



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




December 2, 2009

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

A Meeting of the Governing Board of the Joint Powers Authority is hereby called, and notice of said Meeting is hereby given for 5:00 p.m. on Monday, December 7, 2009 at Las Virgenes Municipal Water District, 4232 Las Virgenes Road, California 91302 to consider the following:

- 1 Joint Powers Authority Business Meeting (Agenda Attached)
- 2 Adjourn

By Order of the Board of Directors  
JANNA ORKNEY, Chair

  
\_\_\_\_\_  
John R. Mundy  
Administering Agent General Manager  
Joint Powers Authority

c: Each Director

**Janna Orkney**  
Chair, Las Virgenes-Triunfo  
Joint Powers Authority  
Chair, Triunfo Sanitation District Board of Directors

**Charles Caspary**  
Vice Chair, Las Virgenes-Triunfo  
Joint Powers Authority  
President, Las Virgenes Municipal Water District  
Board of Directors

LAS VIRGENES - TRIUNFO  
JOINT POWERS AUTHORITY

AGENDA

CLOSING TIME FOR AGENDA IS 8:30 A.M. ON THE TUESDAY PRECEDING THE MEETING. GOVERNMENT CODE SECTION 54954.2 PROHIBITS TAKING ACTION ON ITEMS NOT ON POSTED AGENDA UNLESS AN EMERGENCY, AS DEFINED IN GOVERNMENT CODE SECTION 54956.5 EXISTS OR UNLESS OTHER REQUIREMENTS OF GOVERNMENT CODE SECTION 54954.2(B) ARE MET.

5:00 PM

DECEMBER 7, 2009

PLEDGE OF ALLEGIANCE

1. **CALL TO ORDER AND ROLL CALL**

The meeting was called to order at \_\_\_ p.m. by \_\_\_ in the Las Virgenes Municipal Water District Board Room and the Clerk of the Board called the roll.

	<u>Present</u>	<u>Left</u>	<u>Absent</u>
<b>Triunfo Sanitation District</b>			
Dennis Gillette	_____	_____	_____
Tom Glancy	_____	_____	_____
Janna Orkney – Chair	_____	_____	_____
Linda Parks	_____	_____	_____
Michael Paule	_____	_____	_____
<b>Las Virgenes Municipal Water District</b>			
Joseph Bowman	_____	_____	_____
Charles Caspary – Vice Chair	_____	_____	_____
Glen Peterson	_____	_____	_____
Lee Renger	_____	_____	_____
Jeff Smith	_____	_____	_____

2. **APPROVAL OF AGENDA**

Moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and \_\_\_\_\_, that the agenda for the December 7, 2009 meeting be approved as presented/amended.

3. **PUBLIC COMMENTS**

Members of the public may now address the Board **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. **ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS**

Las Virgenes – Triunfo Joint Powers Authority Financial Statements and Independent Auditors' Report for June 30, 2009

Moved by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and \_\_\_\_\_, that the Joint Powers Authority, accept the financial statements and the audit as presented.

5. **CONSENT CALENDAR**

Minutes of the Las Virgenes – Triunfo Joint Powers Authority Meeting: October 5 and November 2, 2009. **APPROVE**

Moved by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and \_\_\_\_\_, that the Consent Calendar be approved and adopted as presented.

6. **ACTION ITEMS**

A Alternative Biosolids Process

Moved by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and \_\_\_\_\_, that the Joint Powers Authority, accept the proposal from MWH for the Rancho Las Virgenes Alternative Biosolids Handling Analysis; and appropriate funds in the amount of \$164,935.

B Future Joint Powers Authority Meeting Dates

Moved by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and \_\_\_\_\_, that the Joint Powers Authority, authorize the Administering Agent/General Manager to execute the Call and Notice of Meeting and Agenda based on one of the following options: hold the JPA Meeting as scheduled, on Monday, January 4, 2010 at Oak Park Library; or issue a cancellation notice for the January 4, 2010 Las Virgenes-Triunfo Joint Powers Authority Board of Directors meeting; or reschedule the January 4, 2010 Las Virgenes-Triunfo Joint Powers Authority Board of Directors meeting to Monday, January 11, 2010 in the Las Virgenes Municipal Water District Board Room.

