023 Introduced by Rep. Young Kim (R-CA-40) 6/21/2023 Referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture	Rep. John Duarte (R-CA-13); Rep. Lori Chavez-DeRemer (R-OR-5); Rep. Jason Crow (D-CO-6); Rep. Doug Lamborn (R-CO-5); Rep. Mike Lawler (R-NY-17); Rep. James Moylan (R-GU-1)	6
H.R.4247 To direct the Secretary of the Army to establish a task force on the California snowpack and flood mitigation, and for other purposes.	This bill would direct the Secretary of the Army to establish a task force on the California snowpack and flood mitigation, and for other purposes.	06/21/2023 Introduced by Rep. Josh Harder (D-CA-9) 06/22/2023 Referred to the Subcommittee on Water Resources and Environment.	Rep. Barbara Lee (D-CA-13); Rep. Zoe Lofgren (D-CA-19)	2
S.2102 A bill to provide for drought preparedness and improved water supply reliability.	This bill would provide for drought preparedness and improved water supply reliability.	06/21/2023 Introduced by Sen. Ron Wyden (D-OR) 07/19/2023 Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held	Sen. Jeff Merkley (D-OR)	1
S.2127 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2024	This bill provides FY2024 appropriations for military construction, the Department of Veterans Affairs (VA), and related agencies. <i>This is the Senate counterpart to H.R. 4366.</i>	06/22/2023 Introduced by Sen. Patty Murray (D-WA) 06/22/2023 Placed on Senate Legislative Calendar under General Orders. Calendar No. 110		0
S.2130 A bill to require community engagement and reporting relating to activities of the Department of Defense with respect to perfluoroalkyl substances and polyfluoroalkyl substances, and for other purposes.	This bill would require community engagement and reporting relating to activities of the Department of Defense with respect to perfluoroalkyl substances and polyfluoroalkyl substances, and for other purposes.	06/22/2023 Introduced by Sen. Jeanne Shaheen (D-NH) 06/22/2023 Read twice and referred to the Committee on Armed Services		0



S.2161 A bill to provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes.	This bill would provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes. <i>This bill is the Senate companion to H.R. 2419.</i>	06/22/2023 Introduced by Sen. Dianne Feinstein (D-CA) 07/19/2023 Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held		0
S.2162 A bill to support water infrastructure in Reclamation States, and for other purposes.	This bill would support water infrastructure in Reclamation States, and for other purposes.	06/22/2023 Introduced by Sen. Dianne Feinstein (D-CA) 07/19/2023 Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held	Sen. Mark Kelly (D-AZ); Sen. Kyrsten Sinema (I-AZ)	2
S.2203 A bill to require the conduct of winter season reconnaissance of atmospheric rivers on the West Coast of the United States, and for other purposes.	This bill would require the conduct of winter season reconnaissance of atmospheric rivers on the West Coast of the United States, and for other purposes.	06/22/2023 Introduced by Sen. Alex Padilla (D-CA) 06/22/2023 Read twice and referred to the Committee on Armed Services		0
H.R.4366 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2024	This bill provides FY2024 appropriations for military construction, the Department of Veterans Affairs (VA), and related agencies. <i>This is the House counterpart to S.2127.</i>	06/27/2023 Introduced by Rep. John Carter (R-TX-31) 09/14/2023 Motion by Senate Majority Leader Schumer to commit to Senate Committee on Appropriations		0
H.R.4385 To extend authorization of the Reclamation States Emergency Drought Relief Act of 1991	This bill would extend authorization of the Reclamation States Emergency Drought Relief Act of 1991.	06/27/2023 Introduced by Rep. Joe Neguse (D-CO-2) 06/27/2023 Referred to the House Committee on Natural Resources	Rep. Juan Ciscomani (R-AZ-6)	1
H.R.4584 To improve the Federal effort to reduce wildland fire risks, and for other purposes.	This bill would improve the Federal effort to reduce wildland fire risks, and for other purposes.	07/12/2023 Introduced by Rep. Zoe Lofgren (D-CA-18) 07/13/2023 Referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management	Rep. Suzanne Bonamici (D-OR-1)	1
S.2272 - Wildland Firefighter Paycheck Protection Act	This bill would amend title 5, United States Code, to provide for special base rates of pay for wildland firefighters, and for other purposes.	07/12/2023 Introduced by Sen. Kyrsten Sinema (I-AZ) 07/19/2023 Committee on Homeland Security and Governmental Affairs	Sen. Alex Padilla (D-CA); Sen. John Barrasso (R-WY); Sen. Steve Daines (R-MT); Sen. Joe Manchin (D-WV); Sen. Jon Tester (D-MT)	5
H.R.4717 To amend the Healthy Forests Restoration Act of 2003 with respect to third-party contracts for wildfire hazard fuel removal, to amend the National Forest Management Act with respect to the threshold for advertised timber sales, and for other purposes.	This bill would amend the Healthy Forests Restoration Act of 2003 with respect to third-party contracts for wildfire hazard fuel removal, to amend the National Forest Management Act with respect to the threshold for advertised timber sales, and for other purposes.	07/18/2023 Introduced by Rep. Doug Lamborn (R-CO-5) 07/18/2023 Referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources	Rep. Jim Costa (D-CA-16); Rep. Doug LaMalfa (R-CA-1); Rep. Lauren Boebert (R-CO-3)	3
H.R.4866 Fire Weather Development Act	This bill would direct the Administrator of the National Oceanic and Atmospheric Administration to establish a program to improve fire weather and fire environment forecasting, detection, and local collaboration, and for other purposes.	07/25/2023 Introduced by Rep. Mike Garcia (R-CA-27) 07/27/2023 Ordered to be Reported (Amended) by the Yeas and Nays: 33 - 2	Rep. Young Kim (R-CA-39); Rep. Yadira Caraveo (D-CO-8)	2
H.R.4890 Urban Waters Federal Partnership Act	This bill would require the Administrator of the Environmental Protection Agency, the Secretary of the Interior, and the Secretary of Agriculture to maintain the Urban Waters Federal Partnership Program, and for other purposes.	07/25/2023 Introduced by Rep. Greg Stanton (D-AZ-4) 07/26/2023 Referred to the Subcommittee on Water Resources and Environment	Rep. Brian Fitzpatrick (R-PA-1)	1



H.R.4908 Expedited Federal Permitting for California Act	This bill would amend title 23, United States Code, to make eligible airport-related projects and port development projects eligible for approval under State environmental laws and regulations instead of the National Environmental Policy Act of 1969, and for other purposes.	07/26/2023 Introduced by Rep. John Garamendi (D-CA-8) 07/27/2023 Referred to the Subcommittee on Aviation	Rep. Eric Swalwell (D-CA-15)	1
H.R.4920 To provide for cost-share waivers for projects carried out in response to wildland fires caused by certain Government actions, and for other purposes.	This bill would provide for cost-share waivers for projects carried out in response to wildland fires caused by certain Government actions, and for other purposes.	07/26/2023 Introduced by Rep. Teresa Leger Fernandez (D-NM-3) 07/26/2023 Referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources		0
H.R.4956 Farmer-Informed WOTUS Act of 2023	This bill would establish an advisory committee to inform Congress of the impact of Waters of the United States regulations on United States agriculture, and for other purposes.	07/27/2023 Introduced by Rep. Rudy Yakym (R-IN-2) 07/28/2023 Referred to the Subcommittee on Water Resources and Environment	Rep. Tracey Mann (R-KS-1)	1
S.2587 Department of Defense Appropriations Act, 2024	This bill provides FY2024 appropriations to the Department of Defense (DOD) for military activities.	07/27/2023 Introduced by Sen. John Tester (D-MT) 07/27/2023 Placed on Senate Legislative Calendar under General Orders. Calendar No. 181		0
S.2605 Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024	Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.	07/27/2023 Introduced by Sen. Jeff Merkley (D-OR) 07/27/2023 Placed on Senate Legislative Calendar under General Orders. Calendar No. 186		0
H.R.5153 To direct the Secretary of Veterans Affairs to carry out a pilot program to employ veterans in certain wildland firefighting activities	This bill would direct the Secretary of Veterans Affairs to carry out a pilot program to employ veterans in certain wildland firefighting activities.	08/04/2023 Introduced by Rep. Joe Neguse (D-CO-2) 08/24/2023 Referred to the Subcommittee on Economic Opportunity	Rep. John Rutherford (R-FL-4)	1
H.R.5169 Wildland Firefighter Paycheck Protection Act	This bill would amend title 5, United States Code, to provide for special base rates of pay for wildland firefighters, and for other purposes.	08/08/2023 Introduced by Rep. Joe Neguse (D-CO-2) 09/25/2023 Referred to the Subcommittee on Forestry	Rep. Adam Schiff (D-CA-28); Rep. Mike Thompson (D-CA-5); Rep. David Valadao (R-CA-21); Rep. Katie Porter (D-CA-45); Rep. Josh Harder (D-CA-10); Rep. Mike Garcia (R-CA-25); Rep. Jack Bergman (R-MI-1);	22
H.R.5259 PFAS Exposure Assessment and Documentation Act	This bill would direct the Secretary of Defense to include in periodic health assessments of members of the Armed Forces an evaluation of whether the member has been exposed to perfluoroalkyl substances and polyfluoroalkyl substances, and for other purposes.	08/22/2023 Introduced by Rep. Elissa Slotkin (D-MI-7) 08/22/2023 Referred to the House Committee on Armed Services	Rep. Bill Posey (R-FL-8); Rep. Michael Turner (R-OH-10)	2
H.R.5260 PFAS Free Military Purchasing Act	This bill would amend the National Defense Authorization Act for Fiscal Year 2021, to modify the prohibition on the acquisition by the Department of Defense of certain items containing a perfluoroalkyl substance or polyfluoroalkyl substance.	08/22/2023 Introduced by Rep. Elissa Slotkin (D-MI-7) 08/22/2023 Referred to the House Committee on Armed Services	Rep. Bill Posey (R-FL-8)	1
H.R.5261 PFAS Training For DoD Providers and Servicemembers Act	This bill would direct the Secretary of Defense to provide to each health care provider of the Department of Defense training regarding the potential health effects of perfluoroalkyl or polyfluoroalkyl substances.	08/22/2023 Introduced by Rep. Elissa Slotkin (D-MI-7) 08/22/2023 Referred to the House Committee on Armed Services	Rep. Jack Bergman (R-MI-1); Rep. Bill Posey (R-FL-8); Rep. Michael Turner (R-OH-10)	3



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H.R.5262 DoD PFAS Cleanup Transparency Act	This bill would require the Secretary of Defense to publish information regarding the status of certain cleanup efforts of the Department of Defense, and for other purposes.	08/22/2023 Introduced by Rep. Elissa Slotkin (D-MI-7) 08/22/2023 Referred to the House Committee on Armed Services	Rep. Jack Bergman (R-MI-1); Rep. Chrissy Houlahan (D-PA-6); Rep. Bill Posey (R-FL-8)	3
H.R.5263 PFAS Strictest Standard Act	This bill would direct the Secretary of Defense to ensure that removal and remedial actions relating to PFAS contamination result in levels meeting or exceeding certain standards, and for other purposes.	08/22/2023 Introduced by Rep. Elissa Slotkin (D-MI-7) 08/23/2023 Referred to the Subcommittee on Water Resources and Environment	Rep. Ro Khanna (D-CA-17); Rep. Bill Posey (R-FL-8)	2
H.R.5329 Wildfire Smoke Emergency Declaration Act	This bill would authorize the President to declare a smoke emergency, and for other purposes.	09/01/2023 Introduced by Rep. Josh Harder (D-CA-9) 09/05/2023 Referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management	Rep. Ted Lieu (D-CA-33); Rep. Zoe Lofgren (D-CA-19); Rep. Kevin Mullin (D-CA-15); Rep. Mark Takano (D-CA-41); Rep. Mike Thompson (D-CA-5); Rep. Juan Vargas (D-CA-51)	6
S.2749 Wildfire Resilient Communities Act	This bill would provide mandatory funding for hazardous fuels reduction projects on certain Federal land, and for other purposes.	09/07/2023 Introduced by Sen. Jeff Merkley (D-OR) 09/07/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Dianne Feinstein (D-CA); Sen. Alex Padilla (D-CA); Sen. Ron Wyden (D-OR)	3
H.R.5355 Save Our Airports Reporting Act	This bill would require the Administrator of the Federal Aviation Administration to submit to Congress progress reports on the development and implementation of a national plan to transition to the use of a fluorine-free firefighting foam, and for other purposes.	09/08/2023 Introduced by Rep. Salud Carbajal (D-CA-24) 09/11/2023 Referred to the Subcommittee on Aviation	Rep. Mike Lawler (R-NY-17); Rep. Derrick Van Orden (R-WI-3)	2
H.R.5356 PFAS Act	This bill would require the Secretary of Transportation to establish a PFAS replacement program at certain airports, and for other purposes.	09/08/2023 Introduced by Rep. Salud Carbajal (D-CA-24) 09/11/2023 Referred to the Subcommittee on Aviation	Rep. Mike Lawler (R-NY-17); Rep. Derrick Van Orden (R-WI-3)	2
H.R.5483 Securing Access for the central Valley and Enhancing (SAVE) Water Resources Act	This bill would promote water supply reliability and improved water management for rural communities, the State of California, and the Nation, and for other purposes.	09/14/2023 Introduced by Rep. Josh Harder (D-CA-9) 09/14/2023 Referred to the House Committee on Natural Resources	Rep. Jim Costa (D-CA-16); Rep. John Garamendi (D-CA-3); Rep. Jimmy Panetta (D-CA-20); Rep. Eric Swalwell (D-CA-15)	4
H.R.5664 Water Infrastructure Finance and Innovation Act Amendments	This bill would reauthorize the Water Infrastructure Finance and Innovation Act of 2014, and for other purposes.	09/21/2023 Introduced by Rep. Kim Schrier (D-WA-8) 09/22/2023 Referred to the Subcommittee on Water Resources and Environment	Rep. Jim Costa (D-CA-16); Rep. John Garamendi (D-CA-3); Rep. Josh Harder (D-CA-10); Rep. Doug LaMalfa (R-CA-1); Rep. Daniel Newhouse (R-WA-4); Rep. Lori Chavez-DeRemer (R-OR-5); Rep. Sharice	7
S.2917 Rural Water System Disaster Preparedness and Assistance Act	This bill would amend the Consolidated Farm and Rural Development Act to establish an emergency preparedness and response technical assistance program to assist entities that operate rural water or wastewater systems in preparing for and responding to natural or man-made disasters.	09/26/2023 Introduced by Sen. Catherine Cortez Masto (D-NV) 09/26/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Cindy Hyde-Smith (R-MS)	1
H.R.5770 Water Data Improvement Act	This bill would reauthorize certain United States Geological Survey water data enhancement programs.	09/27/2023 Introduced by Rep. Joe Neguse (D-CO-2) 09/27/2023 Referred to the House Committee on Natural Resources	Rep. Juan Ciscomani (R-AZ-6)	1



H.R.5793 Water Access Act	This bill would appropriate \$500 million to the low-income household water assistance program under section 2912 of the American Rescue Plan Act of 2021, and for other purposes.	09/28/2023 Introduced by Rep. Debbie Dingell (D-MI-6) 09/28/2023 Referred to the House Committee on Appropriations	Rep. Lisa Rochester (D-DE-1); Rep. Rashida Tlaib (D-MI-13)	2
S.2994 Maintaining and Enhancing Hydroelectricity and River Restoration Act	This bill would amend the Internal Revenue Code of 1986 to support upgrades at existing hydroelectric dams in order to increase clean energy production, improve the resiliency and reliability of the United States electric grid, enhance the health of the Nation's rivers and associated wildlife habitats, and for other purposes.	09/28/2023 Introduced by Sen. Maria Cantwell (D-WA) 09/28/2023 Read twice and referred to the Committee on Finance	Sen. Susan Collins (R-ME); Sen. Kirsten Gillibrand (D-NY); Sen. Angus King (I-ME); Sen. Lisa Murkowski (R-AK); Sen. Gary Peters (D-MI); Sen. Jeanne Shaheen (D-NH); Sen. Debbie Stabenow (D-MI); Sen. Dan	9



To:	Las Virgenes- Triunfo JPA
From:	Syrus Devers Advocacy LLC
Date:	October 23rd, 2023
Re:	End of Session Report

Final Report on the 2023 Legislative Session

Governor Newsom had until midnight on October 14th to act on legislation, but he wrapped up the session on the 13th. 1,046 bills made it to his desk; the final tally was 890 bills signed, and 156 vetoed. 40% of his veto messages cited the looming budget deficit as the reason. This report will attempt to briefly summarize the legislative outcomes across the major issue areas for the year, but first a few procedural details.

Recall that 2023 is the first year of the two-year session, and no bill really dies in the first year. Where a bill is stopped in the process, however, has a major impact on its future prospects.

Bills held in their first policy committee have an almost impossible task. The Legislature comes back into session on January 3rd, and any legislation that failed its first vote must pass out of committee by January 12th—barely over a week later. Unless the committee chair is involved, there may not even be an opportunity to hold a hearing, much less get the needed votes. Bills that got out of the first policy committee but were held on the infamous Appropriations “Suspense File” do not have it much better. Any committee, including Appropriations, must pass all bills to the respective Floors by January 19th—a mere extra week of life for bills held on Suspense. Finally, any bill introduced in 2023 must pass out of the house of origin by January 31st.

Any bill that fails any of these deadlines is completely dead. Technically, no legislator may introduce a new bill on the same subject as a bill that failed any of these deadlines, but that rule is easily evaded. This is why there is so much emphasis on getting a bill out of the first house; once that hurdle is cleared, a bill from the previous year is under the same deadlines as newly introduced legislation.

Legislative Outcomes

The final word on water:

Last month’s report highlighted the major water-related bills that were the focus of advocacy in Sacramento. With one very minor exception, any water policy bill that made it to the Governor got a signature. In other words, there were zero surprises. Last July was like a legislative bonfire that saw most of the controversial water bills go up in flames in one 10-day period. The upside is that no opposed

water-related legislation made it into law; the downside is that important sponsored legislation also failed. Stopping bad bills is always the priority, but California's water supply challenges will not get fixed by killing legislation.

Housing:

This is probably the only issue area where the activists can claim total victory. Not only did major housing legislation that was killed in past years make it to the Governor's desk, he signed every major piece of housing legislation. Senator Scott Weiner from San Francisco has tried multiple times to take discretion away from local government for approval of new housing and he finally got his way. SB 423 and SB 4 virtually require approval of new housing permits if they meet certain thresholds for affordable housing.

Climate Change:

Arguably, Newsom has done more to associate himself with climate change than any other issue, but that did not stop him from vetoing some significant legislation. Clean power is of no use without the infrastructure to deliver it, but Newsom vetoed two bills, SB 619 and SB 420, to streamline permits for new transmission lines. But overall, climate change activists were pleased with their victories. AB 1373 will allow the Department of Water Resources, one of the largest purchasers of power in the state, to buy electricity from renewable resources, and SB 253 requires very large corporations to publicly report on their greenhouse gas emissions.

Labor:

Labor bills were the main event of 2023. Newsom may be the most progressive governor in a generation, but that did not stop him from trying to rebrand himself as more moderate. As far as the Legislature was concerned, it was Christmas all year for labor interests and a raft of labor-sponsored legislation sailed through the process. Newsom did sign two major labor bills: SB 525 will raise the minimum wage to \$25/hr over the next decade, and workers will get an additional two days of paid sick leave thanks to SB 616. A major win for two of labor's top priorities, but for the rest of the bills it was a Red Wedding.¹

Newsom's first arrow was SB 799, which would have extended unemployment benefits to striking workers; a law already passed by two other states including New York. He vetoed it a full two weeks before the deadline, which signaled more to come. The rest of the labor bill package fell in turn: AB 1356, which would have required more advanced notice for pending layoffs—vetoed; SB 731, which required 30-day notice before requiring employees to give up remote work—vetoed; SB 686, which required workplace safety rules for domestic workers—vetoed.

Newsom played labor interests by issuing the major vetoes early, and then making a big show of signing the minimum wage bill on the last day. That forced labor to end the year saying nice things about Newsom while still cursing under their breath for their string of losses.

Final observation: it would appear that Newsom wants to position himself slightly to the right of the State Legislature. An unsurprising tack if he is thinking of a political career after California.

¹ For those who did not watch Game of Thrones, in brief, everybody dies—horribly.

Las Virgenes-Triunfo JPA

Final Bill Matrix for 2023

A. Priority Support/Oppose

[AB 234](#)

(Bauer-Kahan D) Microparticles.

Current Text: Amended: 3/30/2023 [html](#) [pdf](#)

Status: 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/23/2023)(May be acted upon Jan 2024)

Location: 4/28/2023-A. 2 YEAR

Summary: Would enact the Synthetic Polymer Microparticles in Cosmetic and Cleaning Products Prevention Act. The bill would prohibit a synthetic polymer microparticle from being placed on the market in this state as a substance on its own or, where the synthetic polymer microparticles are present to confer a sought-after characteristic, in mixtures in a concentration equal to or greater than 0.01% by weight. The restriction would apply on and after specified dates depending on the type of product, as described, except as otherwise provided. The bill would specify the screening tests and pass criteria to be used for purposes of determining compliance with this prohibition. The bill would make a person who violates this prohibition liable for a civil penalty not to exceed \$5,000 per day for each violation, in addition to any other penalty established by law. The bill would authorize the civil penalty to be assessed and recovered in a civil action brought by a city attorney, a district attorney, a county counsel, or the Attorney General in any court of competent jurisdiction.

Position
Watch

[AB 249](#)

(Holden D) Water: schoolsites: lead testing.

Current Text: Vetoed: 10/9/2023 [html](#) [pdf](#)

Status: 10/8/2023-Vetoed by Governor.

Location: 10/8/2023-A. VETOED

Summary: Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The act requires the state board to establish a grant program, in consultation with the State Department of Education, to award grants to local educational agencies for the purposes of improving access to, and the quality of, drinking water in public schools serving kindergarten or any of grades 1 to 12, inclusive, and preschools and child daycare facilities located on public school property. This bill would require a community water system that serves a schoolsite, as defined, to test for lead in the potable water system outlets of the schoolsite before January 1, 2027, except as provided. This bill contains other related provisions and other existing laws.

Position
Watch

[AB 460](#)

(Bauer-Kahan D) State Water Resources Control Board: water rights and usage: interim relief: procedures.

Current Text: Amended: 5/18/2023 [html](#) [pdf](#)

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-S. 2 YEAR

Summary: Current law authorizes the State Water Resources Control Board to investigate all streams, stream systems, lakes, or other bodies of water, take testimony relating to the rights to water or the use of water, and ascertain whether water filed upon or attempted to be appropriated is appropriated under the laws of the state. Current law requires the

board to take appropriate actions to prevent waste or the unreasonable use of water. This bill would authorize the board, in conducting specified investigations or proceedings to inspect the property or facilities of a person or entity, as specified. The bill would authorize the board, if consent is denied for an inspection, to obtain an inspection warrant, as specified, or in the event of an emergency affecting public health and safety, to conduct an inspection without consent or a warrant.

Position
Opposition

[AB 682](#)

(Mathis R) State Water Resources Control Board: online search tool: funding applications.

Current Text: Chaptered: 10/7/2023 [html](#) [pdf](#)

Status: 10/7/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 340, Statutes of 2023.

Location: 10/7/2023-A. CHAPTERED

Summary: Current law establishes the State Water Resources Control Board (state board) to exercise the adjudicatory and regulatory functions of the state in the field of water resources. Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. This bill would require, by January 1, 2025, the state board to update the state board's online search tool for funding applications to include a description of the additional information the state board needs from a water system to continue processing the water system's application and a description of the typical steps that must be completed before a funding agreement can be executed after receipt of a complete application, among other information, as specified.

Position
Support

[AB 754](#)

(Papan D) Water management planning: water shortages.

Current Text: Amended: 8/14/2023 [html](#) [pdf](#)

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/21/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-S. 2 YEAR

Summary: Current law requires an urban water management plan to quantify past, current, and projected water use, identifying the uses among water use sectors, including, among others, commercial, agricultural, and industrial. Current law requires every urban water supplier to prepare and adopt a water shortage contingency plan as part of its urban water management plan. Current law requires the water shortage contingency plan to include the procedures used in conducting an annual water supply and demand assessment, including the key data inputs and assessment methodology used to evaluate the urban water supplier's water supply reliability for the current year and one dry year. Current law requires the key data inputs and assessment methodology to include specified information, including, among other things, a description and quantification of each source of water supply. This bill would require a water shortage contingency plan to include, if, based on a description and quantification of each source of water supply, a single reservoir constitutes at least 50% of the total water supply, an identification of the dam and description of existing reservoir management operations, as specified, and if the reservoir is owned and operated by the urban water supplier, a description of operational practices and approaches, as specified.

Position
Opposition

[AB 755](#)

(Papan D) Water: public entity: water usage demand analysis.

Current Text: Chaptered: 10/9/2023 [html](#) [pdf](#)

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 542, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

Summary: Current law authorizes a public entity that supplies water at retail or wholesale within its service area to adopt, in accordance with specified procedures, and enforce a water conservation program. This bill would require a public entity, as defined, to conduct a water usage demand analysis, as defined, prior to completing, or as part of, a cost-of-service analysis conducted to set fees and charges for water service that are consistent with applicable law. The bill would require a public entity to identify, within the water usage demand analysis, the costs of water service for the highest users, as defined, incurred by the public entity, and the average annual volume of water delivered to high water users.

Position
Opposition

Notes 1: Major reasons for opposition removed in Sen policy committee

[AB 838](#)

(Connolly D) California Water Affordability and Infrastructure Transparency Act of 2023.

Current Text: Amended: 3/21/2023 [html](#) [pdf](#)
Status: 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

Location: 5/19/2023-A. 2 YEAR

Summary: The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The act prohibits a person from operating a public water system unless the person first submits an application to the state board and receives a permit to operate the system, as specified. The act requires a public water system to submit a technical report to the state board as a part of the permit application or when otherwise required by the state board, as specified, and to submit the report in the form and format and at intervals specified by the state board. This bill would require, beginning January 1, 2025, and thereafter at intervals determined by the state board, public water systems to provide specified information and data related to customer water bills and efforts to replace aging infrastructure to the state board.

Position
Watch

[AB 1211](#)

(Mathis R) Safe Drinking Water State Revolving Fund: internet website information: updates.

