



**BOARD OF DIRECTORS  
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA  
Tuesday, October 8, 2013**

**REGULAR CLOSED SESSION**

11:00 a.m., Board Room

**ROLL CALL:**

**PUBLIC COMMENT:** The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

**ANNOUNCEMENT OF CLOSED SESSION AGENDA:**

1. Existing litigation pursuant to Government Code section 54956.9(a):
  - a. *Ameron International Corporation v. Sundt Construction, Inc.*  
San Joaquin County Superior Court, Case No. 39-2009-00226920,  
consolidated with *FRWA / EBMUD v. S.J. Louis Construction, Inc.*  
Sacramento County Superior Court, Case No. 34-2009-00066909
2. Conference with Labor Negotiators Bruce Heid and Glenn Berkheimer from the Industrial Employers Distributors Association (I.E.D.A.), Alexander R. Coate, Carol Nishita, Eric Sandler, Delores Turner, Michael Rich and Lisa Sorani pursuant to Government Code Section 54957.6: Employee Organizations International Federation of Professional and Technical Engineers AFL-CIO, Local 21; International Union of Operating Engineers, Local 39; and American Federation of State, County and Municipal Employees, Locals 444 and 2019.

*(The Board will hold Closed Session in Conference Room 8A/B)*

**REGULAR BUSINESS MEETING**

1:15 p.m., Board Room

**ROLL CALL:**

**BOARD OF DIRECTORS:**

- Pledge of Allegiance

**ANNOUNCEMENTS FROM CLOSED SESSION:**

**PUBLIC COMMENT:** The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the Agenda.

**CONSENT CALENDAR:** (Single motion and vote approving 7 recommendations.)

1. Approve the Regular Meeting Minutes of September 24, 2013.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder R.R. Donnelley Company in the estimated annual amount after the addition of taxes of \$37,985 for supplying water bill forms for the period beginning October 15, 2013 and ending October 14, 2015, with one option to renew for an additional one-year period, for a total estimated cost of \$113,955 under Proposal No. 1407.
4. Award a contract to the lowest responsive/responsible bidder McGuire and Hester, in the amount of \$363,400 for construction of Argyle Reservoirs Access Road Improvements under Specification 2074.
5. Authorize agreements with the following vendors: A.I.P. Trucking; Adam Moreno & Sons, Inc.; Jarah Transportation, Inc.; D & S Trucking, LLC; De Bibb Trucking; E. M. Blair Trucking; Economy Trucking Services, Inc.; G. W. Trucking; Haver Transport; Hill Trucking; Inder Trucking; Jackson Transportation; JD Trucking Co., Inc.; Kemp Trucking; Mae Trucking; Robertson Trucking Service, Inc.; Roby Trucking; Royal Trucking; S&L Enterprises; Sandstone Trucking; SMG Trucking; Sudden Sam's Trucking, Co.; Tom Aikens General Engineering; and V. Dolan Trucking, Inc. for the rental of ten-yard dump trucks, 20-yard end-dump and transfer trucks, and 20-yard super dump trucks, in the combined estimated annual amount of \$1,250,000 for the period November 1, 2013 through October 31, 2015, with three options to renew for additional one-year periods, for a total estimated cost of \$6,250,000.
6. Authorize an agreement with Stanford University in the estimated amount of \$64,038 for specialized research services to investigate the cause of process upsets at the Main Wastewater Treatment Plant.
7. Approve the Water Supply Assessment requested by the City of Oakland for the Children's Hospital and Research Center Oakland Master Plan Project pursuant to California Water Code Sections 10910-10915.

**DETERMINATION AND DISCUSSION:**

8. Legislative Update:
  - State Legislative Initiatives for 2014 Legislative Year
  - Update on Legislative Issues of Interest to EBMUD
9. General Manager's Report:
  - Monthly Report – September 2013

**REPORTS AND DIRECTOR COMMENTS:**

10. Committee Reports:
  - Finance/Administration
  - Planning
  - Legislative/Human Resources
11. Director Comments.

**ADJOURNMENT:**

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, October 22, 2013 in the Administration Center Board Room, 375 Eleventh Street, Oakland, California.

*If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.*

## BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Tuesday, October 8	<b>Planning Committee</b> Foulkes (Chair), Linney, McIntosh	9:45 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Gateway Park Project and New Bike Path Update</li> <li>• Update on Richmond Wastewater Services</li> <li>• Wastewater Treatment Plant Process Upsets and Mitigation Efforts</li> </ul>
	<b>Legislative/Human Resources Committee</b> McIntosh (Chair), Coleman, Mellon	10:30 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• State Legislative Initiatives for 2014 Legislative Year</li> <li>• Legislative Update</li> </ul>
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
Tuesday, October 22	<b>Sustainability/Energy Committee</b> Linney (Chair), Foulkes, Katz	TBD Training Resource Center	
	<b>Finance/Administration Committee</b> Coleman (Chair), Linney, Patterson	TBD Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
Monday, November 11	<b>Veteran's Day Holiday</b>		<ul style="list-style-type: none"> <li>• District Offices Closed</li> </ul>
Tuesday, November 12	<b>Planning Committee</b> Foulkes (Chair), Linney, McIntosh	9:15 a.m. Training Resource Center	
	<b>Legislative/Human Resources Committee</b> McIntosh (Chair), Coleman, Mellon	10:15 a.m. Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>

## **MINUTES**

**Tuesday, September 24, 2013**

**East Bay Municipal Utility District  
Board of Directors  
375 Eleventh Street  
Oakland, California**

### **Regular Closed Session Meeting**

President Andy Katz called to order the Regular Closed Session Meeting of the Board of Directors at 11:07 a.m. in the Administration Center Board Room.

### **ROLL CALL**

Directors John A. Coleman, Katy Foulkes, Doug Linney, Lesa R. McIntosh, Frank Mellon, William B. Patterson, and President Andy Katz were present at roll call.

Staff present included General Manager Alexander R. Coate, General Counsel Jylana Collins, Customer Services Manager Andrew L. Lee (Item 1a), Attorney Derek McDonald (Item 1a), Director of Finance Eric L. Sandler (Item 2), Director of Administration Carol Y. Nishita (Item 2), Manager of Human Resources Delores A. Turner (Item 2), Manager of Employee Relations Michael K. Rich (Item 2), Manager of Employee Services Lisa A. Sorani (Item 2), Attorney Lourdes Matthew (Item 2), and I.E.D.A. Representative Glenn Berkheimer (Item 2).

### **PUBLIC COMMENT**

The following persons addressed the Board: 1) Jae Park, representing AFSCME Local 2019, gave a brief presentation on the components of wages (Consumer Price Index [CPI] plus, floor, and ceiling) along with historical trends of wages, and he requested that the Board direct management to raise the ceiling to historical values; 2) Eric Fieberling, representing AFSCME Local 2019, commented that management must offer a meaningful wage increase that includes CPI; and 3) Antonio Martinez, President, IFTPE Local 21, commented on the status of negotiations and said that a proposal should include a decent health care benefit and a wage increase that includes CPI.

### **Regular Business Meeting**

President Andy Katz called to order the Regular Business Meeting of the Board of Directors at 1:20 p.m. in the Administration Center Board Room.

### **ROLL CALL**

Directors John A. Coleman, Katy Foulkes, Doug Linney, Lesa R. McIntosh, Frank Mellon, William B. Patterson, and President Andy Katz were present at roll call.