7. **BOARD COMMENTS**

8. **FUTURE AGENDA ITEMS**

9. **NON-ACTION ITEMS**

Information Items

- (1) 24" Recycled Water (REW) Pipeline from Mulholland Hwy. to the Tapia Water Reclamation Facility Project – Award of Contract (Blois Construction, Inc.)
- (2) 24" Recycled Water (REW) Pipeline from Mulholland Hwy. to the Tapia Water Reclamation Facility Project – Professional Services During Construction
- (3) State Water Resources Control Board - Discharge Permit Fee Schedule Changes

10. **CLOSED SESSION**

11. **ADJOURNMENT**

**December 7, 2009 Joint Powers Authority Meeting**

TO: Board of Directors  
FROM: Finance and Administration

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**Subject LAS VIRGENES-TRUINFO JOINT POWERS AUTHORITY FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS' REPORT FOR JUNE 30, 2009**

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**SUMMARY**

The public accounting firm of Diehl, Evans has completed the annual audit of the Las Virgenes-Triunfo Joint Powers Authority (JPA) financial statements and has issued an unqualified opinion.

**RECOMMENDATION**

Accept the financial statements and the audit.

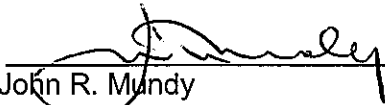
**DISCUSSION**

The financial statements of the JPA are straightforward. Operating and nonoperating revenues offset operating expenses, and the net amount equals billings to participants. The increase or decrease in net assets is the same as the change in net capital assets, that is, additions to capital assets less depreciation expense and capital asset write-offs.

During FY08/09, the JPA recorded a loss on disposal of capital assets related to the Rancho Electrical Cogeneration project, also known as the Fuel Cell project, which was for the beneficial use of methane gas to produce energy. The project was completed in FY 00/01. The total cost of the project was \$2.7 million, of which \$1.4 was funded through federal and California state grants. The fuel cells became non-operable in FY 03/04. Though numerous attempts were made by the vendor, the fuel cells could not be repaired. The JPA filed a lawsuit against the vendor and the case settled in FY 08/09, which resulted in disposal of the asset. The asset value, net of accumulated depreciation, was \$1.9 million. Because of this large write-off, net capital assets decreased by \$0.7 million.

Total revenue was lower due to the decreased price of recycled water purchased by the JPA partners from the JPA and due to the lower volume of recycled water purchased by customers, so that Billings to Participants was subsequently higher. The operating expenses increase of 2.26% was less than what was anticipated in the adopted budget.

Sandra Schmidt prepared this report. JPA Board Members will receive a copy of the audit.

  
\_\_\_\_\_  
John R. Mundy Date 11/24/09  
Administering Agent/General Manager

MINUTES OF A MEETING OF THE GOVERNING BOARD  
OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY  
HELD ON OCTOBER 5, 2009

1 The governing board of the Las Virgenes-Triunfo Joint Powers Authority met in a Meeting at Las Virgenes Municipal Water District, 4232 Las Virgenes Road, Calabasas, California, 91302 at 5:00 p.m. on Monday, October 5, 2009.

Chair Orkney called the meeting to order at 5:00 p.m.

The Pledge of Allegiance to the Flag was given, led by Director Smith.

Clerk of the Board called the roll. Directors present were: Gillette, Glancy, Orkney, Parks, Paule, Bowman, Caspary, Smith and Renger. Directors not present: Director Peterson; excused.

Chair declared a quorum present.

2 Approval of Agenda: It was moved by Director Glancy, seconded by Director Paule and unanimously carried, that the agenda for the October 5, 2009 meeting be approved as presented.