Current Text: Introduced: 2/16/2023 [html](#) [pdf](#)

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 5/10/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-S. 2 YEAR

Summary: The Safe Drinking Water State Revolving Fund Law of 1997, administered by the State Water Resources Control Board, establishes the Safe Drinking Water State Revolving Fund to provide grants or revolving fund loans for the design and construction of projects for public water systems that will enable those systems to meet safe drinking water standards. Current law requires the board, at least once every 2 years, to post information on its internet website regarding implementation of the Safe Drinking Water State Revolving Fund Law and expenditures from the Safe Drinking Water State Revolving Fund, as specified This bill would require the board to post the information at least annually.

Position
Support

[AB 1337](#)

(Wicks D) State Water Resources Control Board: water diversion curtailment.

Current Text: Amended: 5/18/2023 [html](#) [pdf](#)

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-S. 2 YEAR

Summary: Under existing law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would expand the instances when the diversion or use of water is considered a trespass. This bill contains other related provisions and other existing laws.

Position
Opposition

[AB 1484](#)

(Zbur D) Temporary public employees.

Current Text: Chaptered: 10/10/2023 [html](#) [pdf](#)

Status: 10/10/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 691, Statutes of 2023.

Location: 10/10/2023-A. CHAPTERED

Summary: This bill would impose specified requirements with respect to the temporary employees of a public employer who have been hired to perform the same or similar type of work that is performed by permanent employees represented by a recognized employee organization, subject to limited exceptions. In this regard the bill would require those temporary employees to be automatically included in the same bargaining unit as the permanent employees if the requested classification of temporary employees is not presently within the unit. The bill would further require the public employer to promptly participate in collective bargaining to establish certain employment conditions for the newly added temporary employees if the parties' current memorandum of understanding does not address them, as specified. The bill would also require a public employer to, upon hire, provide each temporary employee with their job description, wage rates, and eligibility for benefits, anticipated length of employment, and procedures to apply for open, permanent positions. By imposing new duties on local agencies that employ temporary employees, the bill would impose a state-mandated local program. The bill would require complaints alleging a violation of its provisions to be processed as unfair practice charges under the act. The bill would additionally include the same findings and declarations as set forth above. This bill contains other related provisions and other existing laws.

Position
Opposition

[AB 1567](#)

(Garcia D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.

Current Text: Amended: 5/26/2023 [html](#) [pdf](#)

Status: 6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.

Location: 6/14/2023-S. N.R. & W.

Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.

Position
Watch

[AB 1572](#)

(Friedman D) Potable water: nonfunctional turf.

Current Text: Chaptered: 10/13/2023 [html](#) [pdf](#)

Status: 10/13/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 849, Statutes of 2023.

Location: 10/13/2023-A. CHAPTERED

Summary: Would make legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. This bill contains other related provisions and other existing laws.

Position
Watch

[AB 1594](#)

(Garcia D) Medium- and heavy-duty zero-emission vehicles: public agency utilities.

Current Text: Chaptered: 10/9/2023 [html](#) [pdf](#)

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 585, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

Summary: Current law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality, and establishes the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within the Air Quality Improvement Program to make financing tools and nonfinancial supports available to operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. This bill would require any state regulation that seeks to require, or otherwise compel, the procurement of medium- and heavy-duty zero-emission vehicles to authorize public agency utilities to purchase replacements for traditional utility-specialized vehicles that are at the end of life when needed to maintain reliable service and respond to major foreseeable events, including severe weather, wildfires, natural disasters, and physical attacks, as specified. The bill would define a public agency utility to include a local publicly owned electric utility, a community water system, a water district, and a wastewater treatment provider, as specified.

Position
Support

Notes 1: Clean fleets bill - CMUA sponsored - possible support

[SB 23](#)

(Caballero D) Water supply and flood risk reduction projects: expedited permitting.

Current Text: Amended: 5/1/2023 [html](#) [pdf](#)

Status: 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2023)(May be acted upon Jan 2024)

Location: 5/19/2023-S. 2 YEAR

Summary: Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, except under specified conditions, including requiring the entity to send written notification to the Department of Fish and Wildlife regarding the activity in the manner prescribed by the department. This bill would require a project proponent, if already required to submit a notification to the department, to submit to the department the certified or adopted environmental review document, as applicable, for the activity in the notification. The bill would require the department, under prescribed circumstances, to take certain actions within specified timelines, or within a

mutually agreed-to extension of time.

Position
Support

[SB 48](#)

(Becker D) Building Energy Savings Act.

Current Text: Chaptered: 10/7/2023 [html](#) [pdf](#)

Status: 10/7/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 378, Statutes of 2023.

Location: 10/7/2023-S. CHAPTERED

Summary: Current law requires each utility to maintain records of the energy usage data of all buildings to which they provide service for at least the most recent 12 complete calendar months, and to deliver or otherwise provide that aggregated energy usage data for each covered building, as defined, to the owner, as specified. Current law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to adopt regulations providing for the delivery to the Energy Commission and public disclosure of benchmarking of energy use for covered buildings, and specifies that this requirement does not require the owner of a building with 16 or fewer residential utility accounts to collect or deliver energy usage information to the Energy Commission. This bill would additionally specify that the requirement does not require the owner of a building with less than 50,000 square feet of gross floor space to collect or deliver energy usage information to the Energy Commission.

Position
Watch

[SB 366](#)

(Caballero D) The California Water Plan: long-term supply targets.

Current Text: Amended: 6/29/2023 [html](#) [pdf](#)

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was W.,P. & W. on 6/8/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-A. 2 YEAR

Summary: Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as “The California Water Plan.” Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the department to coordinate with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state’s water needs and meeting specified long-term water supply targets established by the bill for purposes of The California Water Plan. The bill would require the plan to provide recommendations and strategies to ensure enough water supply for all beneficial uses.

Position
Support

[SB 389](#)

(Allen D) State Water Resources Control Board: investigation of water right.

Current Text: Chaptered: 10/8/2023 [html](#) [pdf](#)

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 486, Statutes of 2023.

Location: 10/8/2023-S. CHAPTERED

Summary: Current law provides generally for the appropriation of water. Existing law authorizes the State Water Resources Control Board to investigate bodies of water, to take testimony in regard to the rights to water or the use of water, and to ascertain whether or not water is appropriated lawfully, as provided. Under current law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would instead authorize the board to investigate and ascertain whether or not a water right is valid. The bill would authorize the board to issue an information order in furtherance of an investigation, as executed by the executive director of the board, as specified. The bill would authorize a diversion or use of water ascertained to be unauthorized to be enforced as a trespass, as specified.

Position
Watch

[SB 676](#)

(Allen D) Local ordinances and regulations: drought-tolerant landscaping.

Current Text: Chaptered: 10/8/2023 [html](#) [pdf](#)

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 498, Statutes of 2023.

Location: 10/8/2023-S. CHAPTERED

Summary: Current law prohibits a city, including a charter city, county, and city and county, from enacting or enforcing any ordinance or regulation that prohibits the installation of drought-tolerant landscaping, synthetic grass, or artificial turf on residential property, as specified. This bill would instead prohibit a city, including a charter city, county, or city and county from enacting or enforcing any ordinance or regulation that prohibits the installation of drought-tolerant landscaping using living plant material on residential property. The bill would specify that drought-tolerant landscaping does not include the installation of synthetic grass or artificial turf. By establishing new requirements for local agencies, this bill would impose a state-mandated program.

Position
Support

SB 687

(Eggman D) Water Quality Control Plan: Delta Conveyance Project.

Current Text: Amended: 5/2/2023 [html](#) [pdf](#)

Status: 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2023)(May be acted upon Jan 2024)

Location: 5/19/2023-S. 2 YEAR

Summary: Would require the State Water Resources Control Board to adopt a final update of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, as provided, before the board may consider a change in point diversion or any other water rights permit or order for the Delta Conveyance Project. The bill would also, if, after completing the update of the plan and in compliance with existing law, the board approves a change in point of diversion or any other water rights permit or order associated with the Delta Conveyance Project, prohibit the operation of the Delta Conveyance Project unless and until the updated plan is fully implemented. The bill would specify that these provisions do not constitute an authorization for or approval of funding for the Delta Conveyance Project or any other project that includes isolated Delta conveyance facilities, and do not reduce any statutory or other regulatory conditions or permit requirements for Delta conveyance projects.

Position
Watch

SB 867

(Allen D) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.

Current Text: Amended: 6/22/2023 [html](#) [pdf](#)

Status: 7/6/2023-July 10 hearing postponed by committee.

Location: 6/20/2023-A. NAT. RES.

Summary: Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.

Position
Support

B. Watch

AB 30

(Ward D) Atmospheric rivers: research: reservoir operations.

Current Text: Chaptered: 9/1/2023 [html](#) [pdf](#)

Status: 9/1/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 134, Statutes of 2023.

Location: 9/1/2023-A. CHAPTERED

Summary: Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program in

the Department of Water Resources. Current law requires the department, upon an appropriation for purposes of the program, to research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would rename that program the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program. The bill would require the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

Position
Watch

[AB 62](#)

([Mathis R](#)) Statewide water storage: expansion.

Current Text: Amended: 4/20/2023 [html](#) [pdf](#)

Status: 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)

Location: 5/19/2023-A. 2 YEAR

Summary: Current law establishes within the Natural Resources Agency the State Water Resources Control Board and the California regional water quality control boards. Current law requires the work of the state board to be divided into at least 2 divisions, known as the Division of Water Rights and the Division of Water Quality. This bill would establish a statewide goal to increase above- and below-ground water storage capacity by a total of 3,700,000 acre-feet by the year 2030 and a total of 4,000,000 acre-feet by the year 2040. The bill would require the Department of Water Resources, in consultation with the state board, to take reasonable actions to promote or assist efforts to achieve the statewide goal, as provided. The bill would require the department, beginning July 1, 2027, and on or before July 1 every 2 years thereafter until January 1, 2043, in consultation with the state board, to prepare and submit a report to the Legislature on the progress made to achieve the statewide goal.

Position
Watch

[AB 66](#)

([Mathis R](#)) Natural Resources Agency: water storage projects: permit approval.

Current Text: Amended: 3/29/2023 [html](#) [pdf](#)

Status: 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

Location: 5/19/2023-A. 2 YEAR

Summary: Current law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources. Current law establishes in the agency the Department of Water Resources, which manages and undertakes planning with regard to water resources in the state. This bill would require the agency, and each department, board, conservancy, and commission within the agency, to take all reasonable steps to approve the necessary permits for specified projects that meet certain employment conditions within 180 days from receiving a complete permit application.

Position

[AB 277](#)

([Rodriguez D](#)) Extreme Weather Forecast and Threat Intelligence Integration Center.

Current Text: Amended: 7/3/2023 [html](#) [pdf](#)

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/21/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-S. 2 YEAR

Summary: Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program within the department to, upon appropriation of special fund moneys, research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection in the state, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would establish the State-Federal Flood Operations Center within the Department of Water Resources and would authorize the department to administer the center in the department's divisions, offices, or programs. The bill would provide that the purpose of the center is to function as the focal point for gathering, analyzing, and disseminating flood and water-related information to stakeholders and would authorize the center to take specified actions for that purpose, including to function during emergency situations to enable the department to centrally coordinate statewide emergency responses.

Position
Watch

[AB 305](#)

(Villapudua D) California Flood Protection Bond Act of 2024.

Current Text: Amended: 4/25/2023 [html](#) [pdf](#)

Status: 6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.

Location: 6/14/2023-S. N.R. & W.

Summary: Would enact the California Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$4,500,000,000 pursuant to the State General Obligation Bond Law for flood protection projects, as specified. The bill would provide for the submission of these provisions to the voters at the November 5, 2024, statewide general election.

Position
Watch

[AB 338](#)

(Aguiar-Curry D) Fuel reduction work.

Current Text: Chaptered: 10/8/2023 [html](#) [pdf](#)

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 428, Statutes of 2023.

Location: 10/7/2023-A. CHAPTERED

Summary: Existing law establishes the Department of Forestry and Fire Protection in the Natural Resources Agency and establishes the State Board of Forestry and Fire Protection within the department. Existing law requires the department to administer fire prevention programs and activities and requires the state board to adopt regulations implementing minimum fire safety standards. This bill would, commencing July 1, 2026, require fuel reduction work, done under contract and paid for in whole or in part out of public funds, as specified, to meet several standards, including that all workers performing work within an apprenticeable occupation in the building and construction trades be paid at least the general prevailing rate of per diem wages. The bill would authorize the Labor Commissioner to enforce the requirement to pay prevailing wages. The bill would exempt from these requirements, among other things, contracts in the amount of \$500,000 or less. This bill contains other related provisions and other existing laws.

Position
Watch

[AB 340](#)

(Fong, Vince R) California Environmental Quality Act: grounds for noncompliance.

Current Text: Introduced: 1/30/2023 [html](#) [pdf](#)

Status: 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/9/2023)(May be acted upon Jan 2024)

Location: 4/28/2023-A. 2 YEAR

Summary: The California Environmental Quality Act (CEQA) prohibits an action or proceeding from being brought in a court to challenge the approval of a project by a public agency unless the alleged grounds for noncompliance are presented to the public agency orally or in writing by a person during the public comment period provided by CEQA or before the close of the public hearing on the project before the issuance of the notice of determination. This bill would require the alleged grounds for noncompliance with CEQA presented to the public agency in writing be presented at least 10 days before the public hearing on the project before the issuance of the notice of determination. The bill would prohibit the inclusion of written comments presented to the public agency after that time period in the record of proceedings and would prohibit those documents from serving as basis on which an action or proceeding may be brought.

Position
Watch

[AB 557](#)

(Hart D) Open meetings: local agencies: teleconferences.

Current Text: Chaptered: 10/9/2023 [html](#) [pdf](#)

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 534, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

Summary: The Ralph M. Brown Act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes the legislative body of a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect. Those circumstances are that (1) state or local officials have imposed or recommended measures to promote social distancing, (2) the legislative body is meeting for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of

attendees, or (3) the legislative body has previously made that determination. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. This bill would revise the authority of a legislative body to hold a teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect.

Position
Watch

[AB 676](#) **(Bennett D) Water: general state policy.**

Current Text: Vetoed: 10/8/2023 [html](#) [pdf](#)

Status: 10/8/2023-Vetoed by Governor.

Location: 10/8/2023-A. VETOED

Summary: Would specify that the use of water for domestic purposes includes water use for human consumption, cooking, sanitary purposes, care of household livestock, animals, and gardens, fire suppression and other safety purposes, and a purpose determined to be a domestic purpose as established by the common law.

Position
Watch

[AB 735](#) **(Berman D) Workforce development: utility careers.**

Current Text: Introduced: 2/13/2023 [html](#) [pdf](#)

Status: 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)

Location: 5/19/2023-A. 2 YEAR

Summary: Would establish the High Road Utility Careers (HRUC) program, to be administered by the California Workforce Development Board, to connect existing resources with individuals interested in careers in the utility sector and ensure a continued reliable workforce for California utilities. The bill would require the board to administer the HRUC program through partnerships with statewide water, wastewater, and energy utility associations and to coordinate the program with existing and future programs and initiatives administered by the board, including high road training partnerships, in order to align interested individuals with available resources. The bill would require the HRUC program, upon appropriation by the Legislature, to dedicate funding and resources toward accomplishing specified goals, including connecting workers to high-quality jobs or entry-level work with defined routes to advancement and increasing skills and opportunities while expanding pipelines for low-income populations.

Position
Watch

[AB 759](#) **(Grayson D) Sanitary districts.**

Current Text: Chaptered: 6/29/2023 [html](#) [pdf](#)

Status: 6/29/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 19, Statutes of 2023.

Location: 6/29/2023-A. CHAPTERED

Summary: Current law authorizes the formation of a sanitary district, pursuant to specified requirements. Current law authorizes a sanitary district to acquire, plan, construct, reconstruct, alter, enlarge, lay, renew, replace, maintain, and operate garbage dumpsites and garbage collection and disposal systems, sewers, drains, septic tanks, and sewerage collection, outfall, treatment works and other sanitary disposal systems, and storm water drains and storm water collection, outfall and disposal systems, and water recycling and distribution systems, as the deemed necessary and proper by the governing board of the district. Current law generally authorizes the district to expend money only upon written order of the board. Current law also authorizes a district board, as an alternative to the functions of the treasurer, to elect to disburse district funds upon resolution of the board and the filing of a certified copy with the treasurer. Under current law, the treasurer is then required to deliver all district funds to the district, which can only be withdrawn by written order of the district boards, signed by the president and secretary. Current law requires the district board to appoint a treasurer responsible for the deposit and withdrawal of district funds. This bill would instead authorize funds to be withdrawn by a district treasurer or expended by a treasurer upon approval by the board, signed by the president and secretary.

Position
Watch

[AB 1072](#) **(Wicks D) Water conservation and efficiency: low-income residential customers.**

Current Text: Amended: 4/25/2023 [html](#) [pdf](#)

Status: 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on

5/17/2023)(May be acted upon Jan 2024)

Location: 5/19/2023-A. 2 YEAR

Summary: Would declare the policy of the state that all residents have access to water conservation and efficiency programs. The bill would also set forth related findings including that reaching the state's environmental justice goals and commitments requires designing climate adaptation programs so that all households may participate.

Position
Watch

[AB 1205](#)

(Bauer-Kahan D) Water rights: sale, transfer, or lease: agricultural lands.

Current Text: Amended: 7/13/2023 [html](#) [pdf](#)

Status: 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2023)(May be acted upon Jan 2024)

Location: 9/14/2023-S. 2 YEAR

Summary: Current law declares that, because of the conditions prevailing in this state, the general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of the water is to be exercised with a view to the reasonable and beneficial use of the water in the interest of the people and for the public welfare. This bill would require the State Water Resources Control Board to, on or before January 1, 2027, conduct a study and report to the Legislature and appropriate policy committees on the existence of speculation or profiteering by an investment fund in the sale, transfer, or lease of an interest in any surface water right or groundwater right previously put to beneficial use on agricultural lands, as specified. The bill would repeal this provision on January 1, 2031.

Position
Watch

[AB 1563](#)

(Bennett D) Groundwater sustainability agency: groundwater extraction permit: verification.

Current Text: Amended: 6/28/2023 [html](#) [pdf](#)

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was GOV. & F. on 6/22/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-S. 2 YEAR

Summary: Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided. Current law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval.

Position
Watch

[AB 1573](#)

(Friedman D) Water conservation: landscape design: model ordinance.

Current Text: Amended: 9/1/2023 [html](#) [pdf](#)

Status: 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/7/2023)(May be acted upon Jan 2024)

Location: 9/14/2023-S. 2 YEAR

Summary: The Water Conservation in Landscaping Act provides for a Model Water Efficient Landscape Ordinance that is adopted and updated at least every 3 years by the Department of Water Resources, unless the department makes a specified finding. Current law requires a local agency to adopt the model ordinance or to adopt a water efficient landscape ordinance that is at least as effective in conserving water as the updated model ordinance, except as specified. Current law specifies the provisions of the updated model ordinance, as provided. Current law includes a related statement of legislative findings and declarations. This bill would require the updated model ordinance to include provisions that require that plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographical conditions of the project site, as specified. The bill would also exempt landscaping that is part of a culturally specific project, as defined, ecological restoration projects that do not require a permanent irrigation system, mined-land reclamation projects that do not require a permanent irrigation system, and existing plant collections, as part of botanical gardens and arboretums open to the public, from the model ordinance. The bill would require the updated model ordinance to include provisions that, among other changes, prohibit the use of traditional overhead sprinklers on all new and rehabilitated landscapes and require that new and rehabilitated landscapes use only water efficient irrigation devices.

Position

[AB 1637](#)

(Irwin D) Local government: internet websites and email addresses.

Current Text: Chaptered: 10/9/2023 [html](#) [pdf](#)

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 586, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

Summary: Would, no later than January 1, 2029, require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a “.gov” top-level domain or a “.ca.gov” second-level domain and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a “.gov” or “.ca.gov” domain. This bill, no later than January 1, 2029, would also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a “.gov” domain name or a “.ca.gov” domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program.

Position
Watch

[AB 1648](#)

(Bains D) Water: Colorado River conservation.

Current Text: Amended: 3/16/2023 [html](#) [pdf](#)

Status: 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/16/2023)(May be acted upon Jan 2024)

Location: 4/28/2023-A. 2 YEAR

Summary: Would prohibit the Metropolitan Water District of Southern California and the Department of Water and Power of the City of Los Angeles from achieving a reduction in, or conservation of, Colorado River water consumption required by an agreement with specified entities through increased water deliveries or imports from other regions of California, including the San Joaquin Valley and the Sacramento-San Joaquin Delta. The bill would require the Colorado River Board of California, the Department of Water Resources, and the State Water Resources Control Board to use their existing authority to enforce these provisions. The bill would specify that these provisions apply retroactively to January 1, 2023, and apply to any agreement entered into on or after that date.

Position
Watch

[ACA 2](#)

(Alanis R) Public resources: Water and Wildfire Resiliency Act of 2023.

Current Text: Introduced: 12/5/2022 [html](#) [pdf](#)

Status: 4/20/2023-Referred to Coms. on W., P., & W. and NAT. RES.

Location: 4/20/2023-A. W.,P. & W.

Summary: Would establish the Water and Wildfire Resiliency Fund within the State Treasury, and would require the Treasurer to annually transfer an amount equal to 3% of all state revenues that may be appropriated as described from the General Fund to the Water and Wildfire Resiliency Fund. The measure would require the moneys in the fund to be appropriated by the Legislature and would require that 50% of the moneys in the fund be used for water projects, as specified, and that the other 50% of the moneys in the fund be used for forest maintenance and health projects, as specified.

Position
Out for Analysis

[SB 3](#)

(Dodd D) Discontinuation of residential water service: covered water system.

Current Text: Chaptered: 10/13/2023 [html](#) [pdf](#)

Status: 10/13/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 855, Statutes of 2023.

Location: 10/13/2023-S. CHAPTERED

Summary: Current law establishes the Safe Drinking Water Account to be available to the State Water Resources Control Board, upon appropriation by the Legislature, for the purpose of providing funds necessary to administer the California Safe Drinking Water Act. This bill would expand the use of available funds in the account to be used by the state board, upon appropriation by the Legislature, to include the administration of the Water Shutoff Protection Act. The bill would, subject to the availability of funding, require the state board to make funds available for providing training statewide to community water systems with between 15 and 200 service connections to assist in compliance with the Water Shutoff Protection Act. This bill contains other related provisions and other existing laws.

Position
Out for Analysis

[SB 57](#)

(Gonzalez D) Utilities: disconnection of residential service.

Current Text: Amended: 3/15/2023 [html](#) [pdf](#)
Status: 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E. U., & C. on 3/22/2023)(May be acted upon Jan 2024)

Location: 4/28/2023-S. 2 YEAR

Summary: Would require an electrical corporation, local publicly owned electric utility, gas corporation, local publicly owned gas utility, water corporation, or local agency that owns a public water system to postpone the disconnection of a customer's residential service for nonpayment of a delinquent account when the temperature will be 32 degrees Fahrenheit or cooler, or 95 degrees Fahrenheit or warmer, within the utility's service area during the 24 hours after that service disconnection would occur, as specified. The bill would require each of those utilities to notify its residential ratepayers of that requirement and to create an online reporting system available through its internet website, if it has one, that enables its residential ratepayers to report when their utility service has been disconnected in violation of that requirement, as specified. The bill would require the PUC to establish a citation program to impose a penalty on an electrical corporation or gas corporation that violates that requirement, and require each local publicly owned electric utility and local publicly owned gas utility to annually report to the State Energy Resources Conservation and Development Commission the number of residential service connections it disconnected for nonpayment of a delinquent account. The bill would authorize the State Water Resources Control Board to enforce the requirement that a water corporation and local agency that owns a public water system postpone a disconnection of a customer's residential service, as specified.

Position
Watch

[SB 66](#)

(Hurtado D) Water Quality, Supply, and Infrastructure Improvement Act of 2014: Drinking Water Capital Reserve Fund: administration.

Current Text: Amended: 3/21/2023 [html](#) [pdf](#)

Status: 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/29/2023)(May be acted upon Jan 2024)

Location: 4/28/2023-S. 2 YEAR

Summary: The Water Quality, Supply, and Infrastructure Improvement Act of 2014 bond act provides that the sum of \$260,000,000 is to be available for grants and loans for public water system infrastructure improvements and related actions to meet safe drinking water standards, ensure affordable drinking water, or both, as specified. Current law requires the State Water Resources Control Board to deposit up to \$2,500,000 of the \$260,000,000 into the Drinking Water Capital Reserve Fund, to be available upon appropriation by the Legislature. Current law requires the state board to administer the Drinking Water Capital Reserve Fund for the purpose of serving as matching funds for disadvantaged communities and requires the state board to develop criteria to implement this provision. This bill would require the state board to provide an analysis of the criteria to implement that provision to the Senate Committee on Natural Resources and Water and Assembly Committee on Water, Parks, and Wildlife on January 1, 2025, and every 2 years thereafter.

Position
Watch

[SB 69](#)

(Cortese D) California Environmental Quality Act: local agencies: filing of notices of determination or exemption.

Current Text: Chaptered: 10/13/2023 [html](#) [pdf](#)

Status: 10/13/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 860, Statutes of 2023.

Location: 10/13/2023-S. CHAPTERED

Summary: Would require a local agency to file a notice of determination with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would authorize a local agency to file a notice of exemption with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would require the notice, including any subsequent or amended notice, to be posted both in the office and on the internet website of the county clerk and by the Office of Planning and Research on the State Clearinghouse internet website within 24 hours of receipt. The bill would specify that the posting of the notice by the Office of Planning and Research would not affect the applicable time periods to challenge an act or decision of a local agency, as described above. By imposing duties on local agencies, the bill would create a state-mandated local program.

Position
Watch

[SB 231](#)

(Hurtado D) Department of Water Resources: water supply forecasting.

Current Text: Amended: 7/12/2023 [html](#) [pdf](#)

Status: 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/23/2023)(May be acted upon Jan 2024)

Location: 9/1/2023-A. 2 YEAR

Summary: Would require the Department of Water Resources, on or before December 31, 2025, to establish a formal process for annually evaluating and improving the accuracy of its water supply forecasts, adopt a new water supply forecasting model that better addresses the effects of climate change, and implement a formal policy and procedures for documenting its operational plans for the state’s water supply and its rationale for its operating procedures. The bill would require the department, by December 1, 2024, to prepare, and submit to the Legislature, a report on its progress toward meeting these requirements.

Position
Watch

SB 272

(Laird D) Sea level rise: planning and adaptation.

Current Text: Chaptered: 10/7/2023 [html](#) [pdf](#)

Status: 10/7/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 384, Statutes of 2023.