## **BOARD OF DIRECTORS**

President Katz led the Pledge of Allegiance.

## **PRESENTATION**

General Manager Alexander R. Coate announced that today marks the District's 4<sup>th</sup> Annual WaterSmart Business Certification event. He said that the purpose of the WaterSmart Certification Program is to help business customers identify and implement water-efficient measures. Mr. Coate introduced the following 2013 awardees: 1) Alameda County Environmental Health Department installed water-saving fixtures and devices at its own facilities and converted from lawn to drought-resistant landscaping; 2) Berkeley Mincar installed water-efficient aerators and toilets and uses water-free, non-toxic methods for cleaning their shop; 3) Blackhawk Master Association installed water-efficient irrigation technologies throughout their properties and replaced roadside lawns with drought-tolerant plants, saving over 19 million gallons of water per year; 4) Captain Vineyards who greatly reduced the amount of water needed through the innovative use of "dry-farming" methods qualifying them for re-certification; 5) Castro Valley Sanitary District converted to drought-tolerant landscaping and installed smart irrigation controllers qualifying them for a third re-certification; 6) Contra Costa Jewish Day School, Temple Issah implemented a number of ambitious water-saving initiatives decreasing its water use by 1 million gallons per year in 2011 and 2012; 7) Hollis Street Investors, LLC undertook a number of WaterSmart measures including the replacement of older toilets and urinal fixtures and installation of aerators on all of its faucets and received awards for two properties located in Emeryville; 8) West County Wastewater District Facility Plant implemented a number of indoor and landscape initiatives causing their water use to decline from almost 3,000 gallons per day in 2002 to a yearly average of 511 gallons per day over the past two years; and 9) Wind River Systems, Inc. reduced its water use to an average of six gallons per employee per day through indoor and outdoor conservation efforts. Two other businesses, Clif Bar and USE Credit Union, were unable to attend. Board President Katz presented awards and the Board congratulated all of the 2013 winners.

## **ANNOUNCEMENTS FROM CLOSED SESSION**

There were no announcements required from closed session.

## **PUBLIC COMMENT**

The following persons addressed the Board: 1) Gregory Tarbert, Hayward resident, commented on a dispute with EBMUD regarding the installation of a service lateral on his property; 2) Mark Foley, President, AFSCME Local 2019, commented that the recruitment for the Senior Administrative Clerk position should be kept in-house and commented that data was inaccurately presented in the September 12, 2013 memorandum to the Board on internal promotions; and 3) Rosa Merced, representing AFSCME Local 2019, commented that the information memo provided to the Board on September 12, 2013 reflected skewed statistics on internal promotional hires.



### **CONSENT CALENDAR**

- Item 6 was removed from the Consent Calendar for discussion.
  - Motion by Director McIntosh, seconded by Director Mellon, to approve Items 1-5 and 7-8 on the Consent Calendar, carried (7-0) by voice vote.
1. **Motion No. 135-13** -- Approved the Regular Meeting Minutes of September 10, 2013.
  2. The following correspondence was filed with the Board: 1) Presentation entitled "CPI – Floor and Ceiling" along with speaking notes presented by Jae Park; 2) Speaking notes presented by Gregory Tarbert, dated September 24, 2013; 3) Memorandum dated September 24, 2013 to Board of Directors from Bennett K. Horenstein, Director of Wastewater, regarding EBMUD Pharmaceutical Take-Back Program and the Alameda County Safe Drug Disposal Ordinance Nexus; 4) Memorandum dated September 24, 2013 to Board of Directors from Alexander R. Coate, General Manager, regarding San Francisco Bay Gala Event – Thursday, October 3, 2013; 5) Presentation, entitled "Work in the Streets," dated September 24, 2013; and 6) Presentation, entitled "Variable and Fixed Rate Refundings and Remarketing Agent Replacement," dated September 24, 2013.
  3. **Motion No. 136-13** -- Awarded a contract to the lowest responsive/responsible bidder Monterey Mechanical Co., in the amount of \$539,992 for construction of Bryant No. 2 Pumping Plant Electrical Rehabilitation under Specification 2072.
  4. **Motion No. 137-13** -- Authorized an agreement with Jaspersoft Corporation in an amount not to exceed \$89,500 for software subscription renewal which provides licensing and technical support for Jasper Server which includes Jasper Reports and Jasper Analysis software during the five-year period October 13, 2013 to October 12, 2018.
  5. **Motion No. 138-13** -- Authorized agreements with A1 Truck Driving School and Western Pacific Truck School in an aggregate amount not to exceed \$41,000 annually for Commercial Driver License Training at the Pipeline Training Academy during the period of October 1, 2013 to October 1, 2014, with four options to renew for an additional one-year period for a total cost of \$205,000.
  6. **Motion No. 140-13** -- Authorized the General Manager to enter into a Memorandum of Agreement with San Joaquin County Flood Control and Water Conservation District to develop a groundwater banking demonstration project.
- Item 6 was pulled by President Katz to allow comments. General Manager Coate introduced San Joaquin County Director of Public Works Tom Gau and Water Resources Coordinator Brandon Nakagawa. He thanked them for their work in getting local support for the project.
  - Motion by Director Coleman, seconded by Director Foulkes, to approve the recommended action on Item 6, carried (7-0) by voice vote.

7. **Motion No. 139-13** -- Authorized the Office of General Counsel to continue the employment of the law firm of Best, Best & Krieger LLP in an additional amount not to exceed \$75,000 for specialized legal services related to federal water law, rates, charges, taxes, liens, and litigation involving such matters.
8. **Resolution No. 33941-13** -- Adopting Revised Policy 4.01, Employee Earnings And Payroll Determination; Policy 4.12, Purchasing And Materials Management; Policy 4.15, Reimbursement Of Employee Expenses; Policy 4.19, Travel; Policy 4.24, Internal Audit; And Policy 7.03, Emergency Preparedness/Business Continuity.

#### **DETERMINATION AND DISCUSSION**

9. **Legislative Update.**

Special Assistant to the General Manager Marlaigne K. Dumaine reported on a proposed amendment, S. Amendment 1913 (Paul), which would repeal the national plumbing efficiency product standards by eliminating maximum water flow standards for faucets, shower heads, toilets, and urinals and eliminating the current testing and labeling requirements for these fixtures. Ms. Dumaine pointed out that this measure would undermine state water conservation laws and regulations, including those governing the sale and use of water efficient plumbing fixtures. She noted that EBMUD has historically opposed similar measures to repeal the national plumbing efficiency product standards.

- Motion by Director Mellon, seconded by Director Patterson, to approve the recommended position in Legislative Report No. 09-13, carried (7-0) by voice vote.

**Motion No. 141-13** -- Received Legislative Report No. 09-13 and approved the recommended position on the following bill: OPPOSE S. Amendment 1913 (Paul) Amendment to Repeal National Plumbing Efficiency Product Standards.

Next, Ms. Dumaine reported that staff will be presenting a summary report on all bills signed into law at an upcoming meeting of the Board.

10. **Authorize and Approve EBMUD Water and Wastewater Financings For Variable and Fixed Rate Bonds.**

Finance/Administration Committee Chair John A. Coleman reported that the Committee voted unanimously to recommend approval of this item.