3 Public Forum: No speaker cards were received from the public.

4 Action Items:

A Santa Monica Bay Restoration Foundation Journal: Administering Agent/General Manager Mundy discussed. It was moved by Director Parks, seconded by Director Glancy, and carried, that the Joint Powers Authority authorize Administering Agent/General Manager to purchase a quarter-page advertisement in the inaugural edition of the Santa Monica Bay Journal. Roll Call Vote: Ayes: Directors Glancy, Orkney, Parks, Paule, Bowman, Caspary, Peterson, Renger and Smith; Noes: Director Gillette; Abstain: None; Absent: Director Peterson.

B Tapia Water Reclamation Facility Screenings Washer/Compactor: Authorization of Purchase. It was moved by Director Caspary, seconded by Director Renger, and carried unanimously, that the Board authorize the Joint Powers Authority Administering Agent/General Manager to issue a purchase order in an amount not to exceed \$79,200.00 for the purchase of a washer/compactor from Vulcan Industries, Inc.

5 Board Comments: Director Caspary recommended reading the Water Efficiency magazine. Chair Orkney discussed item of Regional Hazardous Household Drop Off on a previous agenda. She would like it brought back to the Board on a future agenda with more details.

6 Future Agenda Items: Discussion of BNR Facility Tour. Administering Agent/General Manager Mundy discussed the acceptance of the BNR Project in October and suggested the Board tour facilities to see the work. Mr. Mundy suggested the Board meet at 4:00 p.m. at Rancho Las Virgenes Composting Facility for a site tour and then the business meeting to follow. Chair Orkney requested a future agenda item to look at the JPA letterhead graphic identity.

7 Non-Action - Information Items:

(1) Award of Bid for Polymer for Rancho Las Virgenes Composting Facilities

8 The meeting convened into Closed Session at 5:30 p.m. to discuss Existing Litigation: LVMWD vs. Onsite Power Systems, Inc.

9 The meeting reconvened into Open Session at 5:40 p.m. and the Chair declared the meeting adjourned at the hour of 5:41 p.m.

\_\_\_\_\_  
Janna Orkney, Chair

ATTEST:

\_\_\_\_\_  
Charles Caspary, Vice Chair

MINUTES OF A MEETING OF THE GOVERNING BOARD  
OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY  
HELD ON NOVEMBER 2, 2009

1 The governing board of the Las Virgenes-Triunfo Joint Powers Authority met in a Meeting at Rancho Las Virgenes Composting Facility, 3700 Las Virgenes Road, Calabasas, California, 91302 at 4:00 p.m. on Monday, November 2, 2009.

Chair Orkney called the meeting to order at 4:05 p.m.

Clerk of the Board called the roll. Directors present were: Glancy, Orkney, Parks, Paule, Bowman, Caspary, Smith and Renger. Directors not present: Directors Gillette and Peterson; excused.

Chair declared a quorum present.

The Board of Directors toured the Biological Nutrient Reduction Project site. Reclamation Manager Dingman conducted the site tour of the project.

Director Gillette arrived at 4:25 p.m.

2 Approval of Agenda: Administering Agent/General Manager Mundy recommended reordering the agenda 4B before 4A due to the guest speaker had not arrived yet. It was moved by Director Renger, seconded by Director Paule and unanimously carried, that the agenda for the November 2, 2009 meeting be approved as amended.

3 Public Forum: One speaker card was received by Ted Fulton. Mr. Fulton spoke about Save the Reagan Meadow Foundation, Reagan Equestrian Campground/RV Park. He felt the JPA should be aware of the Foundation.

4 Illustrative and/or verbal presentation agenda items: As amended in agenda approval, item B was the first item discussed.

5:55 p.m. Chair Orkney excused herself from the meeting.

A Regional Household Hazardous Waste Drop Off Facility: Susan Nissman, Representative of Supervisor Yaroslavsky, LA County, Coby Skye, LA County Public Works, Chuck Boehmke, LA County Sanitation District spoke on this item. They presented the process and facilitation of the proposed Waste Drop off facility. One speaker card request was received by Bob Contts, representing Save Open Space to speak on item 4A. He read a letter written by Mary Wiesbrock, Chair of Save Open Space. The letter discussed fire and traffic for the proposed drop off site.