Location: 10/7/2023-S. CHAPTERED

Summary: Would require a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to develop a sea level rise plan as part of either a local coastal program, as defined, that is subject to approval by the California Coastal Commission, or a subregional San Francisco Bay shoreline resiliency plan that is subject to approval by the San Francisco Bay Conservation and Development Commission, as applicable, on or before January 1, 2034, as provided. By imposing additional requirements on local governments, the bill would impose a state-mandated local program. The bill would require local governments that receive approval for a sea level rise plan to be prioritized for funding, upon appropriation by the Legislature, for the implementation of sea level rise adaptation strategies and recommended projects in the local government’s approved sea level rise plan. The bill would require, on or before December 31, 2024, the California Coastal Commission, in close coordination with the Ocean Protection Council and the California Sea Level Rise State and Regional Support Collaborative, to establish guidelines for the preparation of the sea level rise plan. The bill would also require, on or before December 31, 2024, the San Francisco Bay Conservation and Development Commission, in close coordination with the California Coastal Commission, the Ocean Protection Council, and the California Sea Level Rise State and Regional Support Collaborative, to establish guidelines for the preparation of the sea level rise plan. The bill would make the operation of its provisions contingent upon an appropriation for its purposes by the Legislature in the annual Budget Act or another statute. This bill contains other related provisions and other existing laws.

Position
Watch

SB 315

(Hurtado D) Groundwater: groundwater sustainability agencies: probationary basins.

Current Text: Amended: 4/20/2023 [html](#) [pdf](#)

Status: 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2023)(May be acted upon Jan 2024)

Location: 5/19/2023-S. 2 YEAR

Summary: The Sustainable Groundwater Management Act authorizes the State Water Resources Control Board to designate specified basins as probationary basins if certain conditions are met, including, but not limited to, that the Department of Water Resources, in consultation with the board, determines that a groundwater sustainability plan is inadequate or that the groundwater sustainability program is not being implemented in a manner that will likely achieve the sustainability goal. Current law requires the board, if it designates a basin as a probationary basin pursuant to specified conditions, to identify the specific deficiencies and potential remedies. Current law authorizes the board to request the department, within 90 days of the designation, to provide technical recommendations to local agencies to remedy the deficiencies and to develop an interim plan for the probationary basin one year after the designation, as specified. This bill would require any groundwater sustainability agency that hires a third-party consulting firm to ensure that the integrity of the science being used to develop a groundwater sustainability plan is protected and the data is not sold. The bill would delete the authorizations for the board to request technical recommendations from the department. The bill would additionally place various requirements on the board in working with a groundwater sustainability agency, including, among other things, requiring the board to provide clear benchmarks and guidance for groundwater sustainability agencies to improve their groundwater management plans.

Position
Watch

SB 504

(Dodd D) Wildfires: defensible space: grant programs: local governments.

Current Text: Amended: 4/20/2023 [html](#) [pdf](#)

Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was NAT. RES. on 5/11/2023)(May be acted upon Jan 2024)

Location: 7/14/2023-A. 2 YEAR

Summary: Current law requires the Director of Forestry and Fire Protection to establish a common reporting platform

that allows defensible space and home hardening assessment data, collected by the qualified entities, to be reported to the department. Current law requires the department to establish a local assistance grant program for fire prevention and home hardening education activities and provides that local agencies, among others, are eligible for these grants. Current law requires the State Fire Marshal to identify areas of the state as moderate, high, and very high fire hazard severity zones based on specified criteria. Current law requires a local agency to designate, by ordinance, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal, and authorizes a local agency, at its discretion, to include areas within the jurisdiction of the local agency, not identified as moderate, high, and very high fire hazard severity zones by the State Fire Marshal, as moderate, high, and very high fire hazard severity zones, respectively. This bill would require the department, when reviewing applications for the local assistance grant program, to give priority to any local governmental entity that is qualified to perform defensible space assessments in very high and high fire hazard severity zones who reports that information using the common reporting platform, as provided.

Position
Watch

Total Measures: 47

Total Tracking Forms: 47

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Engineering and External Affairs

SUBJECT: Pure Water Project Las Virgenes-Triunfo: Update

SUMMARY:

On August 1, 2016, the JPA Board selected Scenario No. 4, use of Las Virgenes Reservoir for indirect potable reuse, as the preferred alternative for the Recycled Water Seasonal Storage Basis of Design Report. The selected alternative was subsequently renamed the Pure Water Project Las Virgenes-Triunfo. Staff was also directed to report back to the Board on the next steps for implementation of the project.

Staff released a request for proposals (RFP) for Owner's Advisor/Program Manager services for the Pure Water Project Las Virgenes-Triunfo on May 8, 2020. The selection of an Owner's Advisor/Program Manager to support the effort was an important next step to begin implementation of the Pure Water Program. Utilization of an Owner's Advisor/Program Manager is consistent with the approach taken by other public agencies pursuing potable reuse projects of similar scope and complexity. Among the critical elements of the proposed scope are completion of the preliminary design and environmental documentation in support of the Pure Water Program. The scope of work under the contract includes program management, preparation of preliminary design and/or alternative delivery bridging documents, preparation of all environmental studies and documentation for compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA), preparation of studies and documents necessary to secure all required regulatory permits, and support of efforts to secure grant funding or low-interest loans.

On September 8, 2020, the JPA Board accepted a proposal from Jacobs Engineering Group, Inc., and authorized the Administering Agent/General Manager to execute a professional services agreement for Owner's Advisor/Program Manager services for the Pure Water Project Las Virgenes-Triunfo. This report serves to provide a summary of the progress to-date on the work performed by Jacobs Engineering Group, Inc., including major monthly milestones, key program accomplishments, key considerations and a look-ahead of upcoming activities.

Prepared by: Eric Schlageter, Principal Engineer

ATTACHMENTS:

[Monthly Update on Pure Water Project Las Virgenes-Triunfo](#)

To: Las Virgenes-Triunfo JPA Board of Directors
From: Jennifer Phillips, Jacobs
Date: October 23, 2023
Re: Pure Water Project JPA Board Monthly Update

Pure Water Project Overview

The Pure Water Project (PWP) is an opportunity to proactively address three major challenges facing the Las Virgenes-Triunfo JPA:

- comply with more stringent regulatory requirements for discharging to Malibu Creek,
- balance seasonal variation of recycled water demand, and
- create a valuable resource to supplement the region's water supplies, enabled by California's reservoir water augmentation requirements.

By 2030, the plan is to have an operational advanced water purification facility (AWPF) to treat tertiary effluent from the Tapia Water Reclamation Facility for indirect potable reuse, and convey the product water to the Las Virgenes Reservoir, where it will be blended with Metropolitan Water District of Southern California (Metropolitan) supply. The current phase of the project (Phase 1) provides the programmatic process, focusing on the technical, regulatory, environmental, financial, and procurement strategies to provide a foundation with more cost and project delivery clarity. Phase 2 will focus on project delivery and begin in February 2024.

Monthly Major Milestones

- Metropolitan provided notification of intent to request Board approval in March 2024 for the Local Resources Program (LRP) agreement. Staff will request JPA Board approval of the agreement in February 2024.
- Provided a tour of the Pure Water Demonstration Facility (Demo Facility) and Las Virgenes Reservoir for the Regional Water Quality Control Board (RWQCB).
- Provided a tour of the Demo Facility for the Inland Empire Utilities Agency (IEUA).

Look Ahead

The Project Team is focused on the following activities for November and December:

- Meet with the RWQCB to continue discussing the permitting approach for discharge of purified water to Las Virgenes Reservoir.
- Continued development of the Water Infrastructure Finance and Innovation Act (WIFIA) loan application, which has a submittal deadline of December 31, 2023.
- Receive proposals for the Progressive Design-Build procurement of the new AWPF and ROC pipeline project on November 6, and hold team interviews on December 4-6. Staff will request JPA Board approval of the agreement with the successful team in February 2024.

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: General Manager

SUBJECT: Proposed 2024 JPA Board Meeting Calendar

SUMMARY:

The JPA Board regularly meets on the first Monday of each month. Attached for reference is the proposed 2024 JPA Board Meeting Calendar.

RECOMMENDATION(S):

Review the proposed 2024 JPA Board Meeting Calendar and make any scheduling changes.

ITEM BUDGETED:

Yes

DISCUSSION:

The JPA Board regularly meets on the first Monday of each month. Attached for reference is the proposed 2024 JPA Board Meeting Calendar.

The first Monday in January falls on the New Year's Day holiday. The Board may want to consider scheduling a special meeting on January 8, 2024.

There are also conflicts with the ACWA Spring Conference, scheduled from May 7 to 9, 2024, and the ACWA Fall Conference, scheduled from December 3 to 5, 2024. The Board may want to consider cancelling the May 6, 2024, and December 2, 2024 regular meetings, and scheduling special meetings on different dates.

Prepared by: Josie Guzman, Executive Assistant/Clerk of the Board

ATTACHMENTS:

[Proposed 2024 Board Meeting Calendar](#)

2024 (DRAFT)

JANUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16 LV	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY						
S	M	T	W	T	F	S
				1	2	3
4	5 JPA	6 LV	7	8	9	10
11	12	13	14	15	16	17
18	19	20 LV	21	22	23	24
25	26	27	28	29		

01/01 JPA Meeting Canceled
 01/02 LV Meeting Canceled
 01/08 JPA Spc. Mtg. (tentative)

Spc. Dist. Leadership Academy San Luis Obispo 02/04-02/07
 CASA Washington DC Policy Forum 02/26 – 02/27
 ACWA Washington DC 02/27 – 02/29

CASA Winter Conf. Palm Springs 01/24 – 01/26

MARCH						
S	M	T	W	T	F	S
					1	2
3	4 JPA	5 LV	6	7	8	9
10	11	12	13	14	15	16
17	18	19 LV	20	21	22	23
24	25	26	27	28	29	30
31						

APRIL						
S	M	T	W	T	F	S
	1 JPA	2 LV	3	4	5	6
7	8	9	10	11	12	13
14	15	16 LV	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

WaterReuse Symposium. Denver CO 03/10 – 03/13
 ACWA Legislative Symposium TBD

Spc. Dist. Leadership Academy San Diego 04/14 – 04/17
 Passover 04/23 – 04/24 (begins sundown day before)
 Passover 04/29 – 04/30 (begins sundown day before)

MAY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21 LV	22	23	24	25
26	27	28	29	30	31	

JUNE						
S	M	T	W	T	F	S
						1
2	3 JPA	4 LV	5	6	7	8
9	10	11	12	13	14	15
16	17	18 LV	19	20	21	22
23	24	25	26	27	28	29
30						

05/06 JPA Canceled
 05/07 LV Canceled
 05/13 JPA Spc. Mtg. (tentative)
 ACWA Spring Conf. Sacramento 05/07 – 05/09
 TWSD Meeting - TBD

Shavuot 06/11 – 6/13 (begins sundown day before)

	LV Meeting
	JPA Meeting
	District Holiday
	TWSD Meeting

2024 (DRAFT)

JULY						
S	M	T	W	T	F	S
	1 JPA	2 LV	3	4	5	6
7	8	9	10	11	12	13
14	15	16 LV	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST						
S	M	T	W	T	F	S
				1	2	3
4	5 JPA	6 LV	7	8	9	10
11	12	13	14	15	16	17
18	19	20 LV	21	22	23	24
25	26	27	28	29	30	31

CASA Annual Conf., Monterey 07/31 – 08/02

SEPTEMBER						
S	M	T	W	T	F	S
1	2	3 L	4 J	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER						
S	M	T	W	T	F	S
		1 LV	2	3	4	5
6	7 JPA	8	9	10	11	12
13	14	15 LV	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

CSDA Annual Conference, Indian Wells 09/09 – 09/12
 WaterReuse CA, Garden Grove, 09/15 – 09/17
 09/17 LV Canceled

Rosh Hashanah 10/02 – 10/04 (begins sundown day before)
 Yom Kippur 10/11 – 10/12 (begins sundown day before)
 Sukkot 10/17 – 10/18 (begins sundown day before)
 Shemini Atzeret & Simchat Torah 10/23 – 10/25 (begins sundown day before)

NOVEMBER						
S	M	T	W	T	F	S
					1	2
3	4 JPA	5 LV	6	7	8	9
10	11	12	13	14	15	16
17	18	19 LV	20	21	22	23
24	25	26	27	28	29	30

DECEMBER						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17 LV	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Sp. Dist. Leadership Academy, San Rafael 11/03 – 11/06

Cancel 12/02 JPA
 Cancel 12/03 LV
 12/09 JPA Sp. Mtg. (tentative)
 ACWA Fall Conf. Palm Desert 12/03 – 12/05
 Chanukah 12/25 – 01/02 (begins sundown day before)

	LV Meeting
	JPA Meeting
	District Holiday
	TWSD Meeting

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Facilities and Operations

SUBJECT: Tapia Control Building Roof Replacement: Award

SUMMARY:

The control building roof at the Tapia Water Reclamation Facility has reached the end of its useful life and requires replacement. Staff solicited quotes from Omnia Partners using existing cooperative purchasing contracts for state and local government agencies. The Garland Company, Inc., provided a quote for replacement of the roof, in the amount of \$315,000. Staff recommends that the Board accept the quote from The Garland Company, Inc., and authorize executing a contractual services agreement to replace the roof using a modern roofing system with a 30-year life expectancy.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute a contractual services agreement with The Garland Company, Inc., in the amount of \$315,000, for replacement of the control building roof at the Tapia Water Reclamation Facility.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The total cost of the work is estimated to be \$315,000, which will be allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District. Sufficient funds for the work are available in the adopted Fiscal Year 2023-24 JPA Budget.

DISCUSSION:

The control building at the Tapia Water Reclamation Facility was constructed in the early 1970s and expanded in 1991. Routine preventative maintenance of the roof has greatly extended its useful life and provided a well-maintained facility. Currently, the Tapia roof has several leaks and has reached the end of its useful life, requiring replacement. The current roof is beyond repair and requires replacement to prevent potential water damage from the

existing leaks. Staff recommends replacement of the roof using a modern roofing system with a 30-year life expectancy, which will be substantially more reliable.

Staff solicited quotes from Omnia Partners using existing cooperative purchasing contracts for state and local government agencies. The Garland Company, Inc., provided a quote for replacement of the control building roof, in the amount of \$315,000.

Staff recommends accepting the quote from The Garland Company, Inc., and executing a contractual services agreement, in the amount of \$315,000, to replace the roof using a modern roofing system with a 30-year life expectancy.

GOALS:

Construct, Manage and Maintain all Facilities and Provide Services to Assure System Reliability and Environmental Compatibility

Prepared by: Shawn Triplett, Facilities Maintenance Supervisor

ATTACHMENTS:

[Quote from The Garland Company, Inc.](#)

The Garland Company, Inc.

Roof Asset Management Program



R A M P.

Tapia Operations and District Office Building 2 Roofing Budgets

Prepared By
Jason Moronolte

Prepared For
Shawn Triplett

August 28, 2023

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Construction Details

Client: Las Virgenes Municipal Water District

Facility: Tapia Water Reclamation Facility

Roof Section: Operations Building



Information

Year Installed	Unknown	Square Footage	8,500
Slope Dimension	1/2:12	Eave Height	10'
Roof Access	Attached Ladder	System Type	Modified BUR

Assembly

Roof #	Layer Type	Description	Attachment	R-Value	Thickness
1	Deck	Plywood	Mechanically attached	-	-
1	Membrane	Mod Bit - 3 ply	Hot asphalt	-	-

Details

Perimeter Detail	Drip Edge
Flashing Material	Modified Membrane
Drain System	Internal Roof Drains





Inspection Report

Client: Las Virgenes Municipal Water District

Facility: Tapia Water Reclamation Facility

Report Date: 12/21/2021

Roof Section: Operations Building

Inspection Information

Inspection Date	12/21/2021	Core Data	Yes
Inspection Type	Visual Inspection	Leakage	No
Deck Conditions	Good		

Flashing Conditions

Perimeter	Poor	Wall	N/A
Projections	Poor	Counterflashing	Poor

Miscellaneous Details

Reglets	Fair	Debris	No
Control Expansion Joints	N/A	Ponding Water	Minor
Parapet Wall	N/A	Coping Joints	N/A

Perimeter

Rating	Fair
Condition	The perimeter of the roof was evaluated and determined to be in fair to poor condition due to the areas of detachment noted between the roofing and the metal edge. Additionally, multiple areas of failure were noted in the flashing detailing that should be addressed in order to prevent water infiltration.

Field

Rating	Fair
Condition	The field section of the roof was evaluated and determined to be in fair condition with normal weathering noted to the modified membrane. The roofing is expected to perform for another 20+ years with a restoration fluid-applied membrane

Penetrations

Rating	Poor
Condition	The penetrations throughout the roof were evaluated and determined to be in poor condition due to the splitting mastics used to seal the pipe penetrations and three course flashings at the curbs. It is recommended that these areas are resealed every 5-10 years as a maintenance measure throughout the life of the roof.

Drainage

Rating	Fair
Condition	The roof has good drainage to the internal roof drains with only minor areas of ponding noted. It is recommended that the internal roof drains are resealed to prevent premature failure.

Overall

Rating	Fair
Condition	<p>A physical inspection of the roofing system, components and ancillary items was conducted on 12/21/2021. The roofing system was evaluated in order to determine the expected performance life remaining of the roofing membrane and identify any maintenance items that could be addressed in order to preserve and extend its life.</p> <p>The roofing system consists of a wood deck, one ply mechanically attached base sheet, and 3 plies modified built up roofing membrane with a pre coated reflective mineral cap sheet</p> <p>The roofing system was evaluated and determined to be in fair condition overall. There were several discrepancies noted in the pipe and curb flashings where the mastics used to seal the penetrations have weathered and split. Detachment of the cap sheet was also noted at the roofing transitions and metal edge at the roof perimeter. Normal weathering to the cap sheet was also noted on the field of the roof.</p> <p>The roofing system is a prime candidate for roofing restoration to preserve and extend its life for another 20+ years. It is recommended that the roofing is coated with a fully-reinforced high-performance polyurea roofing membrane that will protect the roofing from further degradation and extend its life.</p>



Photo 1

Overview of the modified built up roofing system



Photo 2

Overview



Photo 3

Overview



Photo 4

Overview



Photo 5

Illustration of the condition of the modified cap sheet



Photo 6

Illustration of an area of damage to the modified membrane cap sheet



Photo 7

Illustration of the internal roof drains



Photo 8

Illustration of splitting mastic used to seal a pipe penetration



Photo 9

Illustration of splitting mastic around an internal roof drain



Photo 10

Overview of the condition of the metal coping cap



Photo 11

Illustration of a void in the modified cap sheet from damage caused by a metal object



Photo 12

Illustration of the condition of the rooftop equipment curb flashings



Photo 13

Illustration of separation of the metal coping from the roof membrane



Photo 14

Illustration of a failing roof transition detail



Photo 15

Illustration of failing mastic used to seal a roof transition detail



Photo 16

Illustration of separation of the roofing from the metal edge at the roof perimeter



Photo 17

Illustration of detachment of the roofing from the metal edge



Photo 18

Overview of the condition of the external gutter

Replace Options

Solution Option:	Replace	Action Year:	2022
Square Footage:	8,500	Expected Life (Years):	30
Budget:	\$315,000.00		

1. Demo existing roofing system and replace with new HPR 30-year built up roofing system per plans and specifications

DATE: October 30, 2023
FROM: Engineering and External Affairs

SUBJECT: Farm Sprayfield Operations and Maintenance: Renewal

SUMMARY:

The Rancho Las Virgenes Farm Sprayfields have been operated and maintained by W. Litten Land Preparation (Litten) for over two decades. Consistent with the JPA's Purchasing Policy, a Request for Proposals (RFP) was issued for the work in September 2020 to ensure competitive rates for the required services. A single bid for the work was received from Litten, in the amount of \$384,900. The JPA Board authorized the initial annual services agreement on November 2, 2020. Change Order No. 1 was administratively approved by the Administering Agent/General Manager on November 9, 2020 to address the inclusion of a Waiver of Subrogation clause, in the amount of \$7,700, for a total annual cost not to exceed \$392,600. Change Order No. 2, the annual contract renewal, was authorized by the JPA Board on November 7, 2022, in an amount not to exceed \$392,600. Change Order No. 3 provides for the annual renewal of the contract through November 2024, in an amount not to exceed \$411,691.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute Change Order No. 3 with W. Litten Land Preparation, in an amount not to exceed \$411,691, for the annual cost associated with operations and maintenance of the Rancho Las Virgenes Farm Sprayfields.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The cost of the work is not expected to exceed \$411,691, which will be allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District. Based on annual prevailing wage updates to the California Department of Industrial Relations (DIR) prevailing wage job classifications, the cost of services for labor wages has increased by an average of approximately five percent. The proposed cost of the services results in an increase of \$19,091 over the prior year. Sufficient funding for the work is available in the adopted Fiscal Year 2023-24 JPA Budget.

DISCUSSION:

W. Litten Land Preparation (Litten) provides effluent disposal services for recycled water at the Rancho Las Virgenes Farm Sprayfields as required by the discharge permit for the Tapia Water Reclamation Facility. The services include planting and harvesting of crops for nutrient removal, management of the irrigation system for the sprayfields, maintenance of catch basins to prevent off-site runoff, and general upkeep of the facility. Additionally, Litten performs maintenance including tree removal and weed abatement services at other JPA facilities as needed.

Consistent with the JPA's Purchasing Policy, a Request for Proposals (RFP) was issued for the work in September 2020 to ensure that the JPA continues to receive competitive rates for the service. For the contract term, a provision was included that allows for annual services to be renewed for up to four additional years. A single bid was received from Litten, in the amount of \$384,900. The JPA Board subsequently authorized a contract on November 2, 2020. Change Order No. 1 was administratively approved by the Administering Agent/General Manager on November 9, 2020 to address the inclusion of a Waiver of Subrogation clause, in the amount of \$7,700, for a total annual cost not to exceed \$392,600. Change Order No. 2, the second annual contract renewal, was authorized by the JPA Board on November 7, 2022, in an amount not to exceed \$392,600. At this time, staff recommends that the contract be renewed for a third year, through November 1, 2024, via Change Order No. 3.

Relevant DIR labor wages have increased by five percent since the previous year, causing the cost of services for Fiscal Year 2023-24 to increase proportionately. The escalation results in a proposed contract amount of \$411,691, or a \$19,091 (4.7%) annual increase. While agricultural work is largely exempt from prevailing wage regulations apart from providing minimum wage, breaks, restroom facilities, and other basic human resources, staff received a final determination in 2020 from California Department of Industrial Relations (DIR) that denied the JPA's request for a special wage determination. The determination resulted in existing prevailing wage job classifications being applicable to the work for operation and maintenance of the sprayfields.

Staff have continued to work with Litton to minimize costs since 2020. For example, by deferring large-scale infrastructure maintenance projects and using farm staff expertise to spot fix and repair in the short-term, the JPA has achieved considerable long-term cost savings. Despite these efforts, the long-term impacts of the Wolsey Fire, along with a banner year of rainfall in 2023, have placed an additional workload on sprayfield staff. Additionally, inflation has increased operational costs for equipment needed to upkeep the facility.

Litten has been performing work at the Rancho Las Virgenes Farm Sprayfields for over 20 years and has extensive familiarity with the facility and its operational and maintenance needs. The long-term working relationship has allowed for the achievement of operational efficiencies, and Litten has a long history of completing its services within budget and to the satisfaction of staff. As a result, staff proposes to continue working closely with Litten to maintain and operate the sprayfields in a cost-effective and efficient manner.

GOALS:

Ensure Effective Utilization of the Public's Assets and Money

Prepared by: Cindy Chau, Management Analyst

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Engineering and External Affairs

SUBJECT: Malibou Lake Siphon Repair Project: Scope Change No. 3

SUMMARY:

On February 7, 2022, the JPA Board authorized a professional services agreement with HDR, Inc. (HDR) to perform an investigation and provide engineering design support for the Malibou Lake Siphon Repair Project. The scope of work generally included the video inspection; assessment; recommendation for rehabilitation or replacement of the facility; and development of the scope of work, plans and specifications for construction of the project.

Coordination with the local homeowners' association, the Malibou Lake Mountain Club (MLMC), began in early 2023. The final design and CEQA documentation was completed by HDR in February 2023. At the request of the MLMC, staff provided a presentation summarizing the scope of the project and its potential impacts during construction at the MLMC's monthly Board meeting. Based on feedback received from the MLMC Board and community members, additional alignments were evaluated for the location of the new siphon. Additionally, the final design package was updated to reflect the input. HDR has requested a third amendment to the professional services agreement for the effort to evaluate alternative siphon alignments and revise the final design package to incorporate the necessary changes based on community feedback.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager Agent to execute Scope Change No. 3 with HDR, Inc., in the amount of \$137,730, for additional siphon alignment analysis and a revised design package for the Malibou Lake Siphon Repair Project.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The cost of the additional work is \$137,730, which will be allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District. Sufficient funds are available in the adopted

DISCUSSION:

Located by Malibou Lake, the sewer siphon was constructed around 1967 and consists of three steel pipes that are 10-inch, 14-inch, and 24-inch in diameter. Record drawings indicate the pipes are encased in concrete on three sides, but were laid on bare ground without proper bedding material. From manhole-to-manhole, the siphon is 134-feet long and is 19-feet below grade at its lowest point. Video observations from the inlet manhole indicate the 24-inch pipeline is largely obstructed, and recent attempts by the JPA to clean and inspect the pipelines were unsuccessful. Furthermore, there is infiltration from groundwater into the siphon at the inlet manhole that prevents dewatering of the pipelines, and it appears there is structural failure of the 24-inch pipeline.

During routine inspection and cleaning of the JPA's trunk sewer collection system, damage was observed in the siphon conveying flow across Medea Creek at the inlet of Malibou Lake. In addition, corrosion of the inlet and outlet siphon manholes was observed due to the off-gas that is released as the flow passes through the siphon. JPA staff worked to identify the extent of the damage to the siphon; however, it was determined that the damage was great enough that it was beyond the internal capabilities of the JPA to repair and outside help would be needed to bring the siphon back into full working condition.

While JPA staff has confirmed there is no evidence of sewage escaping the siphon and flow is still being conveyed through the smaller pipelines, it is imperative that the larger 24-inch siphon be addressed quickly to avoid any further damage or the possibility of a sanitary sewer overflow (SSO). Flow meters have been installed on the upstream and downstream sides of the existing siphon to monitor flow conditions and notify staff of any impending SSO. Staff have also developed an emergency response plan and have on-call contractors available to mobilize expeditiously in the event conditions deteriorate and an SSO event becomes eminent.

It is anticipated that work will occur next spring when regulatory permits allow for construction in the creek. Given the significant risk of further damage or full pipeline failure, and given the environmental sensitivity of the area, JPA staff reached out directly to HDR, an engineering firm with expertise in pipeline rehabilitation methods, to develop a scope of work to assess the extent of the damage and to develop a design for repair, rehabilitation, or replacement of the siphon.