- Motion by Director Coleman, seconded by Director Patterson, to approve the recommended action for Item 10, carried (7-0) by voice vote.

Director Mellon requested that Internal Audit provide the Board with a report on the actual cost of refinancing in relation to the actual dollar savings to the District. General Manager Coate said he would have Internal Audit re-prioritize its schedule to accommodate this request.



**Resolution No. 33942-13** -- Authorize And Approve The Issuance And Sale From Time To Time Of One Or More Series Of Water System Revenue Refunding Bonds In Connection With The Potential Refunding Of Outstanding Variable Rate Bonds; Approve The Form Of, And Authorize, Certain Documents In Connection With The Issuance, Securing And Sale Of Such Bonds; And Approve Certain Actions Relating Thereto.

**Resolution No. 33943-13** -- Authorize And Approve The Issuance And Sale From Time To Time Of One Or More Series Of Wastewater System Revenue Refunding Bonds In Connection With The Potential Refunding Of Outstanding Variable Rate Bonds; Approve The Form Of, And Authorize, Certain Documents In Connection With The Issuance, Securing And Sale Of Such Bonds; And Approve Certain Actions Relating Thereto.

**Resolution No. 33944-13** -- Authorize And Approve The Issuance And Sale From Time To Time Of One Or More Series Of Water System Revenue Refunding Bonds In Connection With The Potential Refunding Of Outstanding Fixed Rate Bonds; Approve The Form Of, And Authorize, Certain Documents In Connection With The Issuance, Securing And Sale Of Such Bonds; And Approve Certain Actions Relating Thereto.

**Resolution No. 33945-13** -- Authorize And Approve The Issuance And Sale From Time To Time Of One Or More Series Of Wastewater System Revenue Refunding Bonds In Connection With The Potential Refunding Of Outstanding Fixed Rate Bonds; Approve The Form Of, And Authorize, Certain Documents In Connection With The Issuance, Securing And Sale Of Such Bonds; And Approve Certain Actions Relating Thereto.

11. **Replace Royal Bank of Canada and Barclays Bank as Remarketing Agents For The Water Series 2008A-1, 1008A-2 and 2008A-3 Bonds.**

Finance/Administration Committee Chair John A. Coleman reported that the Committee voted unanimously to recommend approval of this item.

- Motion by Director Coleman, seconded by Director Patterson, to approve the recommended action for Item 11, carried (7-0) by voice vote.

**Resolution No. 33946-13** -- Authorize The Execution And Delivery Of A First Amendment To The Thirteenth Supplemental Indenture And Two Or More Remarketing Agreements In Connection With The Water System Revenue Refunding Bonds, Series 2008A-1, Series 2008A-2 And Series 2008A-And Certain Other Actions Related Thereto And Authorize The Officers Of The District To Do All Other Things Deemed Necessary Or Advisable.

12. **General Manager's Report.**

Manager of Distribution Maintenance and Construction Leann M. Gustafson presented an update on the District's process to respond to and repair leaks. She reported that the District experiences an estimated 3,000 leaks per year that require excavation and repair. Most repairs are completed by the crew within six hours, at an average cost of \$7,250 compared to pipe replacement projects that cost \$2 million per mile. Ms. Gustafson also reported that recently

the District has made several improvements to repair and notification processes to mitigate customer impacts. The Board requested a copy of USA marking cards used to identify utility markings. Next, General Manager Coate noted that staff provided a memorandum on the Pharmaceutical Take Back Program and reminded the Board of the upcoming Pardee Barbeque event scheduled for October 4.

## **REPORTS AND DIRECTOR COMMENTS**

### **13. Committee Reports.**

- Filed with the Board were the Minutes of the September 10, 2013 Planning Committee.

### **14. Director Comments.**

- Director Coleman reported attending/participating in the following events: Jobs Housing Legacy Event on September 12 in Oakland; ACWA statewide action plan meeting on September 13 at the Department of Water Resources office in Sacramento; ACWA Executive Committee teleconference meeting on September 16 in Oakland; ACWA Nomination Committee meeting on September 18 in Sacramento; ACWA JPIA Executive Committee teleconference meeting on September 19 in Oakland; EBMUD booth participant at the Lafayette Art & Wine Festival on September 21; and ACWA Executive Committee teleconference meeting on September 23 in Oakland. He reported on plans to attend/participate in the following upcoming events: ACWA tours of EBMUD facilities on September 26 in Oakland and in San Pablo; ACWA JPIA Executive Committee and Board meetings on September 27 in Oakland; ACWA JPIA Executive Committee teleconference meeting on September 30 in Carmel; CMAA Breakfast for San Francisco Public Utility Commission on October 3 in San Francisco; San Francisco Bay Gala on October 3 in San Francisco; Upper Mokelumne River Water Authority Board meeting and the Pardee BBQ on October 4; and the ACWA JPIA Executive Committee teleconference meeting on October 7.
- Director Foulkes reported participating on the ACWA Region 5 Board teleconference meeting on September 17 and attending the ACWA Region 5 conference on September 22 and 23 in Carmel.
- Director Linney had no comment.
- Director McIntosh had no comment.
- Director Mellon reported participating in the Castro Valley Fall Festival on September 14 and 15 and he thanked staff for its assistance. He also reported attending the EBMUD Retirement Board meeting on September 19 in Oakland.
- Director Patterson reported attending the Congressional Black Caucus Legislative Foundation Conference from September 18-21 in Washington, D.C.
- President Katz had no comment.

**ADJOURNMENT**

President Katz adjourned the meeting at 2:34 p.m.

SUBMITTED BY:

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Lynelle M. Lewis, Secretary of the District

APPROVED: October 8, 2013

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Andy Katz, President of the Board

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AGENDA NO. 3  
MEETING DATE October 8, 2013

TITLE WATER BILL FORMS

☒ MOTION \_\_\_\_\_ ☐ RESOLUTION \_\_\_\_\_ ☐ ORDINANCE \_\_\_\_\_

### RECOMMENDED ACTION

Award a contract to the lowest responsible/responsive bidder R.R. Donnelley Company in the estimated annual amount after the addition of taxes of \$37,985 for supplying water bill forms for the period beginning October 15, 2013 and ending October 14, 2015 with one (1) option to renew for an additional one-year period for a total estimated cost of \$113,955 under Proposal No. 1407.

### SUMMARY

Water bill forms (C-013A) are used for customer billing and are therefore an essential component of the District's business process. This bid requested annual pricing on 1,200 boxes (2100 forms per box), which is an estimated amount based on historical usage.

### DISCUSSION

Because the District seeks to obtain optimal volume discount pricing over an extended period of time, this contract includes price adjustment clauses that will allow the District to adjust pricing both up and down as necessary to accommodate the raw material cost variances over the life of the agreement.

### VENDOR SELECTION


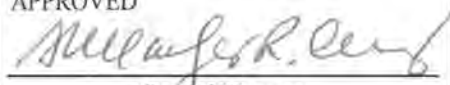
Requests for quotations were sent to 5 resource organizations and to 40 potential proposers. A total of two bids were received, with R.R. Donnelley being the lowest cost bid. Bid summary is attached.

### CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

### FISCAL IMPACT

This expenditure is included in the FY14/15 operating budget.