B Watershed Update: Resource Conservation Manager Dr. Orton presented a watershed update which included the upcoming Regional Water Quality Control Board Malibu septic ban hearing on November 5, 2009, status of the Federal Steelhead Recovery plan and four scientific studies related to water quality in the Malibu Civic center.

C Legislative Update – Russ Randle, Patton Boggs: Russ Randal of Patton Boggs, summarized federal JPA initiatives for the year to date and provided an outline of proposed advocacy activities for the next congressional session that begins in January.

5 Consent Calendar: Minutes of the Las Virgenes – Triunfo Joint Powers Authority meeting: September 14, 2009. It was moved by Director Bowman seconded by Director Parks, and unanimously carried, that the Minutes of the Las Virgenes – Triunfo Joint Powers Authority Meeting of September 14, 2009, be approved and adopted as presented.

6 Action Items: Joint Powers Authority Quarterly Financial Report at September 30, 2009 and Spotlight on Joint Powers Authority. Director of Finance and Administration Schmidt presented the item. It was moved by Director Renger, seconded by Director Glancy, and carried unanimously that the Joint

Powers Authority Quarterly Financial Report at September 30, 2009 and Spotlight on Joint Powers Authority be received and filed.

7 Board Comments: The Board had a discussion on JPA financial reporting. They agreed it would help to have an auditor review the formulas for the financial reports.

8 Future Agenda Items: The Board discussed financial reporting ie. allocations. It was requested that a future workshop on the allocation methodology would be beneficial.

9 Non-Action - Information Items:

- (1) Tapia Water Reclamation Facility Biological Nutrient Reduction Project Phase I and II: Acceptance
- (2) Tapia Major Tertiary Filters Maintenance: Authorization of Purchase Order
- (3) Tapia Carbon Tower Media Replacement: Authorization of Purchase Order
- (4) Tapia Water Reclamation Facility BNR Project Centrate Treatment Project: Acceptance
- (5) El Canon Sewer Plug and Manhole Improvements Project Contract Acceptance and Release of Retention.

10 The meeting convened into Closed Session at 5:40 p.m. to discuss Existing Litigation: LVMWD vs. Onsite Power Systems, Inc.

11 The meeting reconvened into Open Session at 6:24 p.m. and the Chair declared the meeting adjourned at the hour of 6:25 p.m.

\_\_\_\_\_  
Janna Orkney, Chair

ATTEST:

\_\_\_\_\_  
Charles Caspary, Vice Chair



**December 7, 2009 JPA Board Meeting**

TO: Board of Directors  
FROM: Facilities & Operations

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**Subject: Alternative Biosolids Process**

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**SUMMARY**

At the July 6, 2009 Joint Powers Authority meeting, staff was directed to prepare an economic study comparing composting versus the Ventura Regional Sanitation District's biosolids disposal at Toland Road Landfill or any combination thereof. A Request for Proposals was distributed requesting the following items be included in a potential study:

1. A comparison of the unit cost to process the Class B dewatered biosolids by composting versus the VRSD method.
2. Capital costs associated with constructing truck loading and odor control facilities.
3. Potential capital costs associated with improvements at the Toland facility.
4. Costs associated with maintaining the stranded assets such as the amendment facilities, reactor building and cure building.
5. Possible uses for the reactor and cure building if composting ceases.
6. Identify necessary approvals and permits.

Three proposals were received as follows:

Consultant	Total Cost	Hours	\$/Hours
Black and Veatch	\$198,290	1,080	\$184
Carollo Engineers	\$105,892	452	\$234
MWH	\$164,935	986	\$167

In order to select a consultant, staff used a decision matrix and ranked each proposal based on the following factors: total cost, cost per hour, response to the scope of work and both past history and past experience. The proposal from Black and Veatch was not responsive to the requested scope of work. While Carollo and MWH were close in ranking, staff determined that the number of hours proposed by MWH would provide both an in-depth review and detailed final report for the Board.