On February 7, 2022, the JPA Board authorized a professional services agreement with HDR, Inc. (HDR), in the amount of \$239,400, to perform an investigation and provide engineering design support for the Malibou Lake Siphon Repair Project.

On July 25, 2022, the Administering Agent/General Manager approved the first amendment to the agreement with HDR for additional analysis of design alternatives, evaluation of flow data and a preliminary design workshop that was not included in the original scope.

On February 6, 2023, the JPA Board authorized the Administering Agent/General Manager to execute a second amendment to the agreement with HDR to provide services to acquire a new permanent easement and temporary construction easement for the new siphon.

Coordination with MLMC began in early 2023. Alternative alignments for the new siphon were evaluated based on feedback from meetings with the MLMC. Staff and HDR met with the MLMC Board and presented directly to members of the community during the MLMC’s Board meeting. The new siphon alignment addressed concerns around the additional visibility of above-ground structures and the proposed access road configuration, and the changes were reflected in the updated design package. The revised siphon alignment also required updated legal descriptions as part of the easement acquisition process.

Following is a summary of the amendments and fee adjustments to-date:

<u>Description</u>	<u>Cost</u>	<u>Cumulative Cost</u>	<u>Cumulative Percent Change</u>
Original Agreement	\$239,400.00	-	-
First Amendment	\$21,700.00	\$261,100.00	9%
Second Amendment	\$30,800.00	\$291,900.00	22%
Third Amendment (proposed)	\$137,730.00	\$429,630.00	79%

Staff recommends authorization to execute a third amendment to agreement with HDR, in the amount of \$137,730, for the additional siphon alignment analysis and revised design package as a result of coordination with MLMC. While the third amendment to the agreement with HDR is significant in comparison to the original contract amount, the project’s estimated scope of work was not clearly defined until HDR was able to complete the basis of design. The amendment is necessary to incorporate the redefined scope of work, which includes the technical, permitting and community requirements of the project for its success. Additionally, the cumulative design costs, including Scope Change Nos. 1 through 3, account for approximately 12 percent to 14 percent of the Engineer’s Estimate at \$3 million, which is within the industry standard for estimating design fees for small- to medium-sized capital projects.

GOALS:

Construct, Manage and Maintain all Facilities and Provide Services to Assure System Reliability and Environmental Compatibility

Prepared by: Alex Leu, Senior Engineer

ATTACHMENTS:

[Proposed Scope Change No. 3](#)



October 5, 2023

Mr. Alex Leu
LAS VIRGENES MUNICIPAL WATER DISTRICT
4232 Las Virgenes Road
Calabasas, CA 91302

Subject: Malibou Lake Siphon Repair Amendment No. 3 – Revised Alignment Analysis and Revised Final Design

Dear Mr. Leu,

HDR appreciates the opportunity to provide additional services for evaluation of alternative alignments and preparation of revisions to the final plans, specifications, opinion of cost, and easement configurations determined following input received by District through its coordination with the Malibou Lake Mountain Club (MLMC).

Scope of Services

Alternatives Analysis and Exhibits for Presentations to the MLMC :

Attend an initial on-site meeting with Malibou Lake Mountain Club (MLMC) representatives and the District. Analyze alternative pipeline alignments and structure locations in preparation for subsequent meetings between the District and the MLMC as needed to address MLMC concerns regarding the visibility of above-ground structures, access road configuration and materials, and interference with MLMC existing and proposed facilities (e.g., dredging facilities). Prepare exhibits and PowerPoint slides depicting the alternatives. Coordinate with the District to determine the preferred alternative and to finalize exhibits for acceptance by the MLMC.

Revise Final Plans, Specifications, and Cost Opinion

Revise the plans, specifications, and cost opinion for the selected pipeline alignment and structure configuration for the preferred alternative, added features, and permitting agency requirements including

1. Re-alignment plan and profile
2. Modified inlet and outlet manhole plans and sections
3. Addition of grit trap at POC1
4. Reconfiguration of access roads and cross section
5. Reconfiguration of temporary and permanent easements
6. Modified limits of work, contractor laydown areas and use restrictions
7. Preparing a traffic control plan for submittal to LA County
8. Updated hydraulic calculations

Prepare a revised final submittal for District review. Following receipt of comments, prepare and submit the final documents for the District's use in advertising the project for receipt of bids.

hdrinc.com

200 E Santa Clara St, Suite 220, Ventura, CA 93001-2795
(805) 765-0803



Modified Temporary Construction and Permanent Easements

Prepare CAD files for the modified temporary and permanent easement geometry for legal descriptions. Prepare revised legal descriptions and exhibits for easement acquisition. Legal descriptions and exhibits will be prepared by Encompass Consultant Group (ECG) as a subconsultant to HDR. ECG's proposal is attached for reference.

Fee

The proposed additional fee required to perform these Amendment 3 services is \$137,730. Please see the attached Estimated Level of Effort and Fee breakdown reflecting these amounts. This brings the total contract adjusted fee amount to \$429,630.

HDR will proceed with the scope of services upon receipt of the fully executed contract amendment and the District's notice to proceed.

Sincerely,
HDR ENGINEERING, INC.

Anna Lantin, PE
Vice President

Keith Campbell, PE,
Project Manager

Enclosures: Fee Estimate, Subconsultant Proposal

**Las Virgenes Municipal Water District
Malibou Lake Siphon Replacement**

Estimated Level of Effort and Fee (Amendment 3 Tasks Only)

	Senior Cost Estimator	Project Manager	Project Engineer	BIM Manager	BIM Technician	Total Labor	Labor	Raw Subs	Markup on Subs	Subs	Direct Costs	Total
<i>Client Billing Rates</i>	<i>\$300</i>	<i>\$350</i>	<i>\$200</i>	<i>\$190</i>	<i>\$130</i>	<i>\$207</i>		<i>Calc</i>	<i>Calc</i>	<i>Calc</i>	<i>Calc</i>	<i>Calc</i>
4 Phase 3 - Revised Alignment Analysis and Final Design												
401 Identify and Refine Three Alignment Alternatives		25	5		5	35	10,400	0	0	0	104	10,504
402 Prepare MLMC Presentations and Exhibits		25	25		24	74	16,870	0	0	0	169	17,039
403 Revise Temporary and Permanent Easement Definitions / Legal Descriptions		2	6		5	13	2,550	2,800	140	2,940	26	5,516
404 Revise Plans: G01 - Title Sheet		1			1	2	480	0	0	0	5	485
405 Revise Plans: G02 - Sheet Index, Legend, Symbols and Abbreviations		1			1	2	480	0	0	0	5	485
406 Revise Plans: G03 - General Notes		2			1	3	830	0	0	0	8	838
407 Revise Plans: C-01 - Plan and Profile		16	24	4	32	76	15,320	0	0	0	153	15,473
408 Revise Plans: C-02 - Grading and Paving Plan		8	12		16	36	7,280	0	0	0	73	7,353
409 Revise Plans: C-03 - Siphon Inlet Details - 1		8	12		16	36	7,280	0	0	0	73	7,353
410 Revise Plans: C-04 - Siphon Inlet Details - 2		6	8		16	30	5,780	0	0	0	58	5,838
411 Revise Plans: C-05 - Siphon Outlet Details - 1		6	8		16	30	5,780	0	0	0	58	5,838
412 Revise Plans: C-06 - Siphon Outlet Details - 2		6	8		16	30	5,780	0	0	0	58	5,838
413 Revise Plans: C-07 - Additional Details		2	8		2	12	2,560	0	0	0	26	2,586
414 Revise Plans: C-08 - Connection Manhole 2 Details		1	4		4	9	1,670	0	0	0	17	1,687
415 Revise Plans: C-09 - Connection Manhole 1 / Grit Trap Details		12	24		32	68	13,160	0	0	0	132	13,292
416 Revise Plans: C-11 - Sewer Bypass Plan		2	2		4	8	1,620	0	0	0	16	1,636
417 Revise Plans: C-12 - Conceptual Dewatering Plan		1			1	2	480	0	0	0	5	485
418 Revise Plans: C-13 - Demolition Plan		2	4		2	8	1,760	0	0	0	18	1,778
419 Revise Plans: C-14 - Limits of Work		4	4		4	12	2,720	0	0	0	30	2,750
420 Revise Plans: C-15 - Traffic Control Plan		2	24		24	50	8,620	0	0	0	86	8,706
421 Revise Specifications		4	12			16	3,800	0	0	0	38	3,838
422 Revise Cost Opinion	4	1				5	1,550	0	0	0	16	1,566
423 Draft Final Submittal		8	16	2	20	46	8,980	0	0	0	150	9,130
424 Submit for Bidding		4	16	2	20	42	7,580	0	0	0	136	7,716
Subtotal 4 Phase 3 - Revised Alignment Analysis and Final Design	4	149	222	8	262	645	133,330	2,800	140	2,940	1,460	137,730
TOTAL, hours	4	149	222	8	262	645						
TOTAL, dollars							133,330	2,800	140	2,940	1,460	137,730

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Engineering and External Affairs

SUBJECT: Rancho Distribution Screw Conveyor No. 2 Project: Construction Award

SUMMARY:

The Rancho Las Virgenes Composting Facility (Rancho) utilizes over 30 screw conveyors to move dewatered sludge, amendment and compost throughout the facility. The screw conveyors are the primary wear items at Rancho, requiring periodic maintenance and/or replacement. The Rancho Distribution Screw Conveyor No. 2 Project involves the removal and replacement of a distribution screw conveyor in the reactor building. The project was advertised for construction bids on September 6, 2023, and two bids were received on October 6, 2023. Staff evaluated the bids and determined the lowest responsible bid to be from GSE Construction Company Inc., in the amount of \$123,300. Staff recommends award of a construction contract to GSE Construction for the Rancho Distribution Screw Conveyor No. 2 Project.

RECOMMENDATION(S):

Find that the work is exempt from the provisions of the California Environmental Quality Act; award a construction contract, in the amount of \$123,300, to GSE Construction, Inc.; and reject all remaining bids upon receipt of the duly executed contract documents for the Rancho Screw Conveyor No. 2 Replacement Project.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The total cost for the project is \$123,300, which will be allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District. Sufficient funds are available in the adopted Fiscal Year 2023-24 JPA Budget.

DISCUSSION:

Since 1994, Rancho has processed raw sludge from the Tapia Water Reclamation Facility (Tapia) to produce nutrient-rich Class A compost. Tapia currently treats an average of 7.0 million gallons (MG) of wastewater per day, and pumps approximately 80,000 gallons per day of combined primary and waste activated sludge to Rancho for processing. The sludge is processed in anaerobic digestors, dewatered, combined with amendment and processed in the reactor building to produce finished Class A compost. Rancho utilizes over 30 screw conveyors to move dewatered sludge, amendment and compost throughout the facility. Many of the screw conveyors were purchased when the composting facility first came into service in 1994 and are approaching the end of their useful life.

Screw Conveyor No. 2 is located in the compost reactor building and distributes compost to the eight reactor channels. In 2023, staff observed longitudinal cracking in several spots along the trough for the screw conveyor. Additional inspections determined that the liner for the trough has completely deteriorated, leading to the accumulation of compost within the trough. The trough assembly has corroded with visible holes due to the deteriorated liner. The accumulated compost causes the rotating shaftless screw to lift and damage the trough. Screw Conveyor No. 2 is 64-feet long and rotates within the trough assembly to move and distribute the compost to eight reactor channels through pneumatically-actuated slides gates. The process consists of two screw conveyors (Nos. 1 and 2), which are both critical to move compost into the reactor bays for processing. Screw Conveyor No. 1 was also inspected, but it does not require repair or replacement at this time.

Screw Conveyor Nos. 1 and 2 run simultaneously to distribute compost to the reactor chambers for processing. The levels within the reactor chambers need to be even to maximize the air flow and heat distribution for the compost in the reactor building. A failure of one of the screw conveyors would result in uneven levels and poor distribution of compost, which could potentially interrupt the composting process.

Due to the critical importance of the distribution screw conveyors and extended equipment lead times, the purchase of Screw Conveyor No. 2 was approved by the JPA Board on August 7, 2023, in the amount of \$116,376.

For installation of the new equipment, staff issued a Request for Bids on the District’s website from September 6 to October 30, 2023. Two responsive bids were received with GSE submitting the lowest bid total. After a thorough review of the submitted bids, staff recommends awarding the construction contract for the Rancho Distribution Conveyor No. 2 Project to GSE Construction Company, Inc.

Following is a summary of the two bids received:

<u>Contractor</u>	<u>Cost (\$)</u>
GSE Construction Company Inc.	\$123,300.00
Blois Construction, Inc.	\$346,191.00

Funds for the project were previously appropriated when the JPA Board approved the purchase of Screw Conveyor No. 2 on August 7, 2023. No additional appropriation is required at this time. The work is anticipated to start in December 2023 and be completed by January

2024.

Environmental Documentation:

The project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15302(c), Replacement or Reconstruction, because it involves the replacement of existing facilities involving negligible or no expansion of use.

GOALS:

Construct, Manage and Maintain all Facilities and Provide Services to Assure System Reliability and Environmental Compatibility

Prepared by: John Soderberg, Assistant Engineer

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Finance and Administration

SUBJECT: Supply and Delivery of Sodium Bisulfite: Award

The Las Virgenes-Triunfo Joint Powers Authority (JPA) approved funding for this matter in the JPA Budget. On October 17, 2023, the LVMWD Board, acting as the Administering Agent of the JPA, accepted a bid from Univar Solutions USA Inc., and authorized the General Manager to issue a one-year purchase order, in the amount of \$291,040, with four one-year renewal options using a specified inflationary index, for the supply and delivery of sodium bisulfite.

SUMMARY:

On August 29, 2023, a Request for Bids was released for the supply and delivery of sodium bisulfite to establish an annual purchase order with four one-year renewal options. Sodium bisulfite is a dechlorinating agent used to eliminate the chlorine residual in treated water prior to discharge. The annual expense for the product is estimated to be \$291,040.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The total annual cost for the product is estimated to be \$291,040. Sufficient funds are available in the adopted Fiscal Year 2023-24 JPA Budget and will be proposed in future year budgets. Pricing for renewal options will be based on a mutually-agreeable inflationary index such as the Producer Price Index for chemicals and allied products. Award of the bid will result in an estimated annual savings of \$130,000 as compared to the current contract. The cost of sodium bisulfite is allocated 70.6 percent to LVMWD and 29.4 percent to Triunfo Water & Sanitation District.

DISCUSSION:

The JPA uses sodium bisulfite as a dechlorinating agent to eliminate the chlorine residual in treated water prior to discharge. The last formal bid for the product was completed in October 2018. At that time, the Board approved a one-year contract with four one-year renewal options

for the supply and delivery of sodium bisulfite.

Bid Process:

A Request for Bids was posted on the District's website and sent to 12 different vendors that previously expressed interest in supplying LVMWD and the JPA with chemicals. Three bids were received and publicly opened on September 20, 2023. Univar Solutions USA Inc., submitted the lowest responsible bid, in the amount of \$2.14/gallon. Staff estimates a total annual need for 136,000 gallons, resulting in a cost of \$291,040. The estimated volume of chemical required includes a request for an additional 10,000 gallons from the original bid to test the District's new treatment system for Malibu Creek flow augmentation, resulting in an increase in the estimated total from \$269,6640 to \$291,040. The formal bid process will result in an estimated annual savings of \$130,000 due to a reduction in unit pricing from \$3,095 to \$2,140 per gallon.

Bid Summary:

Following is a summary of the bids received:

Bidder	Unit Price (\$/gallon)	Bid Total
JCI Jones	\$2.42	\$304,920
Thatcher Company of CA	\$2.92	\$367,920
Univar USA	\$2.14	\$269,640

Prepared by: Liz Smith, Purchasing Supervisor

ATTACHMENTS:

[Univar Solutions USA Inc. Bid.pdf](#)

Univar Solutions USA Inc.
8201 S. 212th
Kent, WA 98032-1994
USA

T 253-872-5000
F 253-572-5041
www.univarusa.com



September 12, 2023

Las Virgenes Municipal Water Dist.
Attn: Liz Smith
4232 Las Virgenes Road
Calabasas, CA 91302

RE: Sealed Bid-Sodium Bisulfite

Dear Purchasing;

Univar Solutions USA Inc. is pleased to offer a price quote on your ITB due Wednesday, September 20th, 2023, and has done so on the attached required paperwork.

Our contact information for all things bid and contract related, as well as the information for your local branch, is also attached.

We look forward to hearing the results of your request – we have included a self-addressed, stamped envelope for the bid tabulations.

Thank you,

Jennifer Perras

Sr. Municipal Bid Specialist
Western Region
Univar Solutions USA Inc.
Muniteam-west@univarsolutions.com
www.univarsolutions.com

Please Note: Seller shall indemnify Buyer for losses to the extent caused by Seller's negligence or breach of contract. Neither party is liable for incidental or consequential damages. Seller's liability is limited to the purchase price of the goods. SELLER MAKES NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

Please Note: Cooperative Purchasing/Contract Piggy-Back Clauses: Unless otherwise checked "yes" within the attached offer, it is Univar's standard policy NOT to agree to/participate in Cooperative Purchasing but rather to work with each individual agency and reach a pricing agreement that is based on their needs and is advantageous for both parties. Unless otherwise noted within the attached offer – pricing within is only applicable for the locations (and any potential locations) listed within these bid documents.

Please Note: Where applicable, any State, Federal or other appropriate taxes and/or the California Mill Assessment will appear as separate line items on any invoices from Univar. If Univar's offer (pricing) was inclusive of these charges – they will be backed out of the "product" line item and shown as their own line item(s) at the time of billing.

CERTIFICATE OF ASSISTANT SECRETARY

I, Julie Halperin, hereby certify that:

1. I am the duly elected, qualified and acting Assistant Secretary of Univar Solutions USA Inc., a Washington corporation (the "Company"), and am a custodian of the corporate records of the Company and am familiar with the matters herein certified.
2. The below list of persons are authorized to execute, for and on behalf of the Company, written municipal bids or municipal proposals for the sale of other disposition of products up to \$2.5 million handled by the Company.


Shawnasey McCarthy- Municipal Commercial Manager
Victoria Meakim - Municipal Specialist
Roise Holiday- Municipal Specialist
Jennifer Perras - Municipal Specialist
Shelley Stevens - Municipal Specialist
Stacy Ziegler- Municipal Specialist
Raven Claudio - Municipal Specialist
Ileana Caballero – Municipal Specialist

IN WITNESS WHEREOF, I have executed this Certificate of Assistant Secretary of the Company this 14th day of February 2023.


Julie Halperin, Assistant Secretary

State of Illinois)
)
County of DuPage)

This Certificate of Secretary was signed and sworn to before me on this 14th day of February 2023 by Julie Halperin, Assistant Secretary of Univar Solutions USA Inc.


Sanema Gorodetsky
Notary Public
My commission expires July 25, 2026

Seal



Mission Statement

Univar sets out to be the preferred quality partner for the distribution of chemicals and services. We combine economic success with social and environmental responsibility.

Vision Statement

Be the benchmark of excellence.

Quality Policy

Univar USA Inc. is committed to the success of our customers and supplier/partners by providing value-added products and services that consistently meet requirements. In the spirit of innovation, management encourages full employee participation in the continuous review and improvement of Univar's business processes and its total quality process.

Statement of Core Values

- *Safety: Safety is the first priority, the most important aspect of our work.*
- *Continuous Improvement: We will improve results for all our stakeholders by doing the right things better every time.*
- *Employees: We respect and value every employee and are committed to support and develop each other personally and professionally.*
- *Environment: We are committed to protecting the health and well being of our employees, our customers, the community and the environment.*
- *Ethics: We treat every individual in our business and personal practices ethically with integrity and honesty.*
- *Leadership: Each of us strives to lead and motivate by example and consistently live up to these core values. We coach, train, develop and empower employees to reach their full potential.*



**Univar Solutions USA Inc.
Supplier Information
Company Overview**

Univar is a leading global distributor of industrial and specialty chemicals, with an extensive network of over 260 distribution facilities in North America, Europe, the Asia-Pacific region, and Latin America, and additional sales offices in Eastern Europe, the Middle East, and Africa.

We serve over 115,000 customers in more than 115 countries, representing nearly every major industry and a highly diverse set of end markets.

We source chemicals from more than 3,500 producers, including the premier global chemical manufacturers, and distribute more than 4,500 chemical products in over 110,000 stock keeping units.

In addition to our vast product offering, we provide important value-added services for our customers and suppliers, including:

- Product availability and inventory management
- Product specification and technical expertise
- Blending and mixing
- Repackaging and labeling
- Just-in-time delivery
- Vendor rationalization programs
- Waste management

Our scale, geographic reach, diversified distribution channels, industry expertise, and comprehensive product portfolio enable us to develop strong, long-term relationships with our suppliers and to provide a single-source solution for our customers.

As a world leader in chemical distribution, Univar is committed to being a responsible corporate citizen with a global focus on safety, health, the environment, and sustainability.

Univar Solutions USA Inc. Quality Assurance Statement

Univar USA Inc. ("Univar") offers this statement in regards to those quality measures it takes to provide quality products to you, its customer.

- Univar provides products that meet the manufacturer's specifications.
- Univar retains packaging samples and quality-related documents in accordance with its record retention program, which specifically calls for the retention of FDA regulated samples, and quality-related documents for three (3) years and EP samples and quality-related documents for six (6) years.
- Under Univar's Management of Change process, Univar forwards notices from a product's manufacturer related to ingredients, changes in processing sites, and manufacturing processes in a timely manner.
- Univar has a formalized recall process and provides notice of any known recalls or other matters that come to its attention that may directly or indirectly impact a product.
- Univar's quality control, employee training, and Safety, Health & Environmental programs meet industry standards.
- Univar develops, and maintains operational plans to meet, all federal, state, and local laws, rules, and regulations related to the packaging, storing, and distribution of products.
- Univar has facilities in the U.S. that are ISO 9001:2008 registered, including Univar's corporate office.
- Univar's facilities that handle FDA regulated product meet FDA cGMP standards.
- Univar's computer systems maintain various security controls to ensure proper management of information.

For food grade and pharmaceutical grade products:

- Univar treats FDA products under cGMP standards.
- Univar maintains strict laboratory controls, including Out of Specification ("OOS").
- Univar has a formal complaint process for all FDA regulated products.
- Univar performs bi-annual audits on its food grade packaging facilities to ensure quality and safety.
- Univar FDA packaging facilities and processes meet 21 CFR Part 210.
- Univar packages, stores, and transports under cGMP standards.
- Univar provides a Certificate of Analysis ("COA") with each shipment.
- Univar performs stability testing on all FDA Univar-packaged products.
- Univar maintains master files and individual batch files for all lots of FDA Univar-packaged products allowing full traceability.
- Univar assigns unique lot numbers and sequential numbers to its FDA Univar-packaged products.

Univar USA Inc



**Univar Solutions USA Inc.
Delivery & Supply Assurance**

In the event of an emergency situation such as a hurricane or other natural disaster, Univar's municipal water and wastewater accounts are given priority service over industrial customers.

Univar USA, Inc., has 124 locations across the US with thousands of trucks, 39 million gallons of bulk storage and over 10 million square feet of warehouse storage.

Our trucks are equipped with power and do not need electricity to deliver.

Our drivers are trained each year in spill control and containment, hazardous communication and modules of the Hazardous Waste Operations and Emergency Response Standard (HAZWOPER).

**Request for Information “RFI” Summary
Las Virgenes Municipal Water District
Request for Bids
Sodium Bisulfite –September 2023**

The Request for Information period for the District’s “Sodium Bisulfite” Request for Bids “RFB” is now closed. Three RFI were received and no addendums were issued and posted on the Districts web site, www.LVMWD.com . Per the Request for Bids, other than directing a proposer to a specific segment of the RFB documents, questions received after the RFI period has ended will not be answered. Below is a summary of the RFI received and the District’s response. This information is hereby made part of the RFB documents.

Q1. Can you please send the last bid tab on file for Sodium Bisulfite? (8/31/23, 9/01/23 & 09/06/23)

A1. See table below:

Bidder	Unit Price (\$/gallon)	Bid Total
Thatcher Company of CA	\$1.47	\$185,220.00
JCI Jones	\$1.56	\$215,233.20
Univar USA (non-responsive)	\$1.46	\$183,960.00

Q2. Could I please request your current supplier and the current pricing? (8/31/23 & 09/06/23)

A2. Thatcher Company of CA, Current pricing is \$.275 (lb)/\$3.0993(gal).

Q3. What is the actual annual usage for Sodium Bisulfite? (9/06/23)

A3. Annual actual usage fluctuates and is dependent on outside environmental circumstances. Please refer to the Bid Scope & Specifications document for general information and quantity data, including section 3 of the additional conditions. *Estimated* annual quantity of 126,000 gallons stated in the Bid Scope and Specifications is correct.



Request for Bids

Sodium Bisulfite
Annual Supply

August 2023

Las Virgenes Water District
4232 Las Virgenes Road
Calabasas, CA 91302
818-251-2115

Request for Information Deadline: Sept. 13, 2023
Bids Due: September 20, 2023; 2:00 p.m.