Funds Available: FY 14/15		Budget Code: VAR/VAR
DEPARTMENT SUBMITTING  Finance	DEPARTMENT MANAGER or DIRECTOR   Eric L. Sandler	APPROVED   General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.



## ALTERNATIVES

**Conduct a competitive bid process annually and include a fixed price scenario.** This is not recommended because the cost of competition to both the vendor community as well as the District could be significant.

**Purchase product as required on the open market.** This is not recommended because purchasing the forms as required and in smaller amounts would compromise the manufacturer's ability to achieve production efficiencies and offer a competitive price.

## Attachments

I:\Finance\Draft Board Documents\10-08-13 Board Packet\FIN - Water Bill Forms 100813.doc

**EAST BAY MUNICIPAL UTILITY DISTRICT  
REQUEST FOR QUOTATION 1407  
WATER BILL FORMS**

***Bids Opened September 13, 2013***

	<b>BIDDER</b>	<b>TOTAL AMOUNT BID</b>
1.	R. R. Donnelley 1646 N. California Blvd., Ste. 510 Walnut Creek, CA 94596 (925) 951-1323	\$34,848*
2.	AdMail Express, Inc. 31640 Hayman St. Hayward, CA 94544 (510) 477-6240	\$47,712*

\*Price does not include tax



# CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE		PROPOSAL NO.: 1407				DATE:				September 18, 2013			
		Water Bill Forms - Two-Year Contract with an One-Year Renewal Option											
CONTRACTOR:					PERCENTAGE OF CONTRACT DOLLARS								
RR Donnelley Co. Pasadena, CA					Availability Group			Contracting Objectives			Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP			White Men			25%			0.0%		
		Ethnicity		Gender	White Women			2%			0.0%		
\$34,848 /year		Publicly Held Corp.			Ethnic Minorities			25%			0.0%		
CONTRACT EQUITY PARTICIPATION													
COMPANY NAME		ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION							
				M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign	
PRIME:		\$34,848	Publicly Held Corp.			---	---	---	---	100.0%	---	---	
RR Donnelley Co.						---	---	---	---	---	---		
SUBS:						---	---	---	---	---	---		
None						---	---	---	---	---	---		
						---	---	---	---	---	---		
						---	---	---	---	---	---		
						---	---	---	---	---	---		
						---	---	---	---	---	---		
						---	---	---	---	---	---		
TOTAL		\$34,848				0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	
CONTRACTOR'S WORKFORCES PROFILE (From P-025 Form)													
		White Men		White Women		Ethnic Minorities		Total Employees					
No. of Employees:		37		8		80		125					
Percent of Total Employees:		29.6%		6.4%		64.0%							
MSA Labor Market %:		39.0%		33.7%		27.3%							
MSA Labor Market Location:		USA											
COMMENTS													
Contract Equity Participation - Zero Contract Equity participation since firm is a publicly held corporation and no subcontract opportunities exist.													
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended					
NA				NA									



# AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: <b>Water Bill Forms - Two-Year Contract with an One-Year Renewal Option</b>		Ethnic Minority Percentages From U.S. Census Data						
			B	H	A/PI	AI/AN	TOTAL	
		National	10.5	10.7	3.7	0.7	27.3	
Proposal #: 1407		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9	
DATE: 9/18/2013		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2	
R=Recmmnd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL PERCENT MSA %	
RP	Publicly Held Corp.	Company Wide	3	61	14	2	80 64.0% 47.8%	
RR Donnelley Co. Scott Lindgren P. O. Box 100112 Pasadena, CA 91189  925-951-1323		Manager/Prof	-	1	1	3	33.3%	
		Technical/Sales	-	-	-	0	0.0%	
		Clerical/Skilled	1	39	10	-	50 63.3%	
		Semi/Unskilled	2	21	3	1	27 77.1%	
		Bay Area	-	-	-	-	-	NA 39.9%
		AA Plan on File: NA	Date of last contract with District: 5/15/2012					
		Co. Wide MSA: USA	# Employees-Co. Wide: 125 Bay Area: NA					
		Company Wide						
		Manager/Prof						
		Technical/Sales						
		Clerical/Skilled						
		Semi/Unskilled						
		Bay Area						39.9%
		Co. Wide MSA:	# Employees-Co. Wide: Bay Area:					
P	WM - LBE	Company Wide	-	3	2	-	5 35.7% 47.8%	
Admail Express, Inc. Brian M. Schott 31640 Hayman Street Hayward, CA 94544  510-471-6200		Manager/Prof	-	-	1	-	1 20.0%	
		Technical/Sales	-	1	1	-	2 66.7%	
		Clerical/Skilled	-	2	-	-	2 33.3%	
		Semi/Unskilled	-	-	-	-	-	NA
		Bay Area	-	3	2	-	5 35.7% 39.9%	
		Co. Wide MSA: Oakland	# Employees-Co. Wide: 14 Bay Area: 14					
		Company Wide						
		Manager/Prof						
		Technical/Sales						
		Clerical/Skilled						
		Semi/Unskilled						
		Bay Area						39.9%
		Co. Wide MSA:	# Employees-Co. Wide: Bay Area:					
		Company Wide						
		Manager/Prof						
		Technical/Sales						
		Clerical/Skilled						
		Semi/Unskilled						
		Bay Area						39.9%
		Co. Wide MSA:	# Employees-Co. Wide: Bay Area:					
		Company Wide						
		Manager/Prof						
		Technical/Sales						
		Clerical/Skilled						
		Semi/Unskilled						
		Bay Area						39.9%
		Co. Wide MSA:	# Employees-Co. Wide: Bay Area:					

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)







AGENDA NO.  
MEETING DATE

4  
October 8, 2013

TITLE ARGYLE RESERVOIRS ACCESS ROAD IMPROVEMENTS

☒ MOTION \_\_\_\_\_ ☐ RESOLUTION \_\_\_\_\_ ☐ ORDINANCE \_\_\_\_\_

### RECOMMENDED ACTION

Award a contract to the lowest responsive/responsible bidder, McGuire and Hester, in the amount of \$363,400 for construction of Argyle Reservoirs Access Road Improvements under Specification 2074.

### SUMMARY

Work includes the construction of a 550 foot access road to the Argyle Reservoirs, various site and drainage improvements, and performance of other related required work.

### DISCUSSION

Access to the Argyle Reservoirs via the existing access road is difficult due to vehicle and equipment obstructions. Additionally, large, unrestrained dogs, which pose a health and safety risk to District personnel, impede reservoir access. The ability to get to the reservoirs in the event of an emergency cannot be guaranteed due to the current access road conditions. The new 550 foot road will provide access free from the current obstructions and safety risks as well as provide direct access to the reservoirs in the event of an emergency. See attached map for location.

### BID RESULTS

Bids Received:	10
Documents Issued:	58
Range of Bids:	\$363,400 - \$979,725
Engineer's Estimate:	\$561,415

The District sent bid documents to 29 resource organizations and to 22 potential bidders. Most of the bids were below the engineer's estimate due to a competitive bid environment for this sort of work. See attached Bid Summary for additional information.

### CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

Funds Available: FY14-15; CIP #000089; Page 126		Budget Code: WSC\570\7999\5561\2008545:25
DEPARTMENT SUBMITTING  Engineering and Construction	DEPARTMENT MANAGER or DIRECTOR   Xavier J. Irias	APPROVED   General Manager

## **FISCAL IMPACT**

This item is included in the FY14-15 Capital Improvement Program for the Reservoir Access Roads Project under the Reservoir Rehabilitation Program.