Attached is Appendix A – Detailed Scope of Work from the MWD proposal. Their scope will estimate unit operations and maintenance costs for solids processing, trucking and drying. Capital and operations costs for additional solids trucked to the Toland landfill will be identified for the alternative. Costs associated with necessary new and stranded assets at Rancho for the trucking alternative will be reviewed, as well as estimating costs for upgrades to Rancho for continuous operation into the future for continued composting or for truck loading. Other areas of review include permitting issues and potential other institutional considerations. The study will be complete by May 2010.

MWH also suggested that a third alternative, converting the compost process to a less mechanically intensive static pile operation for an additional fee. At this time, staff does not

6A





## Appendix A – Detailed Scope of Work



### Task 1 – Workshops and Presentations

Workshops and a formal presentation will be conducted to gain input and develop a consensus on the alternatives as the evaluation proceeds.

#### Subtask 1.1 - Workshops

Four (4) workshops will be held in the development of the Biosolids Handling Analysis. The first workshop will be held with District staff to formulate the alternatives to be evaluated. A second workshop will be held with District staff to present and discuss the technical scope and preliminary costs of each alternative. A third workshop will be held with District and Ventura Regional Sanitation District (VRSD) staff to present the refined technical scope and associated costs for the alternatives. A fourth workshop with District staff will present the final results of the evaluation for review and comment. Agenda and brief workshop summaries will be prepared for review and finalization. Workshops are planned to be of four hours duration each.

#### Subtask 1.2 – Prepare Presentation for the JPA Board

Prepare a PowerPoint presentation for District staff review; incorporate any comments, for presentation to the JPA Board upon completion of the final draft report. MWH staff can attend and make the presentation or be available to answer questions as directed by staff.

### Task 2 – Determine Operating Costs

Biosolids handling operations cost will be determined or estimated as unit costs for consumables, labor, maintenance, operation and technical support of the following biosolids handling steps:

- ♦ Digestion;
- ♦ Dewatering;
- ♦ Composting; and
- ♦ Trucking and Drying.

Unit costs will be based on District records, estimated levels of effort, and generally available information on operations costs, and will be reviewed by the District for general appropriateness.

### Task 3 – Evaluate Rancho Las Virgenes

Evaluate the existing biosolids processes at the Rancho Las Virgenes Composting Facility (Rancho) to identify potential necessary capital improvements, and potential modifications to reduce costs and improve reliability. Identify requirements if composting at Rancho is to be decommissioned and potential salvage value. This evaluation will occur through site visits.

#### Subtask 3.1 Capital Improvements

This task will identify capital improvements that will be necessary to handle biosolids produced at the existing (9.5 mgd) and the build out (12 mgd) conditions. These improvements may consist of:

- ♦ Loading facilities;
- ♦ Truck scales;
- ♦ Temporary storage and
- ♦ Odor control.



Costs that will be excluded are costs that would be common to all alternatives under consideration, such as digestion and dewatering. Specifically, capital costs to increase the digestion and dewatering facilities capacities to meet 12 mgd build-out conditions are excluded.

### **Subtask 3.2 Facility Decommissioning**

Identify the Rancho facilities to be decommissioned if composting operations are ceased. Determine ongoing costs or salvage value associated with the decommissioned facilities.

### **Task 4 – Characterize Toland Landfill Facilities**

Describe and summarize the existing components of the biosolids drying process at the Toland Landfill. Based on a site visit to the Toland Landfill and review of available documents estimate the costs associated with sending the biosolids to the Toland landfill through the review of the existing agreement between the City of Thousand Oaks and other agencies, and Ventura Regional Sanitation District.