Las Virgenes Municipal Water District Instructions to Bidders

1. **Introduction.** Each bidder and its bid shall comply with these instructions to bidders and the terms and conditions provided with the bid documents.
2. **District Contact.** During the bid process the District contact will be the District Purchasing Supervisor: Liz Smith, 4232 Las Virgenes Road, Calabasas, CA 91302, lsmith@lvmwd.com e-mail, 818-251-2115 phone. Any questions, technical or otherwise, pertaining to this bid must be submitted in writing and directed only to the listed District contact. Bidders, their representatives, agents or anyone else acting on their behalf are specifically directed NOT to contact any District employee, board member, or other agency associate for any purpose related to this request for bid other than as directed above. **Contact with anyone other than as directed above may be just cause for rejection of bid.**
3. **Requests for Information and Notifications.** All requests for information (RFI) regarding this bid must be directed to District Contact listed above and received in writing no later than Sept. 13, 2023. Requests will be addressed within 2 business days of receipt. At the end of the RFI period a summary of all RFI and responses will be posted at <https://www.lvmwd.com/the-district/departments/finance-and-administration/finance/purchasing/purchasing-formal-bids> .
4. **It is the bidder's responsibility to ensure they access and review any RFI responses and resulting addendum(s) posted.** The District is not responsible to notify individual potential bidders of the availability of RFI responses and/or resulting addendum(s) beyond this notice. The District is not responsible for lost or misdirected e-mail communications. Other than directing a bidder to a specific segment of the bid documents, questions received after the RFI period has ended will not be answered.
5. **Submission of Bids.** Sealed bids are to be submitted only on the prescribed Las Virgenes Municipal Water District Bid Forms included as part of this bid package and described in the Request for Bids and must be submitted in hard copy format with a wet signature. **Bid submission deadline is Wednesday, Sept. 20, 2023; 2:00 p.m.** Bids shall be addressed and delivered to: Las Virgenes Municipal Water District, Attn: Liz Smith, 4232 Las Virgenes Road, Calabasas, CA 91302, and clearly marked "**Sealed Bid—Sodium Bisulfite**" on outside of envelope. **FAXED OR E-MAILED BIDS WILL NOT BE ACCEPTED UNDER ANY CIRCUMSTANCES.** Bidders are required to submit the following information with their bid:
 - a. Completed Bid Form-Schedule (3 pages)
 - b. Renewal Inflation Indicator
 - c. Contact information for three public entities the bidder is currently supplying with Sodium Bisulfite
 - d. Product information/technical data sheet
 - e. Global Harmonized System-Safety Data Sheet (GHS-SDS)Bid forms can be downloaded from the District's web site <https://www.lvmwd.com/the-district/departments/finance-and-administration/finance/purchasing/purchasing-formal-bids> .
6. **Modification of Bids.** A bidder may modify its bid by written communications provided such communication is received by the District prior to the closing time for receipt of bids. The written communication must not reveal the bid price but should state the addition or subtraction or other modification in such a manner that the District will not know the final prices or terms until it opens the sealed bid.
7. **Withdrawal and Return of bids.** Bids may be withdrawn without prejudice by written or telegraphic requests received from the bidder prior to the time for opening of bids, and bids so withdrawn will be returned to bidders unopened. Any bid received after the bid submission deadline shall be returned to the bidder unopened.
8. **Discrepancies.** In the case of discrepancy between unit prices and extended totals, unit prices will prevail. In the case of discrepancy between words and figures, words will prevail.
9. **Pricing.** Both unit and extended pricing shall be shown in U.S. dollar amounts with two decimal places rounded to the nearest cent.
10. **Award of Bid.**

Las Virgenes Municipal Water District Instructions to Bidders

- a. The District reserves the right to accept or reject any and all bids during the time for awarding the contract, and to waive any informality or irregularity in any bid. The District may reject any bid that does not comply with these instructions or other bid documents.
- b. Award shall be made on a comprehensive basis based on total estimated annual cost. At the District's discretion, Inflation indicator may be a consideration in final award.
- c. The award of the bid, if it is awarded, shall be to the lowest responsible responsive bidder whose bid complies with the requirements of the bid documents. Bidder responsibility is determined solely by the District.
- d. It is expected that bids will be considered by the District at the regularly scheduled Board Meeting on October 17, 2023. Notice of Award, if any will occur within seven business days following the meeting. Accompanying the District's Notice of Award will be a purchase order. The successful bidder will be required to send an order acceptance to the District within seven days following receipt of Notice of Award. Failure to do so shall be just cause for annulment of the award. In the event of failure of the lowest responsible responsive bidder to provide order confirmation to the District, the District may award to the next lowest responsible responsive bidder.

11. Insurance Requirements. Bidder at its' sole cost and expense shall procure and maintain for the duration of the project the following types and minimum limits of insurance: ***Strike through unnecessary coverage***

Type	Limits	Scope
General Liability (GL)	\$1,000,000 per occurrence/ \$2,000,000 aggregate	At least as broad as ISO occurrence from CG 0001
Product Liability	\$1,000,000 per occurrence/ \$2,000,000 aggregate	
Automotive Liability	\$1,000,000 per accident	At least as broad as ISO CA 0001 (code 1, any auto)
Workers Compensation	CA Statutory limits	
Employers' Liability	\$1,000,000 per occurrence	

- a. The general and automobile liability policy(ies) shall be endorsed (consistent with Ins. Code 11580.04) to name District, its officers, employees, and agents as additional insured regarding liability arising out of the Work. Bidder's coverage shall be primary and shall apply separately to each insurer subject to a claim or lawsuit, except with respect to the limits of the insurer's liability. District's insurance if any, shall be excess and shall not contribute with Bidder's insurance.
- b. Prior to commencing the Work, Bidder shall provide to District the following proof of insurance: (a) certificate(s) of insurance on ACORD Form 25-S (or insurer's equivalent) evidencing the required insurance coverages; and (b) endorsement(s) on ISO Form CG 2010 (or insurer's equivalent), signed by a person authorized to bind coverage on behalf of the insurer(s), certifying the additional insured coverages.

12. Non Collusion. The bidder certifies that its bid is made without any previous understanding, agreement or connection with any person, firm or corporation making a bid for the same product as is in all respects fair, without outside control, collusion, fraud or otherwise illegal action.

13. Bid Specifications. The attached specifications are intended to be descriptive of the type and quality of product the District desires to purchase. Any exceptions or substitutions to the Bid Scope & Specification must be clearly noted on Bid-Form Schedule. District reserves the right to determine if products meet equal value. Bidders will not be allowed to make unauthorized substitutions after award is made.

Las Virgenes Municipal Water District Instructions to Bidders

- 14. Confidential Information.** Bids containing confidential proprietary technical information or trade secrets which if publicly disclosed may cause substantial injury to the Bidder's competitive position must be clearly noted. It is the bidder's responsibility to clearly note any confidential design information as such.
- 15. Pre-bid Inspection.** N/A
- 16. Subcontractors.** Subcontractors are not allowed on this project. IRS regulations require all employees be issued a W-2 form. Any worker issued a 1099 in lieu of or in conjunction with a W-2 will be considered a sub-contractor. At any time during the contract the District may request payroll records to verify workers are employees and not subcontractors.
- 17. Inflation Indicator.** Bidder must list a specific set inflation indicator for annual renewal periods or state none in area provided on the bid-form schedule. Inflation indicator may be a flat percentage or based on a specific nationally published indicator such as a Bureau of Labor Statistics Consumer Price Index or Producer Price Index. Renewals will be based on listed indicator.
- 18. Special Conditions.**
- a. Bid prices shall be F.O.B. Destination, Freight Pre-paid and allowed to Tapia Water Reclamation Facility, 731 Malibu Canyon Road, Calabasas, CA 91302, or other designated address within the District's service area. Refer to *Bid Scope & Specifications, Additional Conditions, 2. Delivery* for more detailed information.
 - b. Any and all related fees associated with this bid shall be included in Bid Form-Schedule and extended bid total submitted by bidder. The District is located in Los Angeles County which, as of the date of this invitation to bid, has a sales tax rate of 9.5%.
 - i. It is the bidder's responsibility to list all regulatory fees and taxes in the area provided on the bid schedule that may affect the pricing during the contract period.
 - c. Any exceptions or modifications to the Bid Scope & Specifications or District's Standard Purchase Order Terms and Conditions (Exhibit A) proposed by bidder must be clearly noted in area provided on Bid-Form Schedule.
 - d. District has 90 days from the bid due date to accept bid pricing.

**Las Virgenes Municipal Water District
Bid Form-Schedule
Sodium Bisulfite**

The undersigned states and declares as follows: that the bidder has carefully read and examined the Bid Documents; Bid Notice; Instruction to Bidders; Bid Specifications including exhibits; Bid Form-Schedule; and that the bidder will comply with the bid terms and conditions. The undersigned agrees to supply and deliver materials in strict conformity with the specifications and instructions enclosed with the Invitation for Bids for the prices set forth below in this bid schedule.

It is understood that this bid shall remain open and shall not be withdrawn for a period of ninety (90) days from the date prescribed for the opening of the bid.

It is further agreed that the materials/services to be furnished under this bid shall be delivered at such time and in such quantities as called for by the Las Virgenes Municipal Water District. The District may extend the term of this contract by written notice to the supplier at the end of the contract period.

CONTRACT TERM as follows: initial contract term shall be good for one (1) year from date of contract execution. Four (4) additional one (1) year renewals may be negotiated at the District's option.

Materials to be furnished under this bid shall be delivered FOB Destination Freight Pre-Paid and Allowed to Las Virgenes Municipal Water District's Tapia Water Reclamation Facility, 731 Malibu Canyon Road, Calabasas, CA 91302 in the manner set forth in the Bid Scope and Specifications.

All bidders are required to submit the following information with their bid

- Completed Bid Form-Schedule
- Inflation Indicator
- Contact information for three public entities the bidder is currently supplying with Sodium Bisulfite
- Product information/technical data sheet
- Global Harmonized System-Safety Data Sheet (GHS-SDS)

The bidder's authorized officer identified below hereby declares that the representations in this bid are true and correct and of my own personal knowledge, and that these representations are made under penalty of perjury under the laws of the State of California, and that I am duly authorized to bind this bidder to this bid.

>>>continued on next page<<<

Bid Item No.	Quantity	Unit of Measure UOM	Description (Refer to Bid Scope & Specifications for detailed description)	Unit Price	Extended Price
1.	126,000	gallon	Sodium Bisulfite Solution	2.14	\$ 269,640.00
					\$ 0.00
Total Bid					\$269,640.00

Written Total Bid Amount:

Two hundred-sixty nine thousand, six hundred and forty dollars and zero cents

State Inflation Indicator (refer to Instructions to Bidders Item 16 for details):

PPI Index for Chemicals on changes to the price WPU061 after year 1 firmness

Notes or Exceptions:

Addendum Acknowledgement (if applicable):

Addendum #1 Signed: N/A

Addendum #2 Signed: _____

Addendum #3 Signed: _____

RFI attached - [Signature]

>>>continued on next page<<<

Bidder:

Univar Solutions USA Inc. 9/13/2023
Corporate Name of Bidder Date

By:  Sr. Municipal Bid Specialist
Authorized Signature Title

Jennifer M. Perras jennifer.perras@univarsolutions.com
Print Name E-mail

253-872-5040
Phone

8201 S 212th St., Kent, WA 98032 253-872-5040
Address Mobile

Las Virgenes Municipal Water District Sodium Bisulfite—Annual Supply

Overview:

The Las Virgenes Municipal Water District (District) serves the western edge of Los Angeles County including the cities of Agoura Hills, Calabasas, Hidden Hills and Westlake Village. The District occupies 122 square miles and services a population of approximately 70,000. The District provides potable water, recycled water, and sanitation (wastewater) services to its customers through three separate enterprise funds. The sanitation and recycled water services are provided through a Joint Powers Authority with the Triunfo Sanitation District.

Las Virgenes Municipal Water District is organized under the Municipal Water District Act of 1911 (California Water Code 7100). A five-member board of directors, each elected by geographic divisions, provides governance. Directors serve overlapping four-year terms, and every two years - concurrent with installation of the newly elected board – they select board officers. The board also selects a local representative from LVMWD to serve on the Board of Directors of the Metropolitan Water District of Southern California.

The District is seeking bids for the annual supply and delivery of Sodium Bisulfite to its Tapia Water Reclamation Facility distribution systems. Initial purchase order contract period will be for one (1) year with four (4) possible one (1) year renewal periods at the District's option. Product will be purchased on an as needed basis throughout the contract period. The purpose of this bid is to ensure set pricing for the duration of the contract period, allow for expedited delivery upon order release, and secure a quantity discount.

General Information:

The District uses sodium bisulfite for dechlorination of recycled water prior to discharge to Malibu Creek or the Los Angeles River. Bulk shipments are required approximately every two-three weeks. Each bulk truck transfer trailer load is approximately 4200 gallons. The intent of this bid is to establish an annual purchase order "PO" contract with four possible one-year renewals to ensure favorable pricing based on total volume. Order releases will be made by District staff throughout the course of the PO contract period.

Quantity:

It is projected that 126,000 gallons will be used annually; 630,000 gallons over a five-year period.

Unit of Measure:

Unit of measure shall be gallons.

Specifications:

- Sodium Bisulfite Solution
- Approximately 38-40% available NaHSO₂ by weight
- Suitable for dechlorination

Additional Conditions:

1. Samples: Prior to award of bid and execution of contract supplier may be required to provide samples for jar testing at no charge for 30 days to ensure proposed product meets District process requirements
2. Delivery:
 - a. Stated unit price must include delivery to the District's Tapia Water Reclamation Facility located at 731 Malibu Canyon Road, Calabasas, CA 91302.
 - b. Product shall be delivered via truck transfer trailer load within 2 business days (Monday-Friday) after receipt of District's order.
 - c. Delivery shall occur during off-peak hours of 9:00 a.m. to 2:00 p.m. and must be coordinated with Tapia Water Reclamation Facility operations personnel.
 - d. Delivery vehicle shall be in good condition and operated by supplier. Vehicle shall conform to all applicable state, federal, and local regulations. Vehicle must be fully maintained and be able to safely transport and deliver chemical.
 - e. Delivery driver shall be trained and experienced in handling the chemical, including being trained to stop chemical flow in the event of an emergency. Proof of this training and experience may be required by the District at any time during the contract period.
 - f. Posted speed limit at delivery location shall be observed at all times.
 - g. Supplier is responsible for pumping unit and piping to permit safe transfer of chemical to District. Any needed hoses, fittings, and other appurtenances shall be provided by supplier in good working condition and absent of any leaks.
 - h. Unloading at time of delivery shall be done in a safe manner in the presence of a District plant operator. Appropriate protective clothing shall be worn and safe practices and procedures shall be followed at all times.
 - i. Product will not be considered delivered and title will not transfer until it has been safely off loaded into the District's tank/holding facility by supplier.
3. Quantity
 - a. Quantity listed in Bid Scope & Specifications is an estimate; bid pricing shall remain firm while actual quantity will vary. No minimum is guaranteed.
 - b. Quantity shall be determined by empty and full weight certificates at the supplier's location on a certified truck scale. Copies of weighmasters' certificates must be provided for each delivery with a Bill of Lading/Packing List at time of delivery.
4. Unit of Measure: Unit of measure on bid form-schedule is gallon; unit cost shall include all aspects listed in above specifications.
5. Invoice: A separate invoice is required for each delivery. Invoices shall be paid within 30 days of receipt of correctly prepared invoice or receipt of the product, whichever is later.
6. Pricing: All orders placed during the contract period shall receive contract pricing. Orders placed at end of contract period shall receive pricing as of that day.
7. Sales Tax: Due to intended use, product is not subject to California Sales & Use Tax.
8. Regulatory Guidelines: All federal, local, state, and other governing bodies regulatory guidelines must be followed at all times during delivery, including but not limited to OSHA.

9. **Compliance:** District may require supplier to furnish an affidavit of product compliance with the specifications, a certified chemical analysis, and preventative maintenance schedule of delivery truck unloading compressor at any time during the contract period.
10. **Contract:** Refer to Exhibit A for the District's standard purchase order terms and conditions. An annual purchase order contract will be issued to the successful bidder Any exceptions to the contract must be clearly noted in exceptions section of the Bid Form-Schedule.
11. **Emergency Contact:** Supplier must supply a 24-hour emergency contact phone number to the District.

Purchase Order Terms and Conditions

1. **Acceptance.** By accepting this Purchase Order, Vendor agrees to comply with these terms and conditions. Vendor shall sell and deliver, and Las Virgenes Municipal Water District (the "District") shall purchase, the goods, material and/or items described above (the "Goods"). The Goods must comply with this Purchase Order and the notice inviting bids and information to bidders, (if any). The Goods shall be new (unless stated otherwise on this Purchase Order), sold and purchased at prices set forth above.
2. **Delivery.** Vendor's carrier shall deliver the Goods FOB at the location set forth above. Vendor to pay all freight costs unless otherwise noted on front of Purchase Order; FOB Destination Freight Prepaid and Allowed. Goods shall be delivered no later than the date set forth above. Time is of the essence. Any delivery of Goods prior to issuance of a Purchase Order shall be at the Vendors sole risk. The District will not be obligated to return or pay for any Goods delivered without a Purchase Order. It will be the Vendors responsibility to pick up any Goods delivered without a Purchase Order.
3. **Compliance with Law.** The design and manufacture of the Goods shall comply with all applicable federal, state and local laws and regulations.
4. **Governing Law.** This Agreement shall be construed in accordance with and governed by the laws of the State of California.
5. **Risk of Loss.** Vendor shall bear the risk of loss of or damage to Goods until such time as District takes actual possession of Goods by moving them from the point of delivery.
6. **Substitutions.** No substitution will be permitted without the written consent of District. If Vendor proposes any substitution, Vendor guarantees that the substitution is equal in quality, capacity, durability, ease of maintenance, and ease of installation to the Goods originally specified.
7. **Changes.** District, by written order, may delete Goods to be supplied under this Purchase Order, and the Purchase Order price will be equitably reduced and the Purchase Order shall be modified in writing accordingly. District, by written order, may order an increase in Goods to be supplied, and the Purchase Order price will be equitably increased. If unit prices are stated, the reduction or increase shall be calculated at the unit prices stated in the Purchase Order. If no unit prices are stated, Vendor shall promptly, at the request of District, quote prices, and District shall promptly accept or reject the quote.
8. **Blanket or Annual Purchase Orders.** For Blanket or Annual Purchase Orders, the quantity amounts reflect estimated needs of the District for the term of the order and actual quantity purchased may vary higher or lower.
9. **Inspection and Testing.** All Goods will be subject to final inspection and approval after delivery. Payment for the Goods will not constitute final acceptance. Vendor at its cost shall remove and replace any Goods that District designates as nonconforming or defective. District's failure to inspect does not relieve Seller of any responsibility to perform according to the terms of the Purchase Order.
10. **Indemnification.** Vendor shall indemnify, defend, protect, and hold harmless District, and its officers, employees, volunteers and agents from and against any and all liability, losses, claims, damages, expenses, demands, lawsuits, administrative proceedings, arbitrations, and costs (including, but not limited to, attorney, expert witness and consultant fees, and litigation costs) of every nature arising out of breach of this Purchase Order or negligent or wrongful act of Vendor. This indemnification provision shall not apply to claims, liability, loss or damage caused by the sole negligence or willful misconduct of District.
11. **Warranty.** Vendor warrants that all Goods and related services to be supplied by it under this Purchase Order are fit and sufficient for the purpose intended; that all Goods and related services will conform to the specifications, drawing samples or other descriptions specified by the District; that the Goods are new, merchantable, good quality and free from defects (whether patent or latent) in material and workmanship; that all workmanship and Goods to be provided are of the best grade and quality; and, that it has good and clear title to all Goods to be supplied by it and the same are free and clear from all liens, encumbrances and security interests. For a period of one year after delivery of the Goods, Vendor shall at its own expense replace or repair defective Goods at the request of District.
12. **Payment.** Payment will be made within 30 days after receipt of a properly prepared invoice or receipt of goods, whichever is later. District may withhold 10% of the price until the Goods are installed, tested, and operating. District shall pay all applicable sales and use taxes. The District is not responsible for payment of any Good delivered without a valid Purchase Order in effect.
13. **Force Majeure.** Except for defaults of Seller's subcontractors at any tier, neither District nor Vendor shall be liable for any failure to perform due to any cause beyond their reasonable control and without their fault or negligence. Such causes include, but are not limited to, acts of God or of the public enemy, acts of the Government in either its sovereign or contractual capacity, fires, floods, epidemics, terrorism, quarantine restrictions, strikes, freight embargoes, and unusually severe weather. In the event that performance of this Purchase Order is hindered, delayed or adversely affected by causes of the type described above ("Force Majeure"), then the party whose performance is so affected shall so notify the other party's authorized representative in writing and, at District's option, this Purchase Order shall be completed with such adjustments as are reasonably required by the existence of Force Majeure or this Purchase Order may be terminated for convenience.
14. **Termination.** District may terminate this Purchase Order at any time with or without cause and such termination shall not constitute default. In the event of partial termination, Vendor is not excused from performance of the non-terminated balance of work under this Purchase Order. The District shall pay the vendor for any portion of the order that is completed prior to termination.
15. **Integration.** This Purchase Order constitutes the sole, final, complete, exclusive and integrated expression and statement of the terms of this contract among the parties concerning the subject matter addressed herein, and supersedes all prior and contemporaneous negotiations, representations and agreements, either oral or written, that may be related to the subject matter of this Purchase Order, except those other documents that are expressly referenced in this Purchase Order.
16. **Severability.** If any provision of this Agreement shall be deemed to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.
17. **Waiver.** The waiver at any time by any party of its rights with respect to a default or other matter arising in connection with this Purchase Order shall not be deemed a waiver with respect to any subsequent default or matter. No payment by District to Vendor shall be considered or construed to be an approval or acceptance of any defective goods or any other breach or default.
18. **Attorney's Fees.** In the event any legal action is brought to enforce or construe this Purchase Order, the prevailing party shall be entitled to an award of reasonable attorney's fees, expert witness and consulting fees, litigation costs and costs of suit.
19. **Disputes.** If a dispute arises in any way arising out of or relating to this Agreement or the breach thereof, or relating to its application or interpretation, the aggrieved party will notify the other party of the dispute in writing within twenty days after such dispute arises and the parties will meet and confer within thirty days after delivery of such notice to attempt to resolve the dispute. If the parties are unable to resolve the dispute to their mutual, the District reserves its right to seek appropriate legal remedies.
20. **Remedies.** Except as otherwise provided herein, the rights and remedies of both parties hereunder shall be in addition to their rights and remedies at law or in equity. Failure of either party to enforce any of its rights shall not constitute a waiver of such rights or of any other rights and shall not be construed as a waiver or relinquishment of any such provisions, rights or remedies.
21. **Insurance.** Any vendor performing a service on District property or a District job site is required to have insurance. The District's minimum standard insurance requirements are as follows: General Liability with \$1 million per occurrence and \$2 million aggregate, Insured Autos \$1 million, and Worker's Compensation CA State Statutory Requirements. Additional insurance may be required. If so, it will be stated on front of PO or other related contract documents. Insurance certificates and endorsements specifically naming "Las Virgenes Municipal Water District, its officers, employees, and agents" as additional insured are required before any work is performed.
22. **Rentals.** For the purpose of calculating rental periods, one day is 24 hours (from time of delivery), one week is seven calendar days and one month is 30 calendar days, unless specified otherwise on the front of Purchase Order. Items are to be considered off rent at the time a pick-up is called in to vendor.
23. **Assignment.** Vendor shall not assign, sell or otherwise transfer any obligation or interest in this Agreement without the specific written consent of the District.
24. **Modifications.** Any modifications or exceptions to these Terms and Conditions will be stated on the front of the Purchase Order.

Univar Solutions USA Inc.
8201 S. 212th
Kent, WA 98032-1994
USA

T 253-872-5000
F 253-572-5041
www.univarusa.com



References

1. City & County of San Francisco
1 Dr. Carlton B Goodlett Place
San Francisco, CA 94102

Contact: Lin Repola- linda.repola@sfgov.org or David Agam- dagam@sfgwater.org
Phone: 415-554-4564 | Cell: 415-867-6469

Supply and Delivery of Bulk Sodium Hypochlorite, Caustic Soda and Sodium Bisulfite servicing for the past 10 years.

2. East Bay Mud
PO Box
Oakland, CA 946231

Contact: John Grimes, Purchasing
Email- john.grimes@ebmud.com

Supply and Delivery of Bulk Sodium Hypochlorite, Bulk Caustic Soda servicing for the past 10years.

3. City of Riverside
WTP
San Bernardino, CA 92408

Contact: Shiloh Rogers, Procurement & Contract Specialist

Email- SARogers@riverside.gov
Phone 951-826-5562

Supply and Delivery of Sodium Hypochlorite servicing for the past 4+ years.

[addressee]
[date]
[page #]

4. BACC-Bay Area Chemical Consortium
Over 100 locations within Northern California

Contact: each city, info listed below.

Supply and Delivery of Sodium Hypochlorite, Caustic Soda, Sodium Bisulfite servicing for the past 6 years.

- City of Stockton, CA – Kathryn Garcia Kathryn.Garcia@stocktonca.gov
Phone: 209-937-8232
- City of Turlock, CA- Lisa Quiroga equiroga@turlock.ca.us
Phone: 209-668-5402
- Marin Municipal, CA- Jim Kenney jkenney@marinwater.org
Phone: 415-945-1501

5. City of Los Angeles
Los Angeles, CA

Contact: Katherin Quinn-

Email: Katherine.Quinn@lacity.org

Phone: 310-648-5665

Supply and Delivery of Sodium Hypochlorite for the past 4+ years

6. County Sanitation Districts of Los Angeles County
PO Box 7998
Whittier, CA 90607-4998

Contact: Martha Ibarra

Emails: mibarra@lacsdsd.org

Phone: (562) 908-4288 ext. 1423

For Supply and Delivery of Bulk Sodium Hydroxide (Caustic Soda) 50% and Calcium Hydroxide 45%, have been servicing for 6 years

Over the past 10 years, Univar has participated in 100's of Municipal bids, we have listed the 6 projects represent our capabilities in California.

All of our operational personnel participated in making sure all delivery requirements were met to each customer.

Our customer service department takes care of all orders, they communicate with operations and the customer to make sure all requests are satisfied.

We meet 100% of our contractual obligations; any municipality that is under contract with Univar is serviced first if there is a shortage in the product line.

NACD Responsible Distribution Process Code of Management Practice

Each member company shall have an active program designed to continuously improve safety and reduce incidents. This Code does not impose upon member companies any obligation to guarantee compliance by third parties, i.e., parties over whom the member companies have no control. This program shall include:

I. Risk Management

- A. Senior management commitment, through policy, communications, and resources, to on-going improvements in chemical distribution safety.
- B. Regular review with suppliers of the hazards of materials.
- C. Identification and implementation of risk reduction measures.

II. Compliance Review and Training

- A. A process for monitoring regulations and industry practices for their application to chemical distribution activities.
- B. A process for implementing applicable regulations and industry practices that apply to chemical distribution activities.
- C. Training for all employees in the implementation of applicable regulations, as well as member company's specific requirements.
- D. A process for review of employee compliance with applicable regulations and member company's specific requirements and review of outside contractor and re-seller compliance with member company's specific requirements.

III. Carrier Selection

- A. A process for selecting carriers to transport chemicals that includes carrier safety and fitness, security, regulatory compliance, and performance review.

IV. Handling and Storage

- A. Procedures for ensuring that containers are appropriate for the chemical being shipped, comply with regulatory requirements, and are free from leaks and visible defects.
- B. Criteria for the cleaning and re-use of transportation equipment and chemical containers, and the proper disposal of cleaning residues.
- C. Procedures for loading and unloading chemicals at the member company's facilities that result in protection of personnel, a reduction in emissions to the environment, and ensures that chemicals are loaded and unloaded into and out of proper storage facilities.
- D. A program for providing manufacturer guidance and information to customers, warehouses, terminals and/or carriers on procedures for loading, unloading, and/or storing chemicals.
- E. A process for selecting owned and contracted facilities and sites for chemical storage or handling that emphasizes safety, fitness and includes reviews.
- F. Documentation of current operating procedures for handling and storing chemicals.
- G. Facility design, construction, maintenance, inspection, and security practices that promote facility integrity, consistent with recognized codes and regulations.
- H. Develop a process for addressing chemical site and chemical transportation security.
- I. Provisions for control of processes and equipment during emergencies resulting from natural events, utility disruptions, and other external conditions.
- J. Procedures to properly label and mark packages and containers.