## **PREVAILING WAGE**

Work under this contract is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of Industrial Relations of the State of California.

## **UNION NOTIFICATION**

Local 444 AFSCME was notified of this contract on March 12, 2013. Local 444 AFSCME did not raise any specific issues related to this contract.

## **CEQA/ENVIRONMENTAL COMPLIANCE**

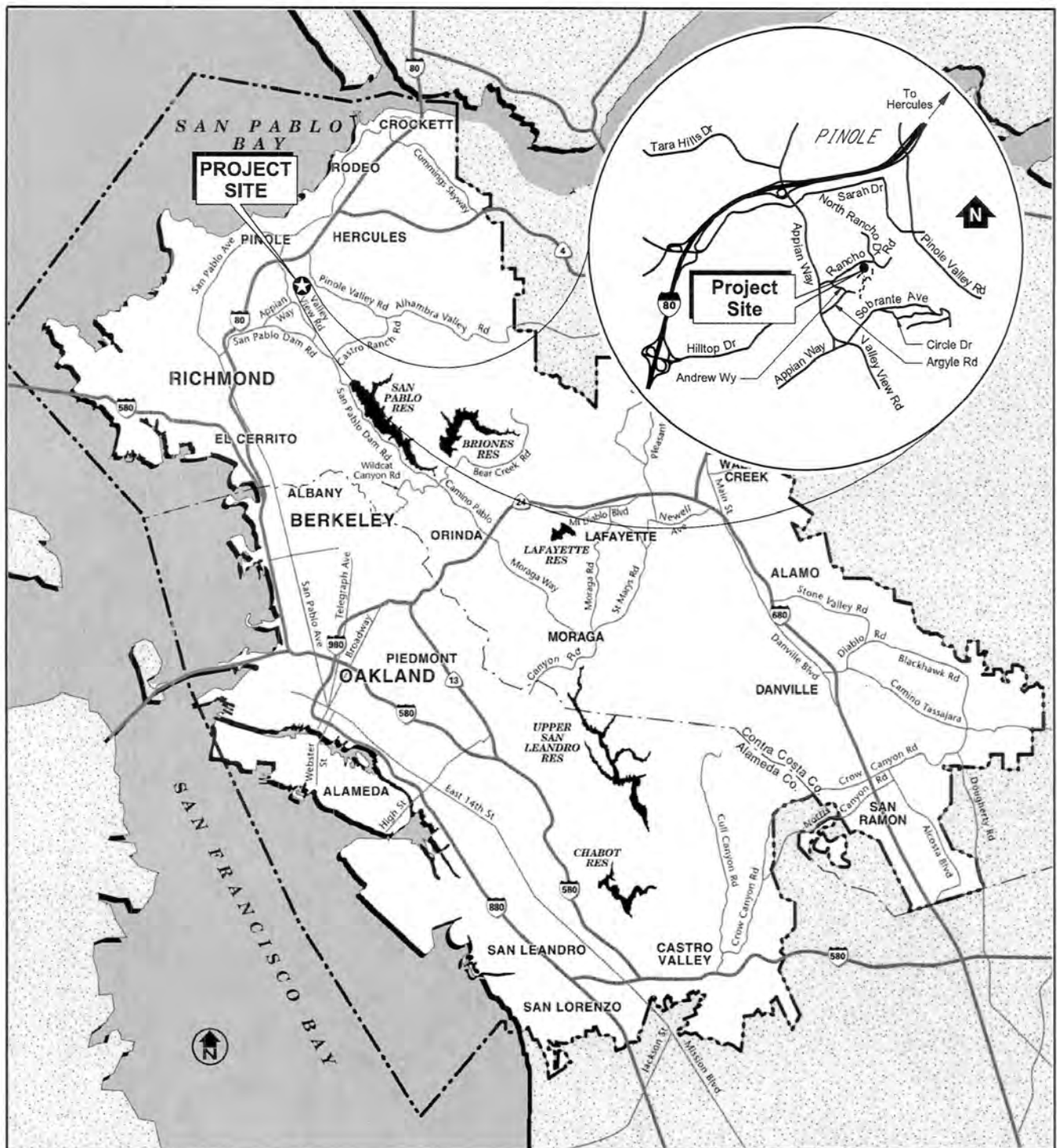
A Notice of Exemption was posted with the Contra Costa County Clerk on April 24, 2013.

## **ALTERNATIVES**

**No project.** This alternative is not recommended because District personnel will continue to be exposed to the health and safety risks associated with the current access road. Additionally, access to the reservoirs in the event of an emergency will remain unreliable.

**Perform the work with District forces.** This alternative is not recommended because District staff does not possess the resources required to perform a project of this scale.

Attachments: Location Map  
Bid Summary  
Contract Equity Program Summary (P-035)  
Affirmative Action Summary (P-061)



## PROJECT SITE LOCATION MAP

NOT TO SCALE

## EAST BAY MUNICIPAL UTILITY DISTRICT

## ARGYLE RESERVOIRS ACCESS ROAD IMPROVEMENTS

**SPECIFICATION 2074**

**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**SPECIFICATION 2074**  
**ARGYLE RESERVOIRS ACCESS ROAD IMPROVEMENTS**  
**Bids Opened September 11, 2013**

	<b>BIDDER</b>	<b>TOTAL AMOUNT BID</b>
1.	McGuire and Hester 9009 Railroad Ave. Oakland, CA 94603 (510) 632-7676	\$363,400
2.	Ghilotti Bros., Inc. 525 Jacoby St. San Rafael, CA 94901 (415) 454-7011	\$368,758
3.	Pacific States Environmental Contractors, Inc. 11555 Dublin Blvd. Dublin, CA 94568 (925) 803-4333	\$446,900
4.	Ghilotti Construction Company, Inc. 246 Ghilotti Ave. Santa Rosa, CA 95407 (707) 585-1221	\$456,654
5.	Carone & Company, Inc. 5009 Forni Dr., Suite A Concord, CA 94520 (925) 602-8800	\$464,195
6.	Fanfa, Inc. SBE 2401 Grant Ave. San Lorenzo, CA 94580 (510) 278-8410	\$513,350
7.	Maggiora & Ghilotti, Inc. 555 Du Bois St. San Rafael, CA 94901 (415) 459-8640	\$515,515

8.	GradeTech, Inc.      SBE PO Box 1728 San Ramon, CA 94583 (510) 733-0390	\$528,800
9.	J. A. Gonsalves & Son Construction, Inc. 1100 Soscol Ferry Rd., #2 Napa, CA 94558 (707) 258-6261	\$589,000
10.	U.S. Matrix Construction, Inc. 539 Garcia Ave., #A Pittsburg, CA 94565 (925) 473-1043	\$979,725