### **Task 5 –Additional Alternative**

Following the completion of the evaluation of the two biosolids alternatives identified in the RFP, MWH staff will evaluate a third alternative of either simplifying the composting process or rehabbing the existing process to develop a less mechanically intensive alternative. In this evaluation MWH will identify:

- ♦ Changes to the current composting process, such as the evaluation an in-door, aerated static pile, removal of conveyors;
- ♦ Associated capital improvements; and
- ♦ Changes in the operating costs.

### **Task 6 –Other Considerations**

In parallel with the development and evaluation of each of the alternatives MWH staff will identify institutional considerations that may be associated with each alternative.

#### **Subtask 6.1 Institutional**

The considerations that will be discussed are potential restrictions on the Toland Landfill, use permits, and potential alternative uses of the decommissioned facilities at Rancho. The identification of these considerations will be summarized in the report.

#### **Subtask 6.2 Environmental**

This subtask will consist of the review of environmental considerations such as water quality permit changes or requirements, and necessary CEQA requirements. The identification of these considerations will be summarized in the report.

### **Task 7 – Project Report**

MWH will prepare a draft report summarizing the results of all tasks in an organized manner. The report will summarize the components of each alternative and rank each alternative based on the above analyses. The report will follow the outline below:

- ♦ Introduction
- ♦ Existing Conditions
- ♦ Alternative Description
- ♦ Institutional Considerations
- ♦ Alternative Evaluation
- ♦ Conclusions.

MWH will meet with District staff to present and discuss the results of the project.

**Proposal for Las Virgenes Municipal Water District/  
Triunfo Sanitation District Joint Powers Authority**



- ◆ Deliverable:
  - Draft Report, six (6) hard copies and pdf for District review.
  - Final Draft Report, ten (10) hard copies and pdf for Presentation to the District Board.
  - Final Report, (10) copies, pdf version and native for files (Word, Excel, etc.)

**Task 8 – Project Administration and Communications**

This task consists of general project administration and communication activities that will be conducted as part of this project. Each month MWH staff will meet with key District Staff to review progress, raise and questions or issues that the team has encountered and provide a brief expenditure update. A monthly progress report will be submitted with the monthly invoice. Six (6) monthly meetings will be held with District Staff. The first monthly meeting will serve as the kickoff meeting. Meetings will be held at either the District offices or at Rancho Las Virgenes. Following each meeting MWH will prepare draft meeting notes within two working days and provide an electronic copy for District review. Following receipt of comments, MWH will prepare the final notes and distribute in accordance with District direction. MWH will also designate a short block of time weekly for a conference call with District staff to discuss the progress of the project. It will be at the District 's discretion to cancel these calls.

**December 7, 2009 JPA Board Meeting**

TO: Board of Directors

FROM: JPA Administering Agent/General Manager

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**Subject Future Joint Powers Authority Meeting Dates**

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**SUMMARY**

The next JPA meeting is scheduled for Monday, January 4, 2010, which is the first business day after observance of the New Years' holiday.

**RECOMMENDATIONS**

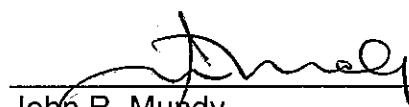
The JPA Board of Directors to authorize the Administering Agent/General Manager to execute the Call and Notice of Meeting and Agenda based on one of the following options:

- Hold the JPA Meeting as scheduled, on Monday, January 4, 2010 at Oak Park Library; or
- Issue a cancellation notice for the January 4, 2010 Las Virgenes-Triunfo Joint Powers Authority Board of Directors meeting; or
- Reschedule the January 4, 2010 Las Virgenes-Triunfo Joint Powers Authority Board of Directors meeting to Monday, January 11, 2010 in the Las Virgenes Municipal Water District Board Room.

**FINANCIAL IMPACT**

None.

Kimmy Conklin, Clerk of the Board prepared this report.