V. Job Procedures and Training

- A. Identification of the skills and knowledge necessary to perform each job.
- B. Establishment of procedures and work practices for safe operating and maintenance activities.
- C. Training for all personnel to reach and maintain proficiency in safe work practices and the skills and knowledge necessary to perform their job, including confirmation of competence.
- D. Programs designed to assure that personnel in safety critical jobs are fit for duty and are not compromised by external influences, including alcohol and drug abuse.
- E. Outside Contractors: In areas where hazardous materials are present, members shall have a process in place to inform contractors of the known hazards and the emergency action plan.

VI. Waste Management and Conservation Practices

- A. Procedures to ensure that all self-generated waste and empty containers are disposed of in a responsible manner, and in accordance with existing regulations.
- B. A clear commitment by senior management through policy communications, resources, and programs to ongoing waste reductions and pollution prevention at each member facility.
- C. A commitment to institute resource conservation measures.

VII. Emergency Response and Public Preparedness

- A. A process for responding to, reporting on, and investigating chemical distribution incidents and releases involving the member company's chemicals, and implementation of appropriate preventive measures developed from that investigative process.
- B. A system of internal investigation, reporting, appropriate corrective action, and follow-up for each incident and/or near miss that result or could have resulted in chemical incidents or releases.
- C. Procedures for making emergency response information concerning the member company's chemicals available to response agencies.

- D. Communication with state and/or local emergency planning commissions and response organizations on the potential hazards of the member company's chemicals.
- E. Annual review, testing, and assessment of the operability of the member company's written emergency action and fire prevention plan and/or emergency response plan.
- F. Facility tours for first responders to promote emergency preparedness and to provide current knowledge of facility operations.
- G. Coordination of the written facility emergency response plan with the local emergency response team and other facilities. If no community plan exists, the facility should assist with efforts to create one.
- H. Participation in the Local Emergency Planning Committee's process to develop and periodically test the local emergency response plan.

VIII. Community Outreach

- A. Interaction with organizations, associations, government officials and/or the public on behalf of NACD's Responsible Distribution ProcessSM.
- B. Information and updated for employees on the Responsible Distribution ProcessSM to encourage key employees to become involved in community outreach efforts.
- C. Advocacy of responsible public policies and regulations for chemical distribution.

IX. Product Stewardship

Customers

- A. A process to qualify customers as prescribed by governmental regulation.
- B. Member companies should work with customers to foster appropriate dissemination of information on the proper use, handling and disposal of products commensurate with product risk. A member may decide to cease doing business with customers whose practices are clearly inconsistent with the Responsible Distribution ProcessSM.

X. Internal RDP Audits

- A. Member companies shall establish documented procedures for regularly scheduled INTERNAL AUDITS to verify the implementation of policies and procedures supporting the RDP Code of Management Practice. The audits will be used to evaluate the effectiveness of the policies and procedures. Internal Audits shall be done on a yearly basis beginning with successful completion of the Interim Verification Process.
- B. Audits shall be recorded and results brought to the attention of appropriate management personnel who must take timely corrective or preventive action. Annual audit results should be retained until the next Third-party On-Site Verification is completed.

XI. RDP Corrective and Preventive Action

- A. Member companies shall establish a CORRECTIVE AND PREVENTIVE ACTION system for RDP related issues. This system should permit the identification and communication of inadequacies or improvements in each member company's implementation of RDP.
- B. Member companies shall establish and maintain procedures for implementing corrective action and preventive actions arising from internal and external audits or other sources. Any corrective or preventive action taken to resolve the cause or RDP implementation inadequacy shall be appropriate, as determined by member company management, to the magnitude of the cause or inadequacy and commensurate with the risk involved.

XII. RDP Document and Data Control

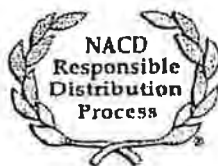
- A. Member companies shall establish and maintain a documented system to control all policies and procedures supporting RDP. In addition, member companies shall maintain a documented system to control the documents and data relating to RDP itself as issued by the National Association of Chemical Distributors (NACD).
- B. Data includes any of the above that is electronically stored and utilized.
- C. These documented procedures shall include provisions for review and approval of any new or revised policies and procedures by the authorized personnel within the member company.
- D. A master list or functionally equivalent document control system identifying the current version of each document shall be established and be readily available to preclude the use of invalid and/or obsolete documents. The system shall ensure that:

Changes to documents and data shall be reviewed and approved by the same function/organization that performed the original review and approval, unless specifically designated otherwise. These functions/organizations shall have access to pertinent background information upon which to base their review and approval. Where practical, the nature of the change shall be identified in the document or appropriate attachments.

NACD Responsible Distribution Process

Guiding Principles

1. To recognize and respond to community concerns about chemicals, their handling, and transportation.
2. To make health, safety, security, and environmental considerations a priority in our planning for all existing and new operations, products, processes, and facilities.
3. To inform emergency response officials, employees, customers, and the public of manufacturer's information on chemical-related health or environmental hazards, and the manufacturer's recommendations on protective measures.
4. To work with customers, in accordance with manufacturer's recommendations, on product stewardship including handling, use, transportation, and disposal of chemical products.
5. To operate our plants and facilities in a manner that protects the health and safety of our employees, the public and the environment.
6. To cooperate in resolving problems created by past handling and disposal of hazardous chemicals.
7. To participate with government and others in creating responsible laws, regulations, and practices to help safeguard the community, workplace, and environment.
8. To promote the principles and practices of Responsible Distribution ProcessSM by sharing experiences and offering assistance to others who produce, handle, use, transport, or dispose of chemicals.



RDP – What Is It?

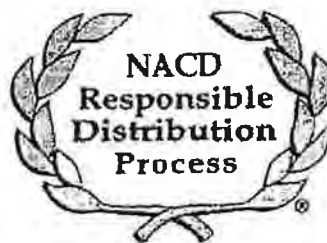
Univar is a member of the National Association of Chemical Distributors. This trade association developed the Responsible Distribution ProcessSM (RDP), which focuses on the responsible management and distribution of chemicals.

RDP emphasizes continual improvement in the health, safety, security, and environmental performance of all NACD member companies. This includes a commitment to comply with environmental, health and safety regulations; providing critical product safety information to employees, contractors and customers; while working with local communities and neighbors to respond to their needs. RDP consists of a set of Guiding Principles and the Code of Management Practice. This Code includes 47 specific requirements, divided into twelve sections:

- Risk Management
- Compliance Review and Training
- Carrier Selection
- Handling and Storage
- Job Procedures and Training
- Waste Management & Conservation
- Emergency Response/Public Preparedness
- Community Outreach
- Product Stewardship
- Internal RDP Audits
- RDP Corrective & Preventive Action
- RDP Document & Data Control

A key requirement of RDP and a condition of membership in NACD is verification of members' RDP policies and procedures by a third-party firm. Univar received the first Third-Party verification in 1995 and received a compliance certificate. We were re-certified in 2000 and again in 2004.

Univar maintains a leadership position in NACD, and remains firmly committed to the Responsible Distribution Process and its objective of promoting continual improvement in chemical handling and distribution.





**Univar Solutions USA Inc.
Safety Information**

I. INTRODUCTION

(A) Scope

Univar USA Inc. (UNIVAR) is committed to conducting its operations in a manner that minimizes the risk to the safety and health of our employees, customers, the public and the environment.

(B) Purpose

This Injury & Illness Prevention Program (IIPP) has been developed by UNIVAR for its employees who may be exposed to general and/or chemical hazards. This program meets the requirements of Senate Bill 198 enacted under California Labor Code Section 6401.7 and the General Industry Safety Orders Section 3203.

This IIPP represents only a portion of UNIVAR's Safety and Environmental Program. The program includes several written programs and manuals such as the Operating Standards Manual, Emergency Contingency Plan, Risk Management Program, Process Safety Management Program, Hazard Communication Program, Respiratory Protection Program, Confined Space Entry Program, Lock Out/Tag Out Program, Hot Work Program and Documentation Manual. The IIPP is not intended to be a standalone program but rather a supplement to all of the other current programs. The primary functions of this program are to inform employees of the regulation, highlight areas of occupational hazards, direct them to the proper means of minimizing the identified hazards and define the lines of communication between employees and management.

This IIPP is available for review by employees, government agencies, vendors, contractors or any other parties who have a need to examine the Program. The Program includes:



**Univar Solutions USA Inc.
Safety Information**

Employer Information:	Name, address, telephone number, type of business and main activity.
Administrator Information:	Person with the authority and responsibility to administer the program.
Safety & Health Hazard Evaluation:	A two step process which includes job classification and occupational hazard analysis.
Standard Operating Procedures/ Operating Standards:	Programs and procedures necessary to ensure employee safety and health in every aspect of their job.
Inspection Program:	Inspections are conducted: (1) when the IIPP is first established; (2) whenever new substances, processes, procedures, or equipment are introduced into the workplace; (3) whenever a new or previously unrecognized hazard is identified; (4) when occupational injuries or illnesses occur; and (5) whenever workplace conditions warrant an inspection. Scheduled daily, weekly and monthly inspections.
Training Program:	Employees receive initial, refresher and ongoing training as required.
Communication:	Provides a means to instruct employees on the hazards associated with each job classification; ensure employees' compliance with standard operating procedures and safe work practices; encourage employees to participate in the safety program and identify areas of concern and/or hazards.
Safety Award Program:	Company program that encourages and rewards employees for working safely.



**Univar Solutions USA Inc.
Safety Information**

Progressive Disciplinary Action Policy: Company policy that disciplines employees that do not perform their job functions according to

established policies, procedures and guidelines. These policies, procedures and guidelines have been developed to establish a safe working environment for all of our employees and any deviation from them will not be tolerated.

Recordkeeping Requirements: Includes this written program; hazard analysis; the OSHA 300 Log; Standard Operating Procedures; inspections; training; meeting records and disciplinary actions for a period of time prescribed

Program Reviews: Review and assess this and other company programs as required to ensure their effectiveness and applicability.

UNIVAR SOLUTIONS SECURITY PROGRAM

As an international distributor of industrial chemicals, a participant in the National Association of Chemical Distributors Responsible Distributor program, and an active member of the communities we serve, Univar Solutions USA Inc. (Univar) has long had policies and procedures in place to ensure the security of our products, facilities, employees and communities. The following summary outlines the major provisions of Univar's Security Program which reflects not only prudent measures to maximize the secure and safe handling of chemicals, but also the security requirements of various federal programs related to management of hazardous materials including DOT hazardous material transportation requirements, DHSCFAT program and Department of Commerce import rules among others. Note that this description is necessarily a broad overview of Univar's security program as various agencies limit the security related information that can be disclosed.

For our business partners that are C-TPAT certified please consider the following outline a demonstration of the degree to which Univar complies with C-TPAT security criteria.

BUSINESS PARTNER REQUIREMENT

Univar has a written and verifiable process for the selection of business partners including manufacturers, product suppliers and vendors. Other internal requirements such as; capability of meeting contractual security requirements and financial soundness are included in the verification process.

POINT OF ORIGIN

Univar ensures its foreign business partners have security criteria in place that enhances the integrity of the shipment at point of origin. Periodic reviews of foreign business partners' processes and facilities are conducted based on risk.

CONTAINER SECURITY

Container integrity is maintained as mandated by international cargo transport laws and regulations.

EN ROUTE SECURITY

Hazardous cargo is secured while in transit. Additionally, products and routes are annually evaluated to assess potential security risks.

COMMON CARRIER EVALUATION

In addition to the above security measures, Univar has taken steps to verify our common carriers' compliance with DOT's HM-232 rules. Each common carrier has been asked to certify their security compliance with regards to HM-232.

PERSONNEL SECURITY

Personnel security begins with hiring qualified employees. Univar has established policies and procedures to ensure we hire and maintain qualified employees. These policies and procedures include, but are not limited to:

- Pre-employment background checks
- Pre-employment and random drug tests for drivers and warehouse staff
- Policy on "Standards of Conduct" (included in the Employee Handbook)
- Policy on "Confidential Information" (included in the Employee Handbook)
- Checkout procedures for terminating employees
- Referral of illegal or criminal activities to law enforcement

PHYSICAL ACCESS CONTROLS & SECURITY, PROCEDURAL & IT SECURITY

SECURITY & VULNERABILITY ASSESSMENT

Due to the hazardous nature of the chemicals we manage and distribute, Univar constantly assesses its security and vulnerability concerning internal or external threats that could potentially disrupt operations or harm our employees, communities or the environment.

Univar's security program addresses the following potential sources of loss or disruption:

- Theft, vandalism, and break-ins
- Theft of confidential business information
- Sabotage of equipment, utilities, and records
- Product contamination and tampering
- Bomb threats
- Civil unrest disrupting plant access and operations
- Workplace violence and assaults

Additionally, Univar has developed a risk-based matrix to identify areas of concern and has taken steps to address those areas of concern.

The initial security evaluations periodically reviewed by the site security official to evaluate the integrity and effectiveness of security policies, procedures and systems.

UNAUTHORIZED ACCESS

Univar has established minimum facility security guidelines that must be implemented and adhered to by each facility. Those minimum guidelines include but are not limited to:

- Perimeter and warehouse security
- Equipment security
- Access controls for production areas, warehouses, utility facilities, and offices
- Signs to direct visitors and vehicles to the appropriate entry points
- Visitor control

Univar employees have been trained to question unescorted person(s) within the operating areas, and to be watchful for unusual activity on company property or in the immediate surrounding areas.

SITE SECURITY COORDINATOR

Each Univar facility has designated an employee, and an alternate, as the site security coordinator. This person(s) is responsible for performing the following security management functions:

- Prepare and implement a site specific security program consistent with the requirements herein
- Establish relationships with law enforcement and emergency response agencies
- Manage incident reporting procedures, conduct incident investigations, and if necessary, conduct investigations into breaches of company security policy
- Train employees about security awareness
- Address security issues in an emergency, participate in crisis management planning and ensure appropriate execution in emergency
- Periodically reassess the facility's site security program

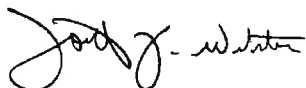
TRAINING

The Security Coordinator or his/her designee will train site personnel upon hire and every three years thereafter on the site security program. At a minimum, training includes:

- Company security objectives
- Specific site security procedures:
 - Product integrity
 - Personnel security
 - Facility security
 - En-route security
- Employee responsibilities

Should you have any general questions regarding Univar site and transit security program, please contact Jon Webster, Senior Vice President, North America Supply Chain & Operations at (425)241-7138 or Jeff Dixon, Director, International Trade Services at (281)543-8771.

Respectfully,



Jonathan (Jon) Webster
Senior Vice President
North America Supply Chain & Operations

COMMON CARRIER EVALUATION

In addition to the above security measures, Univar has taken steps to verify our common carriers' compliance with DOT's HM-232 rules. Each common carrier has been asked to certify their security compliance with regards to HM-232.

Should you have any questions regarding any of the items noted in this security program summary, please feel free to contact your local Univar representative or myself at (425) 889-3776.

Respectfully,



Ed Higbee
Director – Regulatory, Health & Safety

Univar USA Inc
 3950 NW Yeon Ave. Portland, OR
 97210
 503-222-1721
 www.univarusa.com

PRODUCT: Sodium Bisulfite 38%
GRADE: Technical
UNIVAR MATERIAL: 16140307
UNIVAR BATCH NUMBER: 0002955886
RAILCAR ID: UTLX 647145

TEST	SPECIFICATION	RESULTS
Turbidity	Record	14.9
pH at 25°C	5.0 - 5.4	5.2
Specific Gravity at 25°C	1.31– 1.35	1.35
% Sodium Bisulfite	38.0% - 39.0%	38.6%
% SO ₂	23.4% - 24.0%	23.8%

NOTE: The above specifications and test results were obtained from the Manufacturer's Certificate of Analysis



Certified to
 NSF/ANSI 60

Maximum use level (MUL) 46 mg/L. This Product is certified to NSF/ANSI Standard 60. drinking water treatment chemicals - health effects.

Univar USA Inc.

Reviewed
 By:

Joseph Spatola
 Joseph Spatola, Chemist

On

11 November 2022

Date

Please consult the SDS for further information. Univar Solutions represents only that the Product shall meet the specifications herein. All transactions involving this Product are subject to Univar Solutions' standard Terms and Conditions, available at www.univarsolutions.com or upon request. Univar Solutions makes no additional representations or warranties, express or implied, as to the Product. **QA 6.20 x 1; 03/05/2019**

Safety Data Sheet

SODIUM BISULFITE 38-42%

Version 1.8

Revision Date: 06/06/2023

SECTION 1. PRODUCT AND COMPANY IDENTIFICATION

Product name : SODIUM BISULFITE 38-42%

Recommended use of the chemical and restrictions on use

Recommended use : industrial chemical

Manufacturer or supplier's details

Company : Univar Solutions USA, Inc.
Address : 3075 Highland Pkwy Suite 200
 Downers Grove, IL 60515
 United States of America (USA)

Emergency telephone number:

Transport North America: CHEMTREC (1-800-424-9300)
 CHEMTREC INTERNATIONAL Tel # 703-527-3887

Additional Information: : Responsible Party: Product Compliance Department
 E-mail: SDSNA@univarsolutions.com
 SDS Requests: 1-855-429-2661
 Website: www.univarsolutions.com

SECTION 2. HAZARDS IDENTIFICATION

GHS Classification

Corrosive to metals : Category 1
Acute toxicity (Oral) : Category 4
Skin corrosion : Category 1C
Serious eye damage : Category 1
Specific target organ toxicity - single exposure : Category 3 (Respiratory system)

GHS label elements

Hazard pictograms :



Signal word : Danger

Hazard statements : H290 May be corrosive to metals.
 H302 Harmful if swallowed.
 H314 Causes severe skin burns and eye damage.
 H335 May cause respiratory irritation.

Precautionary statements : **Prevention:**
 P234 Keep only in original container.
 P261 Avoid breathing dust/ fume/ gas/ mist/ vapours/ spray.
 P264 Wash skin thoroughly after handling.
 P270 Do not eat, drink or smoke when using this product.
 P271 Use only outdoors or in a well-ventilated area.

Safety Data Sheet

SODIUM BISULFITE 38-42%

Version 1.8

Revision Date: 06/06/2023

P280 Wear protective gloves/ protective clothing/ eye protection/ face protection.

Response:

P301 + P312 + P330 IF SWALLOWED: Call a POISON CENTER/ doctor if you feel unwell. Rinse mouth.

P301 + P330 + P331 IF SWALLOWED: Rinse mouth. Do NOT induce vomiting.

P303 + P361 + P353 IF ON SKIN (or hair): Take off immediately all contaminated clothing. Rinse skin with water/ shower.

P304 + P340 + P310 IF INHALED: Remove person to fresh air and keep comfortable for breathing. Immediately call a POISON CENTER/ doctor.

P305 + P351 + P338 + P310 IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a POISON CENTER/ doctor.

P363 Wash contaminated clothing before reuse.

P390 Absorb spillage to prevent material damage.

Storage:

P403 + P233 Store in a well-ventilated place. Keep container tightly closed.

P405 Store locked up.

P406 Store in corrosive resistant container with a resistant inner liner.

Disposal:

P501 Dispose of contents/ container to an approved waste disposal plant.

Other hazards

None known.

SECTION 3. COMPOSITION/INFORMATION ON INGREDIENTS

Substance / Mixture : Mixture

Hazardous components

CAS-No.	Chemical name	Weight percent
7631-90-5	Sodium bisulfite	30 - 50

Actual concentration is withheld as a trade secret

Any Concentration shown as a range is due to batch variation.

SECTION 4. FIRST AID MEASURES

- General advice : Move out of dangerous area.
Consult a physician.
Show this safety data sheet to the doctor in attendance.
Do not leave the victim unattended.
- If inhaled : If unconscious, place in recovery position and seek medical advice.
If symptoms persist, call a physician.
- In case of skin contact : Immediate medical treatment is necessary as untreated wounds from corrosion of the skin heal slowly and with difficul-

Safety Data Sheet

SODIUM BISULFITE 38-42%

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In case of eye contact	<p>ty. If on skin, rinse well with water. If on clothes, remove clothes.</p> <p>: Small amounts splashed into eyes can cause irreversible tissue damage and blindness. In the case of contact with eyes, rinse immediately with plenty of water and seek medical advice. Continue rinsing eyes during transport to hospital. Remove contact lenses. Protect unharmed eye. Keep eye wide open while rinsing. If eye irritation persists, consult a specialist. Take victim immediately to hospital.</p>
If swallowed	<p>: Keep respiratory tract clear. Do NOT induce vomiting. Do not give milk or alcoholic beverages. Never give anything by mouth to an unconscious person. If symptoms persist, call a physician. Take victim immediately to hospital.</p>

SECTION 5. FIREFIGHTING MEASURES

Suitable extinguishing media	: Use extinguishing measures that are appropriate to local circumstances and the surrounding environment.
Unsuitable extinguishing media	: High volume water jet
Specific hazards during fire-fighting	: Do not allow run-off from fire fighting to enter drains or water courses.
Hazardous combustion products	: Carbon oxides Nitrogen oxides (NOx) sulfur oxides
Further information	: Collect contaminated fire extinguishing water separately. This must not be discharged into drains. Fire residues and contaminated fire extinguishing water must be disposed of in accordance with local regulations.
Special protective equipment for firefighters	: Wear self-contained breathing apparatus for firefighting if necessary.

SECTION 6. ACCIDENTAL RELEASE MEASURES

Personal precautions, protective equipment and emergency procedures	: Use personal protective equipment.
Environmental precautions	: Prevent product from entering drains. Prevent further leakage or spillage if safe to do so. If the product contaminates rivers and lakes or drains inform respective authorities.
Methods and materials for containment and cleaning up	: Soak up with inert absorbent material (e.g. sand, silica gel, acid binder, universal binder, sawdust).

Safety Data Sheet
SODIUM BISULFITE 38-42%

Version 1.8

Revision Date: 06/06/2023

Keep in suitable, closed containers for disposal.

SECTION 7. HANDLING AND STORAGE

- Advice on protection against fire and explosion : Normal measures for preventive fire protection.
- Advice on safe handling : Avoid formation of aerosol.
 Do not breathe vapours/dust.
 Avoid exposure - obtain special instructions before use.
 Avoid contact with skin and eyes.
 For personal protection see section 8.
 Smoking, eating and drinking should be prohibited in the application area.
 Provide sufficient air exchange and/or exhaust in work rooms.
 To avoid spills during handling keep bottle on a metal tray.
 Dispose of rinse water in accordance with local and national regulations.
- Conditions for safe storage : Keep container tightly closed in a dry and well-ventilated place.
 Containers which are opened must be carefully resealed and kept upright to prevent leakage.
 Observe label precautions.
 Electrical installations / working materials must comply with the technological safety standards.

SECTION 8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Components with workplace control parameters

CAS-No.	Components	Value type (Form of exposure)	Control parameters / Permissible concentration	Basis
7631-90-5	Sodium bisulfite	TWA	5 mg/m3	ACGIH
		TWA	5 mg/m3	NIOSH REL
		PEL	5 mg/m3	CAL PEL

Personal protective equipment

- Respiratory protection : General and local exhaust ventilation is recommended to maintain vapor exposures below recommended limits. Where concentrations are above recommended limits or are unknown, appropriate respiratory protection should be worn. Follow OSHA respirator regulations (29 CFR 1910.134) and use NIOSH/MSHA approved respirators. Protection provided by air purifying respirators against exposure to any hazardous chemical is limited. Use a positive pressure air supplied respirator if there is any potential for uncontrolled release, exposure levels are unknown, or any other circumstance where air purifying respirators may not provide adequate protection.

Hand protection

- Remarks : The suitability for a specific workplace should be discussed with the producers of the protective gloves.
- Eye protection : Eye wash bottle with pure water

Safety Data Sheet

SODIUM BISULFITE 38-42%

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Revision Date: 06/06/2023

Skin and body protection	: Tightly fitting safety goggles Wear face-shield and protective suit for abnormal processing problems.
Hygiene measures	: Impervious clothing Choose body protection according to the amount and concentration of the dangerous substance at the work place. : When using do not eat or drink. When using do not smoke. Wash hands before breaks and at the end of workday.

SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance	: liquid
Colour	: clear, yellow
Odour	: Sulfur dioxide odor
Odour Threshold	: No data available
pH	: 3.0 - 5.0
Freezing Point (Melting point/freezing point)	: 5 - 7 °C (41 - 45 °F)
Boiling Point (Boiling point/boiling range)	: 104 °C (219 °F)
Flash point	: does not flash
Evaporation rate	: No data available
Flammability (solid, gas)	: No data available
Upper explosion limit	: No data available
Lower explosion limit	: No data available
Vapour pressure	: No data available
Relative vapour density	: No data available
Relative density	: 1.31 - 1.38 @ 20 - 25 °C (68 - 77 °F) Reference substance: (water = 1)
Density	: No data available
Solubility(ies)	: soluble
Water solubility	: No data available
Solubility in other solvents	: No data available
Partition coefficient: n-octanol/water	: No data available
Auto-ignition temperature	: No data available
Thermal decomposition	: No data available

SECTION 10. STABILITY AND REACTIVITY

Reactivity	: No decomposition if stored and applied as directed.
Chemical stability	: Stable under normal conditions.
Possibility of hazardous reactions	: No decomposition if stored and applied as directed.
Conditions to avoid	: excessive heat
Incompatible materials	: Barium

Safety Data Sheet
SODIUM BISULFITE 38-42%

Version 1.8

Revision Date: 06/06/2023

Hazardous decomposition products	: Lead magnesium mercury or mercury alloys Potassium Silver Strong acids Strong oxidizing agents Aluminium Sulphur oxides Carbon oxides
----------------------------------	--

SECTION 11. TOXICOLOGICAL INFORMATION

Acute toxicity

Components:

7631-90-5:

Acute oral toxicity : LD50 (Rat): 1,700 mg/kg
 Assessment: The component/mixture is moderately toxic after single ingestion.