  
\_\_\_\_\_  
John R. Mundy Date 11/24/09  
Administering Agent/General Manager

LOB

**December 7, 2009 JPA Board Meeting**

TO: Board of Directors  
FROM: Facilities and Operations

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**Subject: 24" Recycled Water (REW) Pipeline from Mulholland Hwy. to the Tapia Water Reclamation Facility Project – Award of Contract (Blois Construction, Inc.)**

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Las Virgenes-Triunfo Joint Powers Authority approved funding for this matter in the Joint Powers Authority Budget. The Las Virgenes Board, as the administering agent, rejected the bid submitted by Minco Construction as being materially incomplete and therefore non-responsive; rejected the protest from E.J. Meyer Co., on the basis of staff's finding that the protest has no standing; and awarded the Schedule A contract to construct the above project to Blois Construction, Oxnard, California, in the amount of \$2,450,945.00, and rejected all remaining bids upon receipt of duly executed contract documents at their October 27, 2009 meeting.

**SUMMARY**

The Board approved a Call for Bids for the above project at the June 23, 2009 meeting. This project is partially funded (\$1,949,479.77) through federal ARRA grants. Two bid schedules were allowed: Schedule A was for an all-steel pipeline, while Schedule B was for partial steel (25% of the total length) and partial plastic (75%) pipeline. This strategy was to encourage competitive pricing from the materials vendors and the contractors. The engineer's estimates were \$3,623,251 and \$3,015,503 for Schedule A and B, respectively. Bids were opened on October 7, 2009, with the District receiving 13 bids for Schedule A, and 12 bids for Schedule B. During the analysis of the details of the bid submittals, it was discovered that the overall apparent low bidder, Minco Construction, submitted a bid (Sch. B) that did not use the revised bid schedule that was part of Addendum No. 1. District staff, upon conferring with counsel, determined this bid as non-responsive and therefore should be rejected. The second low bid (from Schedule A), and the one recommended for acceptance, was submitted by Blois Construction for \$2,450,945.

A bid protest was filed by E.J. Meyer Co. (4th overall low bid) asserting that all bids lower than the one they submitted be rejected, on the grounds that none of these provided "good faith" documentation to solicit small and minority business firms as required by the contract. Affected bids included those submitted by Minco Construction, Sam Hill and Sons Construction, and Blois Construction. Upon review, staff concluded that the ARRA grant conditions do not mandate such documentation; it encourages recipients of its grants to solicit and provide opportunities to small, women, and minority business enterprises. Additionally, E.J. Meyer presupposed without proof that the other contractors did not perform similar solicitations. Again, with counsel's guidance, staff deemed that the protest objection is overruled and therefore should be rejected.

The complete results of the bid opening are shown in a table below. The contract has a 270 day duration with expected completion by the end of July 2010.

9(1)

## FINANCIAL IMPACT

This improvement project will be funded through CIP Work Order Account 10281, with an appropriation of \$4,550,000.

## DISCUSSION

The following table summarizes the bids received:

**Tabulation of Bid Results**  
Opened October 7, 2009

<u>Contractor/Bidder</u>	<u>Schedule A</u>	<u>Schedule B</u>
<i>Engineer's Estimate</i>	\$3,623,251.00	\$3,015,503.00
ARB	\$3,489,942.00	\$3,899,384.00
Blois (low bid)	\$2,450,945.00	\$2,691,195.00
Mike Bubalo	\$3,206,546.00	\$3,028,588.00
Steve Bubalo	\$3,031,491.00	\$2,984,611.00
Cedro	\$3,019,302.00	\$2,978,461.00
Colich & Sons	NBS	\$3,123,272.00
EJ Meyer	\$2,666,666.00	NBS
Minco	\$2,706,460.00	non-responsive
Nicholas	\$2,743,464.00	\$2,769,285.00
Pavlich	\$2,900,000.00	\$2,934,400.00
Sam Hill & Sons	\$2,701,132.00	\$2,626,706.00
SRD Engr.	\$3,519,597.00	\$3,498,467.00
Toro Enterprises	\$3,275,841.80	\$3,342,904.00
Vido Artukovich	\$3,168,670.00	NBS

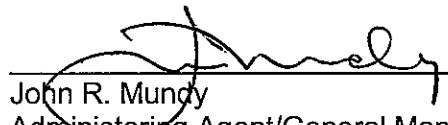
NBS - no bid submitted

Rommel M. Marzan, Associate Engineer, prepared this report.

  
\_\_\_\_\_  
David R. Lippman  
Director of Facilities and Operations

11/18/09

Date

  
\_\_\_\_\_  
John R. Mundy  
Administering Agent/General Manager

11/24/09

Date





**24" Recycled Water (REW) Pipeline from Mulholland Hwy. to the Tapia Water Reclamation Facility Project – Professional Services During Construction**

**Geotechnical Consultant**

<b><u>Firm</u></b>	<b><u>Proposal Cost</u></b>
Leighton & Assoc.	\$32,562.00
<b>GEOLABS - Westlake</b>	<b>\$24,069.00</b>
Fugro West	\$37,385.00

**Native American (Chumash) Monitor**

<b><u>Firm</u></b>	<b><u>Proposal Cost</u></b>
<b>Owl Clan Consultants (NTX amount)</b>	<b>\$15,000.00</b>
Parra	DID NOT SUBMIT
Ernestine DeSoto	DID NOT SUBMIT
Julie Lynn Tumamait	DID NOT SUBMIT

**Archeologist**

<b><u>Firm</u></b>	<b><u>Proposal Cost</u></b>
<b>Charles King, PhD</b>	<b>\$20,259.93</b>
Dudek	DID NOT SUBMIT
NO OTHER CONSULTANTS AVAILABLE	

**Arborist - Formal RFP procedure**

<b><u>Firm</u></b>	<b><u>Proposal Cost</u></b>
Dudek Associates	\$35,415.00
AECOM	\$48,600.00
Envicom	\$38,910.00
<b>Rincon Consultants</b>	<b>\$32,111.00</b>

**BOLD - low proposal and consultant recommended for approval**

**December 7, 2009 JPA Board Meeting**

TO: Board of Directors  
 FROM: Facilities & Operations

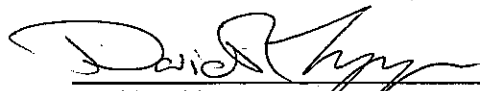
**Subject: State Water Resources Control Board  
 Discharge Permit Fee Schedule Changes**


**DISCUSSION**

On October 6, 2009 the State Water Resource Control Board (SWRCB), for the second straight year, adopted a new fee schedule for discharge permit holders. All fees remained the same except for Tapia's annual and ambient fees. Pursuant to the new fee schedule, the annual fee for Tapia is \$17,768 and the ambient fee is \$3,731. However, a credit of 35% was given to dischargers with flows equal to or below 140 mgd. The actual fee for 2009-10 is shown below. The adopted fee structure will result in an increase of \$2,097 in 2009-10 for the JPA.

Facility	2008-2009			2009-2010		
	Annual Fee	Ambient Fee	Pre-treatment	Annual Fee	Ambient Fee	Pre-treatment
Tapia	\$ 9,816	\$2,061	\$10,000	\$11,549	\$ 2,425	\$10,000
Rancho	\$36,960	\$ 2,311		\$36,960	\$ 2,311	
Tapia Groundwater	\$ 3,480	\$ 731		\$ 3,480	\$ 731	
Annual Stormwater	\$ 833	\$ 175		\$ 833	\$ 175	
Sanitary Sewer	\$ 6,006	\$ 541		\$ 6,006	\$ 541	
<b>Total Fees</b>	<b>\$72,914</b>			<b>\$75,011</b>		
<b>Increased Fee Amount</b>	<b>\$2,097</b>					

Marsha Eubanks, Administrative Services Officer, prepared this report.

 11/16/09  
 \_\_\_\_\_  
 David R. Lippman Date  
 Director of Facilities and Operations

 11/16/09  
 \_\_\_\_\_  
 John R. Mundy Date  
 Administering Agent/General Manager

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