Acute inhalation toxicity : Remarks: No data available

Acute dermal toxicity : LD50 (Rabbit): > 2,000 mg/kg

Skin corrosion/irritation

Components:

7631-90-5:

Species: Rabbit
 Result: No skin irritation

Serious eye damage/eye irritation

Components:

7631-90-5:

Species: Rabbit
 Result: No eye irritation

Germ cell mutagenicity

Components:

7631-90-5:

Genotoxicity in vitro : Test Type: Ames test
 Species: Salmonella typhimurium
 Result: negative

Genotoxicity in vivo : Test Type: In vivo micronucleus test
 Species: Mouse

Safety Data Sheet
SODIUM BISULFITE 38-42%

Version 1.8

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Result: negative

Germ cell mutagenicity - Assessment : Tests on bacterial or mammalian cell cultures did not show mutagenic effects.

Carcinogenicity

Components:

7631-90-5:

Carcinogenicity - Assessment : Carcinogenicity classification not possible from current data.

IARC

No component of this product present at levels greater than or equal to 0.1% is identified as probable, possible or confirmed human carcinogen by IARC.

OSHA

No component of this product present at levels greater than or equal to 0.1% is on OSHA's list of regulated carcinogens.

NTP

No component of this product present at levels greater than or equal to 0.1% is identified as a known or anticipated carcinogen by NTP.

Reproductive toxicity

Components:

7631-90-5:

Teratogenicity - Assessment : No evidence of adverse effects on sexual function and fertility, or on development, based on animal experiments.

SECTION 12. ECOLOGICAL INFORMATION

Ecotoxicity

Components:

7631-90-5:

Toxicity to fish : LC50 (Leuciscus idus (Golden orfe)): > 100 mg/l
 Exposure time: 96 h

Toxicity to daphnia and other aquatic invertebrates : EC50 (Daphnia magna (Water flea)): 89 mg/l
 Exposure time: 48 h

Toxicity to algae : EC50 (Desmodesmus subspicatus (green algae)): 43.8 mg/l
 Exposure time: 72 h

Acute aquatic toxicity- Assessment : Harmful to aquatic life.

Chronic aquatic toxicity- Assessment : Harmful to aquatic life with long lasting effects.

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Persistence and degradability

No data available

Bioaccumulative potential

No data available

Mobility in soil

No data available

Other adverse effects**Product:**

- Ozone-Depletion Potential : Regulation: 40 CFR Protection of Environment; Part 82 Protection of Stratospheric Ozone - CAA Section 602 Class I Substances
Remarks: This product neither contains, nor was manufactured with a Class I or Class II ODS as defined by the U.S. Clean Air Act Section 602 (40 CFR 82, Subpt. A, App.A + B).
- Additional ecological information : An environmental hazard cannot be excluded in the event of unprofessional handling or disposal.
Harmful to aquatic life with long lasting effects.

SECTION 13. DISPOSAL CONSIDERATIONS**Disposal methods**

- Waste from residues : Dispose of in accordance with all applicable local, state and federal regulations.
For assistance with your waste management needs - including disposal, recycling and waste stream reduction, contact Univar Solutions ChemCare: 1-800-637-7922
- Contaminated packaging : Empty remaining contents.
Dispose of as unused product.
Do not re-use empty containers.

SECTION 14. TRANSPORT INFORMATION**DOT (Department of Transportation):**

UN2693, Bisulfites, aqueous solutions, n.o.s., 8, III

IATA (International Air Transport Association):

UN2693, BISULPHITES, AQUEOUS SOLUTION, N.O.S., (SODIUM BISULFITE) , 8, III

IMDG (International Maritime Dangerous Goods):

UN2693, BISULPHITES, AQUEOUS SOLUTION, N.O.S., (SODIUM BISULFITE), 8, III

Safety Data Sheet

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SECTION 15. REGULATORY INFORMATION

EPCRA - Emergency Planning and Community Right-to-Know Act

CERCLA Reportable Quantity

Components	CAS-No.	Component RQ (lbs)	Calculated product RQ (lbs)
Sodium bisulfite	7631-90-5	5000	11363

SARA 304 Extremely Hazardous Substances Reportable Quantity

This material does not contain any components with a section 304 EHS RQ.

SARA 311/312 Hazards : Corrosive to metals
 Acute toxicity (any route of exposure)
 Skin corrosion or irritation
 Serious eye damage or eye irritation
 Specific target organ toxicity (single or repeated exposure)

SARA 302 : This material does not contain any components with a section 302 EHS TPQ.

SARA 313 : This material does not contain any chemical components with known CAS numbers that exceed the threshold (De Minimis) reporting levels established by SARA Title III, Section 313.

Clean Air Act

This product does not contain any hazardous air pollutants (HAP), as defined by the U.S. Clean Air Act Section 112 (40 CFR 61).

This product does not contain any chemicals listed under the U.S. Clean Air Act Section 112(r) for Accidental Release Prevention (40 CFR 68.130, Subpart F).

This product does not contain any chemicals listed under the U.S. Clean Air Act Section 111 SOCM I Intermediate or Final VOC's (40 CFR 60.489).

Clean Water Act

The following Hazardous Substances are listed under the U.S. CleanWater Act, Section 311, Table 116.4A:

7631-90-5 Sodium bisulfite

The following Hazardous Chemicals are listed under the U.S. CleanWater Act, Section 311, Table 117.3:

7631-90-5 Sodium bisulfite

This product does not contain any toxic pollutants listed under the U.S. Clean Water Act Section 307

Massachusetts Right To Know

7631-90-5 Sodium bisulfite
 7757-82-6 Sodium sulphate

Pennsylvania Right To Know

7732-18-5 Water
 7631-90-5 Sodium bisulfite
 7757-82-6 Sodium sulphate

California Prop 65 : This product does not contain any chemicals known to State of California to cause cancer, birth defects, or any other reproductive harm.

Safety Data Sheet
SODIUM BISULFITE 38-42%

Version 1.8

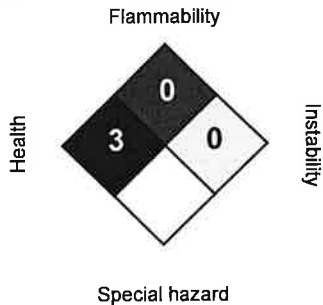
Revision Date: 06/06/2023

The components of this product are reported in the following inventories:

- TSCA : On the inventory, or in compliance with the inventory
- DSL : On the inventory, or in compliance with the inventory
- AICS : On the inventory, or in compliance with the inventory
- NZIoC : Not in compliance with the inventory
- ENCS : On the inventory, or in compliance with the inventory
- KECI : On the inventory, or in compliance with the inventory
- PICCS : On the inventory, or in compliance with the inventory
- IECSC : On the inventory, or in compliance with the inventory

SECTION 16. OTHER INFORMATION

NFPA:



HMIS III:

HEALTH	3/
FLAMMABILITY	0
PHYSICAL HAZARD	4

0 = not significant, 1 = Slight,
 2 = Moderate, 3 = High
 4 = Extreme, * = Chronic

The information accumulated is based on the data of which we are aware and is believed to be correct as of the date hereof. Since this information may be applied under conditions beyond our control and with which we may be unfamiliar and since data made become available subsequently to the date hereof, we do not assume any responsibility for the results of its use. Recipients are advised to confirm in advance of need that the information is current, applicable, and suitable to their circumstances. This SDS has been prepared by Univar Solutions Product Compliance Department (1-855-429-2661) SDSNA@univarsolutions.com.

Revision Date : 06/06/2023

Legacy SDS: : 100000039158

Material number:

16188835, 16182885, 16169588, 16169431, 16169874, 16174725, 16168692, 16169503, 16168771, 16178394, 16177763, 16176488, 16180412, 16173527, 16171247, 16152616,

Safety Data Sheet

SODIUM BISULFITE 38-42%

Version 1.8

Revision Date: 06/06/2023

16161345, 16158625, 16160028, 16153923, 16150080, 16155598, 16153889, 16141391, 16142787, 16153532, 16142748, 16135286, 16138245, 16138094, 16160213, 16158189, 16144938, 16142598, 16141906, 16141752, 16141724, 16141663, 16141298, 16140179, 16136870, 16135289, 506934, 71274, 16179260, 16173000, 16156115, 16153683, 16153705, 16153659, 16158373, 16154308, 16154408, 16153858, 16153751, 16156803, 16156802, 16156929, 16161388, 16154559, 16156451, 16154337, 16163644, 16140307, 16143734, 16153373, 16157287, 16153082, 16152814, 16154338, 16140952

Key or legend to abbreviations and acronyms used in the safety data sheet			
ACGIH	American Conference of Government Industrial Hygienists	LD50	Lethal Dose 50%
AICS	Australia, Inventory of Chemical Substances	LOAEL	Lowest Observed Adverse Effect Level
DSL	Canada, Domestic Substances List	NFPA	National Fire Protection Agency
NDSL	Canada, Non-Domestic Substances List	NIOSH	National Institute for Occupational Safety & Health
CNS	Central Nervous System	NTP	National Toxicology Program
CAS	Chemical Abstract Service	NZIoC	New Zealand Inventory of Chemicals
EC50	Effective Concentration	NOAEL	No Observable Adverse Effect Level
EC50	Effective Concentration 50%	NOEC	No Observed Effect Concentration
EGEST	EOSCA Generic Exposure Scenario Tool	OSHA	Occupational Safety & Health Administration
EOSCA	European Oilfield Specialty Chemicals Association	PEL	Permissible Exposure Limit
EINECS	European Inventory of Existing Chemical Substances	PICCS	Philippines Inventory of Commercial Chemical Substances
MAK	Germany Maximum Concentration Values	PRNT	Presumed Not Toxic
GHS	Globally Harmonized System	RCRA	Resource Conservation Recovery Act
>=	Greater Than or Equal To	STEL	Short-term Exposure Limit
IC50	Inhibition Concentration 50%	SARA	Superfund Amendments and Reauthorization Act.
IARC	International Agency for Research on Cancer	TLV	Threshold Limit Value
IECSC	Inventory of Existing Chemical Substances in China	TWA	Time Weighted Average
ENCS	Japan, Inventory of Existing and New Chemical Substances	TSCA	Toxic Substance Control Act
KECI	Korea, Existing Chemical Inventory	UVCB	Unknown or Variable Composition, Complex Reaction Products, and Biological Materials
<=	Less Than or Equal To	WHMIS	Workplace Hazardous Materials Information System
LC50	Lethal Concentration 50%		



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
05/31/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Services Central, Inc. Philadelphia PA Office 100 North 18th Street 15th Floor Philadelphia PA 19103 USA	CONTACT NAME: PHONE (A/C. No. Ext): (866) 283-7122 FAX (A/C. No.): 800-363-0105		
	E-MAIL ADDRESS:		
INSURED Univar Solutions USA Inc. 3075 Highland Parkway Suite 200 Downers Grove IL 60515 USA	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Illinois Union Insurance Company		27960
	INSURER B: ACE American Insurance Company		22667
	INSURER C: ACE Fire Underwriters Insurance Co.		20702
	INSURER D: Indemnity Insurance Co of North America		43575
	INSURER E:		
INSURER F:			

COVERAGES **CERTIFICATE NUMBER: 570099686202** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. **Limits shown are as requested**

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	SUBROGATION WAIVED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			XSLG47313600 SIR applies per policy terms & conditions	06/01/2023	06/01/2024	EACH OCCURRENCE \$3,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$3,000,000 MED EXP (Any one person) Excluded PERSONAL & ADV INJURY \$3,000,000 GENERAL AGGREGATE \$3,000,000 PRODUCTS - COMP/OP AGG \$3,000,000
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			ISA H10708436 Commercial Auto	06/01/2023	06/01/2024	COMBINED SINGLE LIMIT (Ea accident) \$5,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$5,000,000			XCEG27380566010	06/01/2023	06/01/2024	EACH OCCURRENCE \$4,000,000 AGGREGATE \$4,000,000
D	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WLRC70313443 AOS SCFC70313327 WI	06/01/2023	06/01/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE-EA EMPLOYEE \$1,000,000 E.L. DISEASE-POLICY LIMIT \$1,000,000
A	Environmental Site Liability			PPLG71507944002 Pollution-ClaimsMade Form SIR applies per policy terms & conditions	06/01/2022	06/01/2025	Aggregate \$16,000,000 Ea Condition \$1,000,000 SIR \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Evidence of Insurance.

CERTIFICATE HOLDER

Univar Solutions USA Inc.
3075 Highland Parkway
Suite 200
Downers Grove IL 60515 USA

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Aon Risk Services Central Inc.



LOC #:

ADDITIONAL REMARKS SCHEDULE

Page _ of _

AGENCY Aon Risk Services Central, Inc.		NAMED INSURED Univar Solutions USA Inc.	
POLICY NUMBER See Certificate Number: 570099686202		EFFECTIVE DATE:	
CARRIER See Certificate Number: 570099686202	NAIC CODE		

ADDITIONAL REMARKS

**THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance**

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER	
INSURER	
INSURER	
INSURER	

ADDITIONAL POLICIES If a policy below does not include limit information, refer to the corresponding policy on the ACORD certificate form for policy limits.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
	AUTOMOBILE LIABILITY							
B				MMT H10708540 Truckers Liability	06/01/2023	06/01/2024	Combined Single Limi	\$5,000,000
	WORKERS COMPENSATION							
B		N/A		WCUC70313364 Excess WC--CA OH OR,WA SIR applies per policy terms & conditions	06/01/2023	06/01/2024		
	OTHER							
	<input checked="" type="checkbox"/> Claims Made Form							

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Finance and Administration

SUBJECT: Supply and Delivery of Sodium Hypochlorite: Award

The Las Virgenes-Triunfo Joint Powers Authority (JPA) approved funding for this matter in the JPA Budget. On October 17, 2023, the LVMWD Board, acting as Administering Agent of the JPA, authorized an increase to the current purchase order, in the amount of \$130,000, to cover estimated costs for the remainder of the agreement term; accepted a bid from Pioneer Americas LLC; and authorized the General Manager to issue a one-year purchase order, in the amount of \$1,050,000, with four one-year renewal options using a mutually agreeable inflationary factor, for the supply and delivery of sodium hypochlorite.

SUMMARY:

On October 23, 2018, the Las Virgenes Municipal Water District (LVMWD) Board authorized a purchase order to Olin Corporation, now Pioneer Americas LLC, with four one-year renewal options for the supply and delivery of sodium hypochlorite. The District has exercised all four renewal options, and the current purchase order expires on October 31, 2023. Due to inflationary increases affecting the cost to procure sodium hypochlorite, funds for the current purchase order have been exhausted. A Request for Bids was released on August 25, 2023, to establish a new purchase order with four one-year renewal options for the supply and delivery of sodium hypochlorite. Sodium hypochlorite is used for the disinfection of the final effluent at the Tapia Water Reclamation Facility.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The total annual cost for the product is estimated to be \$1,050,000. Sufficient funds are available in the adopted Fiscal Year 2023-24 JPA and LVMWD Budgets and will be proposed in future year budgets. Pricing for renewal options will be based on a mutually-agreeable inflationary index such as the Producer Price Index for chemicals and allied products, not to exceed seven percent annually. Deliveries to the Tapia Water Reclamation Facility will be charged to the JPA and allocated 70.6 percent to LVMWD and 29.4 percent to Triunfo Water &

Sanitation District.

DISCUSSION:

Current Agreement:

Sodium hypochlorite is used for the disinfection of the final effluent at the Tapia Water Reclamation Facility. On September 20, 2018, a Request for Bids was released for the supply and delivery of sodium hypochlorite to establish a purchase order with four one-year renewal options. During Fiscal Year 2022-23, an unprecedented unit cost increase of over 200 percent was incurred. Sodium hypochlorite has experienced major cost increases due to market conditions for raw materials, trade tariffs, and transportation over the last year. The increase in cost has resulted in the need for an additional \$130,000 for the remaining term of the current contract through October 31, 2023. Current bid results support these cost increases and reflect comparable costs for sodium hypochlorite.

New Agreement:

A Request for Bids was posted on the District's website and sent to 11 different vendors that previously expressed interest in supplying the District and the JPA with chemicals. Three bids were received and publicly opened on September 14, 2023. Additionally, one other company responded it was unable to submit a bid at this time. Pioneer Americas LLC submitted the lowest responsible and responsive bid, in the amount of \$1,050,000. In compliance with the *Instructions to Bidders*, the award is based on total estimated annual cost. The proposed inflationary factor was a consideration, but it was not used as the basis for award.

During the bid review process, several irregularities were identified and considered. The apparent low bidder, JCI Jones Chemicals Inc., failed to provide a per unit price valid for an entire year and was deemed non-responsive. The unit price provided by JCI Jones included a note or exception indicating that the price would be subject to change quarterly upon 30 days written notice. The Request for Bids clearly instructed bidders to submit a unit cost for the duration of the contract period (one year).

Additionally, the extended bid total provided by HASA included tax; however, the unit price of the product did not include tax. Based on the intended use of the chemical, the product is not considered taxable. Regardless, the bid irregularity by HASA had no bearing on the recommendation as HASA's unit price was \$0.03 higher than that submitted by Pioneer Americas LLC.

Lastly, Pioneer Americas LLC was asked to clarify its proposed exceptions to the District's standard terms and conditions regarding additional requests for limitation of liability and edits to Section 10 of the indemnification section. Pioneer Americas LLC confirmed after review to waive any requests for the exceptions.

Bid Summary:

Following is a summary of the bids:

Bidder	Unit Price (\$/gallon)	Bid Total
--------	------------------------	-----------

JCI Jones Chemicals Inc.	\$1.682 (non-responsive)	\$841,000
Pioneer Americas, LLC (Olin Corp.)	\$2.10	\$1,050,000
HASA, Inc.	\$2.13	\$1,065,000

Prepared by: Liz Smith, Purchasing Supervisor

ATTACHMENTS:

[Sodium Hypochlorite Pioneer Americas LLC Bid.pdf](#)



ORIGINAL

Request for Bids

Sodium Hypochlorite
Annual Supply

August 2023

Las Virgenes Water District
4232 Las Virgenes Road
Calabasas, CA 91302
818-251-2115

Request for Information Deadline: September 7, 2023
Bids Due: September 14, 2023; 2:00 p.m.

Las Virgenes Municipal Water District Instructions to Bidders

- a. The District reserves the right to accept or reject any and all bids during the time for awarding the contract, and to waive any informality or irregularity in any bid. The District may reject any bid that does not comply with these instructions or other bid documents.
- b. Award shall be made on a comprehensive basis based on total estimated annual cost. At the District's discretion, Inflation indicator may be a consideration in final award.
- c. The award of the bid, if it is awarded, shall be to the lowest responsible responsive bidder whose bid complies with the requirements of the bid documents. Bidder responsibility is determined solely by the District.
- d. It is expected that bids will be considered by the District at the regularly scheduled Board Meeting on October 17, 2023. Notice of Award, if any will occur within seven business days following the meeting. Accompanying the District's Notice of Award will be a purchase order. The successful bidder will be required to send an order acceptance to the District within seven days following receipt of Notice of Award. Failure to do so shall be just cause for annulment of the award. In the event of failure of the lowest responsible responsive bidder to provide order confirmation to the District, the District may award to the next lowest responsible responsive bidder.

11. Insurance Requirements. Bidder at its' sole cost and expense shall procure and maintain for the duration of the project the following types and minimum limits of insurance: ***Strike through unnecessary coverage***

Type	Limits	Scope
General Liability (GL)	\$1,000,000 per occurrence/ \$2,000,000 aggregate	At least as broad as ISO occurrence from CG 0001
Product Liability	\$1,000,000 per occurrence/ \$2,000,000 aggregate	
Automotive Liability	\$1,000,000 per accident	At least as broad as ISO CA 0001 (code 1, any auto)
Workers Compensation	CA Statutory limits	
Employers' Liability	\$1,000,000 per occurrence	

- a. The general and automobile liability policy(ies) shall be endorsed (consistent with Ins. Code 11580.04) to name District, its officers, employees, and agents as additional insured regarding liability arising out of the Work. Bidder's coverage shall be primary and shall apply separately to each insurer subject to a claim or lawsuit, except with respect to the limits of the insurer's liability. District's insurance if any, shall be excess and shall not contribute with Bidder's insurance.
- b. Prior to commencing the Work, Bidder shall provide to District the following proof of insurance: (a) certificate(s) of insurance on ACORD Form 25-S (or insurer's equivalent) evidencing the required insurance coverages; and (b) endorsement(s) on ISO Form CG 2010 (or insurer's equivalent), signed by a person authorized to bind coverage on behalf of the insurer(s), certifying the additional insured coverages.

12. Non Collusion. The bidder certifies that its bid is made without any previous understanding, agreement or connection with any person, firm or corporation making a bid for the same product as is in all respects fair, without outside control, collusion, fraud or otherwise illegal action.

13. Bid Specifications. The attached specifications are intended to be descriptive of the type and quality of product the District desires to purchase. Any exceptions or substitutions to the Bid Scope & Specification must be clearly noted on Bid-Form Schedule. District reserves the right to determine if products meet equal value. Bidders will not be allowed to make unauthorized substitutions after award is made.

**Las Virgenes Municipal Water District
Bid Form-Schedule
Sodium Hypochlorite**

The undersigned states and declares as follows: that the bidder has carefully read and examined the Bid Documents; Bid Notice; Instruction to Bidders; Bid Specifications including exhibits; Bid Form-Schedule; and that the bidder will comply with the bid terms and conditions. The undersigned agrees to supply and deliver materials in strict conformity with the specifications and instructions enclosed with the Invitation for Bids for the prices set forth below in this bid schedule.

It is understood that this bid shall remain open and shall not be withdrawn for a period of ninety (90) days from the date prescribed for the opening of the bid.

It is further agreed that the materials/services to be furnished under this bid shall be delivered at such time and in such quantities as called for by the Las Virgenes Municipal Water District. The District may extend the term of this contract by written notice to the supplier at the end of the contract period.

CONTRACT TERM as follows: initial contract term shall be good for one (1) year from date of contract execution. Four (4) additional one (1) year renewals may be negotiated at the District's option.

Materials to be furnished under this bid shall be delivered FOB Destination Freight Pre-Paid and Allowed to Las Virgenes Municipal Water District's Tapia Water Reclamation Facility, 731 Malibu Canyon Road, Calabasas, CA 91302 and Westlake Filtration Plant, 32601 Torchwood Place, Westlake Village, CA 91361 in the manner set forth in the Bid Scope and Specifications.

All bidders are required to submit the following information with their bid

- Completed Bid Form-Schedule
- Inflation Indicator
- Contact information for three public entities the bidder is currently supplying with Sodium Bisulfite
- Product information/technical data sheet
- Global Harmonized System-Safety Data Sheet (GHS-SDS)

The bidder's authorized officer identified below hereby declares that the representations in this bid are true and correct and of my own personal knowledge, and that these representations are made under penalty of perjury under the laws of the State of California, and that I am duly authorized to bind this bidder to this bid.

>>>continued on next page<<<

Bid Item No.	Quantity	Unit of Measure UOM	Description (Refer to Bid Scope & Specifications for detailed description)	Unit Price	Extended Price
1.	500,000	gallon	Sodium Hypochlorite	\$2.10	\$1,050,000.00
			Calif. Envir. Tax 2.10%	0.0210	\$ 22,050.00
			Superfund Surcharge 0.004/gal.	\$0.004	\$ 2,000.00
					0.00
Total Bid					\$1,074,050.00

Written Total Bid Amount:

One million, seventy four thousand, fifty dollars and zero cents.

State Inflation Indicator (refer to Instructions to Bidders Item 16 for details):

5% to 7% per year maximum

Notes or Exceptions:

- Include: LIMITATION OF LIABILITY. In no event shall either party be liable for any incidental or consequential damages arising in connection with this contract or the product sold herunder.
- Remove the word "sole" from Section 10 (indemnification).
- CA Envir. Mill Tax calculation: $\$1,050,000.00 \times 0.0210 = \$22,050.00$
- Superfund Surcharge calculation: $500,000 \text{ gal.} \times \$0.004 = \$2,000.00$

Addendum Acknowledgement (if applicable):

Addendum #1 Signed: _____


Addendum #2 Signed: _____

Addendum #3 Signed: _____

>>>continued on next page<<<

Bidder:

Pioneer Americas LLC is a wholly subsidiary of Olin Corporation 9/17/2023
Corporate Name of Bidder Date

 Business Director
By: Authorized Signature Title:

Linas Staskevicius OWCMarketing_BidTeam@olin.com
Print Name E-mail

(423) 336-4412
Phone

490 Stuart Road, NE N/A
Cleveland, TN 37312
Address Mobile

Las Virgenes Municipal Water District Sodium Hypochlorite—Annual Supply

Overview:

The Las Virgenes Municipal Water District (District) serves the western edge of Los Angeles County including the cities of Agoura Hills, Calabasas, Hidden Hills and Westlake Village. The District occupies 122 square miles and services a population of approximately 70,000. The District provides potable water, recycled water, and sanitation (wastewater) services to its customers through three separate enterprise funds. The sanitation and recycled water services are provided through a Joint Powers Authority with the Triunfo Sanitation District.

Las Virgenes Municipal Water District is organized under the Municipal Water District Act of 1911 (California Water Code 7100). A five-member board of directors, each elected by geographic divisions, provides governance. Directors serve overlapping four-year terms, and every two years - concurrent with installation of the newly elected board – they select board officers. The board also selects a local representative from LVMWD to serve on the Board of Directors of the Metropolitan Water District of Southern California.

The District is seeking bids for an annual contract for the supply and delivery of Sodium Hypochlorite to its Tapia Water Reclamation Facility and Westlake Filtration Plant locations. Initial purchase order contract period will be for one (1) year with four (4) possible one (1) year renewal periods at the District’s option. Product will be purchased on an as needed basis throughout the contract period. The purpose of this bid is to ensure set pricing for the duration of the contract period, allow for expedited delivery upon order release, and secure a quantity discount.

General Information:

The District uses Sodium Hypochlorite for disinfection of effluent at the Tapia Water Reclamation Facility and for the treatment of potable water at the Westlake Filtration Plant. Orders for bulk truck transfer trailer loads, averaging 4900 gallons each load, are needed at both facilities throughout the year. It is estimated that the Tapia Reclamation Facility will require two deliveries per week while the Westlake Filtration Plant will require one delivery every three months. The intent of this bid is to establish an annual purchase order “PO” contract with four possible one-year renewals to ensure favorable pricing based on total volume. Order releases will be made by District staff throughout the course of the PO contract period.

Quantity:

It is projected that approximately 500,000 gallons will be used annually.

Unit of Measure:

Unit of measure shall be gallon

Specifications:

- Sodium Hypochlorite Solution (NaOCl)
- 12.5%-13.6% by weight suitable for water treatment
- pH range within 11.0 to 13.0

Sodium Hypochlorite-Annual Supply

Bids Due: Thurs., September 14, 2023; 2:00 p.m. Page 1 of 3

Bid Scope & Specifications

4. **Order Releases:** Tapia Water Reclamation Facility orders shall be recurring per Additional Condition 2b; orders for Westlake Filtration Plant will be released on an as needed basis per Additional Condition 2c.
5. **Unit of Measure:** Unit of measure on bid form-schedule is gallon; unit cost shall include all aspects listed in these Bid Scope and Specifications.
6. **Invoice:** A separate invoice is required for each delivery. Invoices shall be paid within 30 days of receipt of correctly prepared invoice or receipt of the product, whichever is later.
7. **Pricing:** All orders placed during the contract period shall receive contract pricing. Orders placed at end of contract period shall receive pricing as of that day.
8. **Sales Tax:** Due to intended use, product is not subject to California Sales & Use Tax.
9. **Mill Tax:** Product is subject to CA Mill Assessment tax, which, as of the date of this invitation to bid, is 2.1%.
10. **Regulatory Guidelines:** Supplier must comply with all federal, local, state, and other governing body regulatory guidelines applicable to the supply and delivery of this product at all times, including but not limited to AWWA and OSHA.
11. **Compliance:** District may require supplier to furnish an affidavit of product compliance with the specifications, a certified chemical analysis, and preventative maintenance schedule of delivery truck unloading compressor at any time during the contract period.
12. **Terms and Conditions:** Refer to Exhibit A for the District's standard Purchase Order Terms and Conditions. Any exceptions to these terms and conditions must be clearly noted in exceptions section of the Bid Form-Schedule.
13. **Emergency Contact:** Supplier must supply a 24 hour emergency contact phone number to the District.

**Request for Information “RFI” Summary
Las Virgenes Municipal Water District
Request for Bids
Sodium Hypochlorite-September 2023**

The Request for Information period for the District’s “Sodium Hypochlorite” Request for Bids “RFB” is now closed. Three RFI were received, and no addendums were issued. Per the Request for Bids, other than directing a proposer to a specific segment of the RFB documents, questions received after the RFI period has ended will not be answered. Below is a summary of the RFI received and the District’s response. This information is hereby made part of the RFB documents.

Q1. Can you tell us who the current supplier is and what the current price is? (8/28/23, 8/30/23, 09/06/2023 & 09/07/23)

A2. Pioneer Americas (Olin), LLC, \$2.10 per gallon

Q2. Could I get a copy of the most recent bid tabulation? (8/28/23 & 09/06/2023)

A5. See table below:

Bidder	Unit Price	Bid Total
Olin Chlor	\$0.789	\$394,500
JCI Jones	\$0.870	\$435,000
Thatcher of CA		No Bid
Univar		No Bid

Q3. What is the actual annual usage for Sodium Hypochlorite? (09/06/2023)

A3. Annual actual usage fluctuates and is dependent on outside environmental circumstances. Please refer to the Bid Scope & Specifications document for general information and quantity data, including section 3 of the additional conditions. *Estimated* annual quantity of 500,000 gallons stated in the Bid Scope and Specifications is correct.

Olin Chlor Alkali Products

CUSTOMER REFERENCES - SO. CALIFORNIA

Bleach

Los Angeles County Sanitation

1955 Workman Mill Road

Whittier, CA 90601

Contact: Maribeth I. Tan, Senior Buyer

(562) 908-4288 ext.1402

BTan@lacsds.org

Supply and delivery of 9,755,000 gals/yr sodium hypochlorite to various agency locations in Carson, Long Beach, El Monte, Pomona, City of Industry, Saugus, Lancaster, La Canada, Valencia, Palmdale, Whittier, Cerritos, CA. Supplier since 2017. Current contract thru 12-31-2023.

City of Los Angeles

Purchasing Department

111 E. 1st Street, Room 110

Los Angeles, CA 90012

Contact: Katherine Quinn

(310) 648-5669

Katherine.Quinn@lacity.org

Supply and delivery of 5,590,000 gals/yr sodium hypochlorite to various agency locations in Playa Del Rey, San Pedro, Van Nuys, and Los Angeles, CA. Supplier since 2007. Current contract thru 9-31-2023.

Metropolitan Water District of Southern California

5th Floor, Room 5-341

700 North Alameda Street

Los Angeles, CA 90054

Contact: Sabine Arweiler, P.E. Associate Engineer

(909) 392-2999

SArweiler@mwdh2o.com

Supply and delivery of 4,900,000 gals/yr sodium hypochlorite to various agency locations in Monterey Park, Granada Hills, La Verne, Winchester, Yorba Linda and Riverside, CA. Supplier since 2001. Current contract thru 10-31-2023.

Sodium Hypochlorite, 5 - 17%

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Olin Corporation (OCAP) encourages and expects you to read and understand the entire (M)SDS, as there is important information throughout the document. We expect you to follow the precautions identified in this document unless your use conditions would necessitate other appropriate methods or actions.

SECTION 1. IDENTIFICATION

Product name : Sodium Hypochlorite, 5 - 17%

Manufacturer or supplier's details

Company name of supplier : Olin Corporation (OCAP)
 Address : 190 Carondelet Plaza, Suite 1530
 Clayton MO 63105
 Telephone : (423) 336-4850
 E-mail address : INFO@OLIN.COM
 Local Emergency Contact : 1-800-424-9300
 Identified uses : Disinfectant.
 Paper bleaching agent
 Water treatment chemicals
 Biocidal product
 Bleaching agents, Activators and Stabilizers
 Textile bleaching agent

SECTION 2. HAZARDS IDENTIFICATION

GHS classification in accordance with 29 CFR 1910.1200

Corrosive to Metals : Category 1
 Skin corrosion : Category 1B
 Serious eye damage : Category 1

GHS label elements

Hazard pictograms :



Signal Word : Danger

Hazard Statements : May be corrosive to metals.
 Causes severe skin burns and eye damage.

Precautionary Statements : **Prevention:**
 P264 Wash skin thoroughly after handling.
 P280 Wear protective gloves/ protective clothing/ eye protection/
 face protection.

Response:

P301 + P330 + P331 IF SWALLOWED: Rinse mouth. Do NOT

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- water or milk if available and transport to a medical facility. Do not give anything by mouth unless the person is fully conscious.
- Most important symptoms and effects, both acute and delayed : Aside from the information found under Description of first aid measures(above)any additional important symptoms and effects are described in Section 11: Toxicology Information.
- Protection of first-aiders : First Aid responders should pay attention to self-protection and use the recommended protective clothing (chemical resistant gloves, splash protection).
If potential for exposure exists refer to Section 8 for specific personal protective equipment.
- Notes to physician : May cause asthma-like (reactive airways) symptoms. Bronchodilators, expectorants, antitussives and corticosteroids may be of help.
Maintain adequate ventilation and oxygenation of the patient. Chemical eye burns may require extended irrigation. Obtain prompt consultation, preferably from an ophthalmologist.
If burn is present, treat as any thermal burn, after decontamination.
Due to irritant properties, swallowing may result in burns/ulceration of mouth, stomach and lower gastrointestinal tract with subsequent stricture. Aspiration of vomitus may cause lung injury. Suggest endotracheal/esophageal control if lavage is done.
No specific antidote.
Treatment of exposure should be directed at the control of symptoms and the clinical condition of the patient.
Repeated excessive exposure may aggravate preexisting lung disease.

SECTION 5. FIRE-FIGHTING MEASURES

- Suitable extinguishing media : In case of fire, use water fog, foam, dry powder, carbon dioxide.
- Unsuitable extinguishing media : Do NOT use water jet.
May spread fire.
Dry chemical extinguishing agents may react with product; use with caution.
- Hazardous combustion products : During a fire, smoke may contain the original material in addition to combustion products of varying composition which may be toxic and/or irritating.
- Further information : For safety reasons in case of fire, containers should be stored separately in closed containments.
Do not breathe fumes.
- Special protective equipment for fire-fighters : Wear full protective clothing and self-contained breathing apparatus.

SECTION 6. ACCIDENTAL RELEASE MEASURES

- Personal precautions, protective equipment and emergency procedures : Evacuate area.
Only trained and properly protected personnel must be involved in clean-up operations.
Wear suitable protective equipment.
Keep upwind of spill.

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maintain airborne levels below exposure limit requirements or guidelines. If there are no applicable exposure limit requirements or guidelines, general ventilation should be sufficient for most operations. Local exhaust ventilation may be necessary for some operations.

Personal protective equipment

- Respiratory protection** : Respiratory protection should be worn when there is a potential to exceed the exposure limit requirements or guidelines. If there are no applicable exposure limit requirements or guidelines, wear respiratory protection when adverse effects, such as respiratory irritation or discomfort have been experienced, or where indicated by your risk assessment process. For most conditions no respiratory protection should be needed; however, if discomfort is experienced, use an approved air-purifying respirator.
- Filter type** : The following should be effective types of air-purifying respirators: Particulate filter.
- Hand protection**
- Remarks** : Use gloves chemically resistant to this material. Examples of preferred glove barrier materials include: Natural rubber ('latex'). Neoprene. Nitrile/butadiene rubber ('nitrile' or 'NBR'). Polyethylene. Ethyl vinyl alcohol laminate ('EVAL'). Polyvinyl chloride ('PVC' or 'vinyl'). Avoid gloves made of: Polyvinyl alcohol ('PVA'). NOTICE: The selection of a specific glove for a particular application and duration of use in a workplace should also take into account all relevant workplace factors such as, but not limited to: Other chemicals which may be handled, physical requirements (cut/puncture protection, dexterity, thermal protection), potential body reactions to glove materials, as well as the instructions/specifications provided by the glove supplier.
- Eye protection** : Use chemical goggles.
- Skin and body protection** : Use protective clothing chemically resistant to this material. Selection of specific items such as face shield, boots, apron, or full body suit will depend on the task. Reports indicate that sodium hypochlorite can react with various fabrics usually increasing with concentration. Reactions vary significantly depending on strength of chemical, material, fabric treatment and color of dyes. Fire resistant clothing treated cotton has a stronger response than plain cotton. Poly blend fabrics and meta aramid fabric have a weaker response than natural fibers. Contact the Personal Protective Equipment manufacturer for specific information about their products.

SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

- Appearance** : liquid
- Color** : No data available

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Molecular weight : 74.5 g/mol

Metal corrosion rate : Corrosive to metals

Note: These are the Reference Points for these Physical Properties listed above, unless otherwise noted in their respective Physical Property value information: Boiling Point at 760 mmHg; Evaporation Rate Butyl Acetate = 1; Relative Vapor Density Air = 1; and Relative Density Water = 1.

NOTE: The physical data presented above are typical values and should not be construed as a specification.

SECTION 10. STABILITY AND REACTIVITY

Reactivity : No data available

Chemical stability : Stable under recommended storage conditions. See Storage, Section 7.

Possibility of hazardous reactions : Polymerization will not occur.
Stable under recommended storage conditions.

Conditions to avoid : contact with incompatible materials
Avoid direct sunlight or ultraviolet sources.
Excessive heat.
contact between acids and chlorates, a component of this product mixture, can cause the generation of chlorine gas.

Hazardous decomposition products : Oxygen.

SECTION 11. TOXICOLOGICAL INFORMATION**Information on likely routes of exposure**

Eye contact
Skin contact
Inhalation
Ingestion

Acute toxicity

Swallowing may result in burns of the mouth, throat, and gastrointestinal tract.

Components:**Sodium hypochlorite:**

Acute oral toxicity : LD50 (Rat): 805 mg/kg
Method: Estimated.

Acute inhalation toxicity : LC50 (Rat): > 10.5 mg/l
Test atmosphere: dust/mist
Assessment: The substance or mixture has no acute inhalation toxicity

Acute dermal toxicity : LD50 (Rat): > 1,000 mg/kg

Sodium hydroxide:

Acute oral toxicity : LD50 (Rabbit): 336 mg/kg
Method: Estimated.

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pigs.

Remarks : For respiratory sensitization:
No relevant data found.

Sodium hydroxide:

Assessment : Does not cause skin sensitization.
Remarks : Did not cause allergic skin reactions when tested in humans.

Remarks : For respiratory sensitization:
No relevant data found.

Germ cell mutagenicity

Not classified based on available information.

Components:**Sodium hypochlorite:**

Genotoxicity in vitro : Remarks: In vitro genetic toxicity studies were negative in some cases and positive in other cases.
Animal genetic toxicity studies were predominantly negative.

Sodium hydroxide:

Genotoxicity in vitro : Remarks: In vitro genetic toxicity studies were negative.

Carcinogenicity

Not classified based on available information.

Components:**Sodium hypochlorite:**

Remarks : Did not cause cancer in laboratory animals.

Sodium hydroxide:

Remarks : No relevant data found.

IARC No ingredient of this product present at levels greater than or equal to 0.1% is identified as probable, possible or confirmed human carcinogen by IARC.

OSHA No component of this product present at levels greater than or equal to 0.1% is on OSHA's list of regulated carcinogens.

NTP No ingredient of this product present at levels greater than or equal to 0.1% is identified as a known or anticipated carcinogen by NTP.

Reproductive toxicity

Not classified based on available information.

Components:**Sodium hypochlorite:**

Effects on fertility : Remarks: For similar material(s):

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Sodium hydroxide:

Aspiration into the lungs may occur during ingestion or vomiting, causing tissue damage or lung injury.

SECTION 12. ECOLOGICAL INFORMATION**Ecotoxicity****Components:****Sodium hypochlorite:**

Toxicity to fish : Remarks: Material is very highly toxic to aquatic organisms on an acute basis (LC50/EC50 <0.1 mg/L in the most sensitive species).

LC50 (Pimephales promelas (fathead minnow)): 0.22 - 0.62 mg/l
 Exposure time: 96 h
 Method: Method Not Specified.

Toxicity to daphnia and other aquatic invertebrates : EC50 (Daphnia magna (Water flea)): 0.035 mg/l
 Exposure time: 48 h
 Test Type: flow-through test
 Method: OECD Test Guideline 202

M-Factor (Acute aquatic toxicity) : 10

Toxicity to fish (Chronic toxicity) : NOEC (Menidia peninsulae (tidewater silverside)): 0.04 mg/l
 Exposure time: 28 d
 Test Type: flow-through test
 Method: Other guidelines

M-Factor (Chronic aquatic toxicity) : 1

Toxicity to microorganisms : EC50 (activated sludge): 28.7 mg/l

Sodium hydroxide:

Toxicity to fish : Remarks: May increase pH of aquatic systems to > pH 10 which may be toxic to aquatic organisms.

Persistence and degradability**Components:****Sodium hypochlorite:**

Biodegradability : Remarks: Biodegradability is not applicable to inorganic substances.

Sodium hydroxide:

Biodegradability : Remarks: Biodegradability is not applicable to inorganic substances.

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State/Provincial and local laws and regulations.
Regulations may vary in different locations.
Waste characterizations and compliance with applicable laws
are the responsibility solely of the waste generator.
**DO NOT DUMP INTO ANY SEWERS, ON THE GROUND,
OR INTO ANY BODY OF WATER.**

SECTION 14. TRANSPORT INFORMATION**International Regulations****UNRTDG**

UN number : UN 1791
Proper shipping name : HYPOCHLORITE SOLUTION
Class : 8
Packing group : II
Labels : 8

IATA-DGR

UN/ID No. : UN 1791
Proper shipping name : Hypochlorite solution
Class : 8
Packing group : II
Labels : Corrosive
Packing instruction (cargo aircraft) : 855
Packing instruction (passenger aircraft) : 851

IMDG-Code

UN number : UN 1791
Proper shipping name : HYPOCHLORITE SOLUTION
(sodium hypochlorite)
Class : 8
Packing group : II
Labels : 8
EmS Code : F-A, S-B
Marine pollutant : yes
Remarks : Stowage category BHypochlorites

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code

Not applicable for product as supplied.

Domestic regulation**49 CFR**

UN/ID/NA number : UN 1791
Proper shipping name : Hypochlorite solutions
Class : 8
Packing group : II
Labels : CORROSIVE
ERG Code : 154
Marine pollutant : yes(sodium hypochlorite)

Special precautions for user

The transport classification(s) provided herein are for informational purposes only, and solely based upon the properties of the unpackaged material as it is described within this Safety Data

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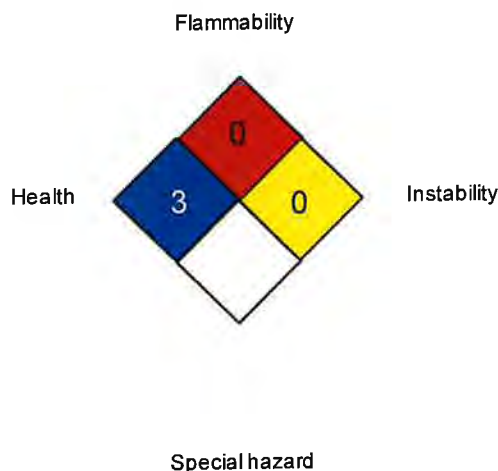
NZIoC : exempt, or are supplier certified.
 : All intentional components are listed on the inventory, are exempt, or are supplier certified.

CH INV : All intentional components are listed on the inventory, are exempt, or are supplier certified.

TSCA list

No substances are subject to a Significant New Use Rule.

No substances are subject to TSCA 12(b) export notification requirements.

SECTION 16. OTHER INFORMATION**Further information****NFPA 704:****Full text of other abbreviations**

ACGIH : USA. ACGIH Threshold Limit Values (TLV)
 OSHA P0 : USA. OSHA - TABLE Z-1 Limits for Air Contaminants - 1910.1000
 OSHA Z-1 : USA. Occupational Exposure Limits (OSHA) - Table Z-1 Limits for Air Contaminants
 US WEEL : USA. Workplace Environmental Exposure Levels (WEEL)
 ACGIH / C : Ceiling limit
 OSHA P0 / C : Ceiling limit
 OSHA Z-1 / TWA : 8-hour time weighted average
 US WEEL / STEL : Short-Term TWA

AICS - Australian Inventory of Chemical Substances; ASTM - American Society for the Testing of Materials; bw - Body weight; CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act; CMR - Carcinogen, Mutagen or Reproductive Toxicant; DIN - Standard of the German Institute for Standardisation; DOT - Department of Transportation; DSL - Domestic Substances List (Canada); ECx - Concentration associated with x% response; EHS - Extremely Hazardous Substance; ELx - Loading rate associated with x% response; EmS - Emergency Schedule;

Sales Specification



12.5 wt% Sodium Hypochlorite Solution

West Coast Water Treatment Specification

Characteristics	Units	Min	Max
Sodium Hypochlorite, NaOCl	wt%	12.5	15.6
Available Chlorine	wt%	11.9	14.8
Total Alkalinity ¹	wt%	0.1	1.5
Chlorate (12.5% Basis) ²	ppm	N/A	3,570
Bromate (12.5% Basis) ²	ppm	N/A	39
Insolubles ¹	wt%	N/A	0.15
Iron, Fe	ppm	N/A	1.5
Nickel, Ni	ppm	N/A	0.1
Copper, Cu	ppm	N/A	0.1
Cobalt, Co	ppm	N/A	0.1
Sodium Hypochlorite, NaOCl	wt%	12.5	15.6
Available Chlorine	wt%	11.9	14.8

1 – Limit set to meet ANSI/AWWA B300-18
 2 – Limit set to meet NSF/ANSI Standard 60

Meets the Following
ANSI/AWWA B300-18
Registered EPA Pesticide
Certified for the NSF/ANSI Standard 60 at a maximum use level of 84 mg/L

Olin Document Information		
<u>Specification No:</u> NaOCl-S4	<u>Issue Date:</u> 12/15/2022	<u>Sheet No.:</u> 1 of 1



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/22/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER MARSH USA, LLC. 1166 Avenue of the Americas New York, NY 10036 Attn: NewYork.Certs@marsh.com Fax: 212-948-0500	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:	FAX (A/C, No):	
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED OLIN CORPORATION 190 CARONDELET PLAZA SUITE 1530 CLAYTON, MO 63105	INSURER A: Old Republic Insurance Company		24147
	INSURER B: N/A		N/A
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES **CERTIFICATE NUMBER:** NYC-009451382-39 **REVISION NUMBER:** 2

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		MWZY 313962 23 '\$100,000 SIR Each Occ Applicable'	07/01/2023	07/01/2024	EACH OCCURRENCE	\$ 9,900,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 250,000
						MED EXP (Any one person)	\$ N/A
						PERSONAL & ADV INJURY	\$ 9,900,000
						GENERAL AGGREGATE	\$ 10,000,000
						PRODUCTS - COMP/OP AGG	\$ 10,000,000
							\$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		MWTB 313954 23	07/01/2023	07/01/2024	COMBINED SINGLE LIMIT (Ea accident)	\$ 5,000,000
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
							\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE	\$
						AGGREGATE	\$
							\$
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N N/A	MWC 313959 23	07/01/2023	07/01/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
						E.L. EACH ACCIDENT	\$ 2,000,000
						E.L. DISEASE - EA EMPLOYEE	\$ 2,000,000
						E.L. DISEASE - POLICY LIMIT	\$ 7,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Las Virgenes Municipal Water District, its officers, employees, and agents are additional insured for General Liability and Auto Liability to the extent required by written contract.

CERTIFICATE HOLDER LAS VIRGENES MUNICIPAL WATER DISTRICT ATTN: GRETCHEN BULLOCK, BUYER 4232 LAS VIRGENES ROAD CALABASAS, CA 91302	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Marsh USA LLC</i>
--	--

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
Las Virgenes Municipal Water District Attn: Gretchen Bullock, Buyer 4232 Las Virgenes Road Calabasas, CA 91302	Premises owned or rented by Las Virgenes Municipal Water District and serviced under contract with Olin
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable limits of insurance;

whichever is less.

This endorsement shall not increase the applicable limits of insurance.

IL 10 (12/06) OLD REPUBLIC INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM
MOTOR CARRIER COVERAGE FORM

SCHEDULE

Name of Person(s) or Organization(s):

Las Virgenes Municipal Water District
Attn: Gretchen Bullock, Buyer
4232 Las Virgenes Road
Calabasas, CA 91302

With respect to **COVERED AUTOS LIABILITY COVERAGE, Who Is An Insured** is changed with the addition of the following:

Each person or organization shown in the Schedule for whom you are doing work is an "insured". But only for "bodily injury" or "property damage" that results from the ownership, maintenance or use of a covered "auto" by:

1. You;
2. an "employee" of yours; or
3. anyone who drives a covered "auto" with your permission or with the permission of one of your "employees".

However, the insurance afforded to the person or organization shown in the Schedule shall not exceed the scope of coverage and/or limits of this policy. Notwithstanding the foregoing sentence, in no event shall the insurance provided by this policy exceed the scope of coverage and/or limits required by the contract or agreement.

DATE: October 30, 2023
TO: JPA Board of Directors
FROM: Engineering and External Affairs

SUBJECT: Recycled Water Reservoir No. 2 Storm Repair Project: Construction Award

The Las Virgenes-Triunfo Joint Powers Authority (JPA) approved funding for this matter in the JPA Budget. On October 17, 2023, the LVMWD Board, acting as the Administering Agent of the JPA, awarded a construction contract to MPK Solutions, in the amount of \$39,997.25, and rejected all remaining bids upon receipt of duly executed contract documents for the Recycled Water Reservoir No. 2 Storm Repair Project.

SUMMARY:

The Recycled Water Reservoir No. 2 Storm Repair Project involves debris removal and re-grading of the unlined northeast and southeast debris basins, associated infiltration trenches, and catch basin for Recycled Water Reservoir No. 2. The project was advertised for constructions bids, and two bids were received on September 22, 2023. The lowest responsible bid was submitted by MPK Solutions (MPK), in the amount of \$39,997.25.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The total cost of the project is estimated to be \$56,796, including construction costs, a ten percent contingency on the construction cost, and estimated general and administrative costs. Sufficient funds are available in the adopted Fiscal Year 2023-2024 JPA Budget. The cost of the work will be allocated 70.6 percent to LVMWD and 20.4 percent to Triunfo Water & Sanitation District. The project costs may also be eligible for reimbursement through disaster mitigation funds from CalOES/Federal Emergency Management Agency (FEMA).

DISCUSSION:

Reservoir No. 2 is a key facility for the operation of the JPA's recycled water (RW) System. Hydraulically situated between the effluent pump station at the Tapia Water Reclamation Facility (Tapia) and the Recycled Water Pump Station (RWPS) at District Headquarters, the

reservoir provides operational storage for the recycled water system, acting as a buffer to balance the flowrates of the two facilities. Reservoir No. 2 provides nearly 15 million gallons (45 acre-feet) of recycled water storage. The operational storage amounts to approximately two days of Tapia production and allows surplus water from low-demand days to be used as supplemental supply for days when RW demands exceed production.

At the reservoir site, there are two concrete spillways (the northeast and southeast spillways) that convey stormwater runoff from the adjacent hills to the east of the reservoir. Upstream of each spillway is an unlined debris basin (the northeast and southeast debris basins). The debris basins are designed to collect silt from the stormwater runoff to minimize the amount of sediment entering Reservoir No. 2.

The recent rain events in 2023 caused excess silt and sediment from the surrounding area affected by the 2018 Woolsey Fire to fill the northeast and southeast debris basins. The storage capacity of the two debris basins was significantly reduced, resulting in increases silt and sediment overflow via the spillways into Reservoir No. 2. While standard operating procedures call for the annual cleanout of these debris basins prior to the rainy season, the volume of accumulated silt and sediment from the 2023 rain season far exceeds the typical volumes that staff can manage.

Staff advertised a Request for Bids on the District’s website from September 6 to September 22, 2023. Two responsive bids were received with the lowest from MPK Solutions. After a thorough review of the submitted bids, staff recommended awarding a construction contract to MPK for the Recycled Water Reservoir No. 2 Storm Repair Project. Staff contacted the references provided by MPK and received positive feedback on the quality of their work.

Following is a summary of the bid results:

Bidder	Bid Total
MPK Solutions	\$39,997.25
Toro Enterprises, Inc.	\$116,019.00

Following is a table summarizing the total estimated project costs:

Description	Cost
<u>Construction:</u>	
Construction Award	\$39,997.25
Construction Contingency (10%)	\$3,999.73
<u>Administrative:</u>	
District Labor (12%)	\$4,799.67
G&A (20%)	\$7,999.45
Total Project Cost	\$56,796.00
Existing Appropriation	\$105,600.00

Schedule:

Construction is anticipated to start in November 2023 and is projected to be completed by December 2023.

GOALS:

Construct, Manage and Maintain all Facilities and Provide Services to Assure System Reliability and Environmental Compatibility

Prepared by: Alex Leu, Senior Engineer