SBE – Small Business Enterprise

**Engineer's Estimate:                      \$561,415**





# CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE SPECIFICATION NO.: 2074 Argyle Reservoirs Access Road Improvements						DATE: September 18, 2013					
CONTRACTOR: McGuire & Hester Oakland, CA				Local Business				PERCENTAGE OF CONTRACT DOLLARS			
				Availability Group		Contracting Objectives		Participation			
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		72.8%			
		Ethnicity	Gender	White Women		9%		0.0%			
\$363,400		White	Men	Ethnic Minorities		25%		27.2%			
CONTRACT EQUITY PARTICIPATION											
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME:											
McGuire & Hester	\$255,476	White	X		70.3%	---	---	---	---	---	---
SUBS:											
Calco Fence, Inc.	\$6,280	White	X		1.7%	---	---	---	---	---	---
Selby's Soil Erosion Control Co.	\$2,644	White	X		0.7%	---	---	---	---	---	---
USA Trucking, Inc.	\$99,000	Asian	X		---	---	27.2%	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
TOTAL	\$363,400				72.8%	0.0%	27.2%	0.0%	0.0%	0.0%	0.0%
CONTRACTOR'S WORKFORCES PROFILE (From P-025 Form)											
	White Men	White Women	Ethnic Minorities	Total Employees							
No. of Employees:	141	10	280	431							
Percent of Total Employees:	32.7%	2.3%	65.0%								
MSA Labor Market %:	28.0%	24.2%	47.8%								
MSA Labor Market Location:	Oakland, CA										
COMMENTS											
Contract Equity Participation - 72.8% White Men participation and 27.2% Ethnic Minority participation.											
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended			
NA				YES							



# AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: <b>Argyle Reservoirs Access Road Improvements</b>		Ethnic Minority Percentages From U.S. Census Data							
			B	H	A/PI	AI/AN	TOTAL		
		National	10.5	10.7	3.7	0.7	27.3		
Spec. No.: 2074		DATE: 9/18/2013	9 Bay Area Counties		5.5	16.2	14.2	0.4	39.9
			Alameda/CC Counties		10.7	15.6	15.4	0.5	46.2
R=Recomm P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM - LBE	Company Wide	30	225	11	4	270	62.6%	47.8%
McGuire & Hester Michael R. Hester 9009 Railroad Avenue Oakland, CA 94603  510-632-7676		Manager/Prof	1	6	3	1	11	17.2%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	18	88	6	2	114	54.5%	
		Semi/Unskilled	11	131	2	1	145	91.8%	
		Bay Area	30	225	11	4	270	62.6%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		8/6/2012		
		Co. Wide MSA:	Oakland, CA		# Employees-Co. Wide:		431	Bay Area:	431
S	EMM:A - SBE	Company Wide	4	2	6	-	12	100.0%	48.4%
USA Trucking, Inc. Gurtej Singh 5186 WB Goodman Lane Fairfield, CA 94533  707-624-9522		Manager/Prof	-	-	-	-	-	NA	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	4	2	6	-	12	100.0%	
		Bay Area	4	2	6	-	12	100.0%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide:		12	Bay Area:	12
		Company Wide							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							39.9%
		Co. Wide MSA:			# Employees-Co. Wide:			Bay Area:	
P	WM	Company Wide	12	81	3	5	101	34.7%	18.8%
Ghilotti Bros., Inc. Michael M. Ghilotti 525 Jacoby Street San Rafael, CA 94901  415-454-7011		Manager/Prof	1	2	2	-	5	7.7%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	1	19	1	1	22	29.7%	
		Semi/Unskilled	10	60	-	4	74	48.7%	
		Bay Area	-	-	-	-	-	NA	39.9%
		Co. Wide MSA:	Marin County		# Employees-Co. Wide:		291	Bay Area:	NA
P	WM - LBE	Company Wide	9	35	2	1	47	46.5%	53.9%
Pacific States Environmental Contractors Robert E. McCarrick 11555 Dublin Blvd. Dublin, CA 94568  925-803-4333		Manager/Prof	2	-	-	-	2	13.3%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	1	-	1	50.0%	
		Semi/Unskilled	7	35	1	1	44	52.4%	
		Bay Area	9	35	2	1	47	46.5%	39.9%
		Co. Wide MSA:	Alameda County		# Employees-Co. Wide:		101	Bay Area:	101
P	WM	Company Wide	5	92	4	6	107	30.5%	23.4%
Ghilotti Construction Co., Inc. Richard W. Ghilotti 246 Ghilotti Avenue Santa Rosa, CA 95407  707-585-1221		Manager/Prof	-	4	3	-	7	18.9%	
		Technical/Sales	-	-	-	-	0	0.0%	
		Clerical/Skilled	3	26	-	4	33	17.9%	
		Semi/Unskilled	2	62	1	2	67	52.8%	
		Bay Area	-	-	-	-	-	NA	39.9%
		Co. Wide MSA:	Santa Rosa		# Employees-Co. Wide:		351	Bay Area:	NA

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)



# AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:		Ethnic Minority Percentages From U.S. Census Data						
Argyle Reservoirs Access Road Improvements			B	H	A/PI	AI/AN	TOTAL	
		National	10.5	10.7	3.7	0.7	27.3	
Spec. No.: 2074		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9	
DATE: 9/18/2013		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2	
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT
P	WM - LBE	Company Wide	-	20	-	-	20	35.7%
Carone & Co., Inc. Richard L. Carone 5009 Forni Drive, Suite A Concord, CA 94520  925-602-8800		Manager/Prof	-	-	-	-	0	0.0%
		Technical/Sales	-	-	-	-	-	NA
		Clerical/Skilled	-	4	-	-	4	11.8%
		Semi/Unskilled	-	16	-	-	16	88.9%
		Bay Area	-	20	-	-	20	35.7%
		Co. Wide MSA:	Contra Costa County		# Employees-Co. Wide:		56	Bay Area:
P	EMM:H - L/SBE	Company Wide	-	6	-	-	6	54.5%
Fanfa, Inc. Joseph G. Fanfa 2401 Grant Avenue San Lorenzo, CA 94580  510-278-8410		Manager/Prof	-	1	-	-	1	50.0%
		Technical/Sales	-	-	-	-	-	NA
		Clerical/Skilled	-	2	-	-	2	33.3%
		Semi/Unskilled	-	3	-	-	3	100.0%
		Bay Area	-	6	-	-	6	54.5%
		Co. Wide MSA:	Oakland		# Employees-Co. Wide:		11	Bay Area:
P	WM	Company Wide	10	14	-	-	24	25.5%
Maggiora & Ghilotti, Inc. Gary Ghilotti 555 Dubois Street San Rafael, CA 94901  415-459-8640		Manager/Prof	-	1	-	-	1	9.1%
		Technical/Sales	-	1	-	-	1	100.0%
		Clerical/Skilled	8	-	-	-	8	14.8%
		Semi/Unskilled	2	12	-	-	14	50.0%
		Bay Area	-	-	-	-	-	NA
		Co. Wide MSA:	Marin County		# Employees-Co. Wide:		94	Bay Area:
P	WM - L/SBE	Company Wide	-	5	-	-	5	31.3%
Grade Tech, Inc. Sam Rivinius 10250 Crow Canyon Road Castro Valley, CA 94552  510-733-0390		Manager/Prof	-	-	-	-	0	0.0%
		Technical/Sales	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	0	0.0%
		Semi/Unskilled	-	5	-	-	5	71.4%
		Bay Area	-	5	-	-	5	31.3%
		Co. Wide MSA:	Alameda County		# Employees-Co. Wide:		16	Bay Area:
P	WM	Company Wide						28.8%
JA Gonsalves & Son Construction Joseph A. Gonsalves 1100 Soscol Ferry Road, Suite 2 Napa, CA 94558  707-258-6261		Manager/Prof	Information Not Provided					
		Technical/Sales						
		Clerical/Skilled						
		Semi/Unskilled						
		Bay Area						
		Co. Wide MSA:	Napa County		# Employees-Co. Wide:		NA	Bay Area:
P	WM - LBE	Company Wide	1	1	-	-	2	20.0%
US Matrix Construction, Inc. Greg DiLoreto 539 Garcia Avenue, Suite A Pittsburg, CA 94565  925-473-1043		Manager/Prof	-	-	-	-	0	0.0%
		Technical/Sales	-	-	-	-	-	NA
		Clerical/Skilled	-	1	-	-	1	25.0%
		Semi/Unskilled	1	-	-	-	1	100.0%
		Bay Area	1	1	-	-	2	20.0%
		Co. Wide MSA:	Contra Costa County		# Employees-Co. Wide:		10	Bay Area:

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)

AGENDA NO. 5MEETING DATE October 8, 2013TITLE DUMP TRUCK RENTAL SERVICES☒ MOTION ☐ RESOLUTION ☐ ORDINANCE**RECOMMENDED ACTION**

Authorize agreements with the dump truck vendors listed below for the rental of ten-yard dump trucks, 20-yard end-dump and transfer trucks, and 20-yard super dump trucks, in the combined estimated annual amount of \$1,250,000 for the period November 1, 2013 through October 31, 2015 with three options to renew for additional one-year periods, for a total estimated cost of \$6,250,000.

1. A.I.P. Trucking	9. Haver Transport	17. Roby Trucking
2. Adam Moreno & Sons, Inc.	10. Hill Trucking	18. Royal Trucking
3. Jarah Transportation, Inc.	11. Inder Trucking	19. S&L Enterprises
4. D & S Trucking, LLC	12. Jackson Transportation	20. Sandstone Trucking
5. De Bibb Trucking	13. JD Trucking Co., Inc.	21. SMG Trucking
6. E. M. Blair Trucking	14. Kemp Trucking	22. Sudden Sam's Trucking Co.
7. Economy Trucking Services, Inc.	15. Mae Trucking	23. Tom Aikens General Engineering
8. G W Trucking	16. Robertson Trucking Service, Inc.	24. V. Dolan Trucking, Inc.

**SUMMARY**

The District utilizes dump truck services throughout its service area to haul spoils and asphalt for recycling from jobsite locations and/or to haul backfill material and asphalt to jobsite locations. These resources are needed to supplement internal hauling resources during peak workload demands, to complete occasional long-haul projects, and to backfill as a result of staff leave (planned and unplanned), recruitment periods, retirements and promotions.

**DISCUSSION**

The District spent an average of \$1,257,962 annually on the rental of dump trucks over the past five years. Staff continues to monitor and manage the need for these rental resources as required to support District operations and explore efficiencies and new technologies to reduce the spoils and local fuel requirements. These contracts present no obligation on the part of the District to purchase these services, and their use may be adjusted at any time.

Funds Available: FY14		Budget Code: WSG/741/7999/5296/VAR
DEPARTMENT SUBMITTING <u>Operations and Maintenance</u>	DEPARTMENT MANAGER or DIRECTOR  Michael J. Wallis	APPROVED  General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.



## SERVICE PROVIDER SELECTION

A market survey was conducted that included input from competing companies in the industry, as well as large users like Caltrans. Based on this information, the District established an hourly rate that it is willing to pay for the service and invited all qualified vendors willing to accept that rate to sign up and participate in the program. The District includes as many vendors as it feels demand will support and creates an active trucker list. Vendors on this list will be assigned work opportunities on a rotational basis to insure a fair and equitable distribution of the total workload. Vendors awaiting work or new vendors are put on a standby list and will be added to the active list as demand increases, vendors drop off, and/or vendors are released for poor performance.

## CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

## FISCAL IMPACT

Funds for renting dump trucks are included in the FY14 budget.

## UNION NOTIFICATION

Local 444 was notified in writing on June 18, 2013. In addition, this agenda item was discussed with Local 444 on July 10, 2013. Local 444 did not express concerns regarding the renewal of these contracts. Since 2003, staff has provided either quarterly or semi-annual presentations to Local 444 on dump truck rental services.

## ALTERNATIVES

**Do not contract for truck rental services and increase staffing to meet hauling needs.** This is not recommended as these contracts are designed to help the District complete its hauling requirements during peak periods while insuring that District personnel and related equipment remain fully utilized on a day-to-day basis. Increasing staff to meet peak period demands is inefficient and would result in excess resources most of the time.

**Conduct a competitive bid and award all of this business to the lowest responsible bidder.** This is not recommended as no individual company is large enough to address all of the District's requirements. It would also compromise the District's ability to provide opportunities to local SBE companies as only the larger companies would be positioned to compete, and this would drive prices higher due to the smaller number of companies that might be considered responsive.

## ATTACHMENTS

P-035 CEP Summary

P-061 Affirmative Action Summary



# CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

<b>TITLE</b> <b>General Services Agreement</b> Dump Truck Rental Services - Two-Year Contract with 3 One-Year Renewal Options					<b>DATE:</b> September 10, 2013						
<b>CONTRACTOR:</b> See Below					<b>PERCENTAGE OF CONTRACT DOLLARS</b>						
<b>BID/PROPOSER'S PRICE:</b> \$1,250,000 (2 yrs.)		<b>FIRM'S OWNERSHIP</b>		<b>White Men</b> 25%	<b>Contracting Objectives</b> 8%		<b>Participation</b> 8%				
<b>Ethnicity</b> See Below		<b>Gender</b> See Below		<b>White Women</b> 6%	<b>Ethnic Minorities</b> 25%		<b>Participation</b> 84%				
<b>CONTRACT EQUITY PARTICIPATION</b>											
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
<b>PRIME:</b>											
Ira Parish dba A.I.P. Trucking	TBD	Black		X	---	---	---	---	---	---	---
Adam Moreno & Sons, Inc.	TBD	Hispanic		X	---	---	---	---	---	---	---
D & S Trucking, LLC	TBD	White		X	---	---	---	---	---	---	---
De Bibb Trucking	TBD	Black	X		---	---	---	---	---	---	---
E. M. Blair Trucking	TBD	Black	X		---	---	---	---	---	---	---
Economy Trucking Services, Inc.	TBD	Asian		X	---	---	---	---	---	---	---
Gloria Washington Trucking, Inc.	TBD	Black		X	---	---	---	---	---	---	---
Haver Transport	TBD	Asian		X	---	---	---	---	---	---	---
Hill Trucking Co.	TBD	Black	X		---	---	---	---	---	---	---
Inder Trucking	TBD	Asian	X		---	---	---	---	---	---	---
Jackson Transportation	TBD	Black	X		---	---	---	---	---	---	---
Jarah Transportation, Inc.	TBD	Black		X	---	---	---	---	---	---	---
JD 4 U Trucking Co. dba JD Trucking Co.	TBD	Black		X	---	---	---	---	---	---	---
MAE Trucking	TBD	Black	X		---	---	---	---	---	---	---
Robertson Trucking, Inc.	TBD	Hispanic		X	---	---	---	---	---	---	---
Roby Trucking	TBD	Asian	X		---	---	---	---	---	---	---
Royal Trucking/Maintenance	TBD	Black	X		---	---	---	---	---	---	---
S&L Enterprises	TBD	Black	X		---	---	---	---	---	---	---
Sandstone Trucking	TBD	White		X	---	---	---	---	---	---	---
S.M.G. Trucking	TBD	Asian	X		---	---	---	---	---	---	---
Sudden Sam's Trucking Co.	TBD	Black	X		---	---	---	---	---	---	---
Tom Aikens General Engineering	TBD	White	X		---	---	---	---	---	---	---
Uris Kemp Trucking, Inc.	TBD	Black	X		---	---	---	---	---	---	---
V. Dolan Trucking, Inc.	TBD	White	X		---	---	---	---	---	---	---
<b>TOTAL</b>	\$1,250,000				8.0%	8.0%	84.0%	0.0%	0.0%	0.0%	0.0%
<b>CONTRACTOR'S WORKFORCES PROFILE (From P-025 Form)</b>											
	<b>White Men</b>	<b>White Women</b>	<b>Ethnic Minorities</b>	<b>Total Employees</b>							
<b>No. of Employees:</b>	See P-61 Form										
<b>Percent of Total Employees:</b>											
<b>MSA Labor Market %:</b>											
<b>MSA Labor Market Location:</b>											
<b>COMMENTS</b>											
Contract Equity Participation - 8% White Men participation, 8% White Women participation and 84% Ethnic Minority participation (est.)											
<b>Workforce Profile &amp; Statement of Nondiscrimination Submitted</b>				<b>Good Faith Outreach Efforts Requirement Satisfied</b>				<b>Award Approval Recommended</b>			
NA				NA							





# AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: <b>Dump Truck Rental Services - Two-Year Contract with 3 One-Year Renewal Options</b>		Ethnic Minority Percentages From U.S. Census Data							
			B	H	A/PI	AI/AN	TOTAL		
		National	10.5	10.7	3.7	0.7	27.3		
		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9		
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2		
General Services Agreement		DATE: 9/10/2013							
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT		
		MSA %							
RP	EMW:B - SBE	Company Wide	2	-	-	-	2	100.0%	
Ira Parish dba A.I.P. Trucking Ira Parish P. O. Box 581057 Elk Grove, CA 95124  510-237-6824		Manager/Prof	-	-	-	-	-	NA	
		Technical/Sales	-	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	-	-	NA
		Semi/Unskilled	2	-	-	-	-	2	100.0%
		Bay Area	2	-	-	-	-	2	100.0%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Contra Costa Co.		# Employees-Co. Wide:		2		
RP	EMW:H - L/SBE	Company Wide	-	3	-	-	3	75.0%	
Adam Moreno & Sons, Inc. Jose Moreno 6460 Tri Lane Richmond, CA 94803  510-222-2873		Manager/Prof	-	2	-	-	2	100.0%	
		Technical/Sales	-	-	-	-	-	-	NA
		Clerical/Skilled	-	1	-	-	-	1	50.0%
		Semi/Unskilled	-	-	-	-	-	-	NA
		Bay Area	-	3	-	-	-	3	75.0%
		AA Plan on File:	NA		Date of last contract with District:		7/11/2013		
		Co. Wide MSA:	Contra Costa Co.		# Employees-Co. Wide:		4		
RP	WW - L/SBE	Company Wide	-	-	-	-	0	0.0%	
D & S Trucking, LLC Susan Jones 6429 Sunnyslope Avenue Castro Valley, CA 94552  510-537-2178		Manager/Prof	-	-	-	-	0	0.0%	
		Technical/Sales	-	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	-	-	NA
		Semi/Unskilled	-	-	-	-	-	-	NA
		Bay Area	-	-	-	-	-	0	0.0%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Oakland		# Employees-Co. Wide:		2		
RP	EMM:B - L/SBE	Company Wide	4	5	1	-	10	100.0%	
De Bibb Trucking Deartemus Bibb P. O. Box 21512 El Sobrante, CA 94820  510-774-0013		Manager/Prof	1	1	-	-	2	100.0%	
		Technical/Sales	-	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	-	-	NA
		Semi/Unskilled	3	4	1	-	8	100.0%	
		Bay Area	4	5	1	-	10	100.0%	
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Contra Costa Co.		# Employees-Co. Wide:		10		
RP	EMM:B - L/SBE	Company Wide	1	-	-	-	1	100.0%	
E. M. Blair Trucking Ronald B. Blair 2914 Johnson Avenue Richmond, CA 94804  510-772-7312		Manager/Prof	1	-	-	-	1	100.0%	
		Technical/Sales	-	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	-	-	NA
		Semi/Unskilled	-	-	-	-	-	-	NA
		Bay Area	1	-	-	-	-	1	100.0%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Contra Costa Co.		# Employees-Co. Wide:		1		
RP	EMW:A - L/SBE	Company Wide	-	-	1	-	1	100.0%	
Economy Trucking Services, Inc. Preet Johal 24701 Clawiter Road Hayward, CA 94545  510-733-9100		Manager/Prof	-	-	1	-	1	100.0%	
		Technical/Sales	-	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	-	-	NA
		Semi/Unskilled	-	-	-	-	-	-	NA
		Bay Area	-	-	1	-	-	1	100.0%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Alameda County		# Employees-Co. Wide:		1		



# AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:		Ethnic Minority Percentages From U.S. Census Data							
Dump Truck Rental Services - Two-Year Contract with 3 One-Year Renewal Options			B	H	A/PI	AI/AN	TOTAL		
		National	10.5	10.7	3.7	0.7	27.3		
		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9		
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2		
General Services Agreement		DATE:	9/10/2013						
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	EMW:B - L/SBE	Company Wide	4	-	-	-	4	100.0%	38.5%
Gloria Washington Trucking, Inc. Gloria Washington 525 DeCarlo Avenue Richmond, CA 94801  510-236-6766		Manager/Prof	1	-	-	-	1	100.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	3	-	-	-	3	100.0%	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	4	-	-	-	4	100.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Contra Costa Co.		# Employees-Co. Wide:		4 Bay Area: 4		
RP	EMW:A - L/SBE	Company Wide	-	-	4	-	4	100.0%	38.5%
Haver Transport Navneet Bal 1801 Chinquapin Court #C Concord, CA 94519  925-766-4371		Manager/Prof	-	-	1	-	1	100.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	3	-	3	100.0%	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	4	-	4	100.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	Contra Costa Co.		# Employees-Co. Wide:		4 Bay Area: 4		
RP	EMM:B - L/SBE	Company Wide	1	-	-	-	1	100.0%	53.9%
Hill Trucking Co. Abraham Hill 3252 Seagrams Court Hayward, CA 94541  510-693-7827		Manager/Prof	1	-	-	-	1	100.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	1	-	-	-	1	100.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	Alameda Co.		# Employees-Co. Wide:		1 Bay Area: 1		
RP	EMM:A - SBE	Company Wide	-	-	1	-	1	100.0%	47.6%
Inder Trucking HarinderPal Singh Sidhu 150 Kennison Court Vallejo, CA 94539  925-250-5001		Manager/Prof	-	-	1	-	1	100.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	1	-	1	100.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	Solano Co.		# Employees-Co. Wide:		1 Bay Area: 1		
RP	EMM:B - SBE	Company Wide	2	-	-	-	2	100.0%	39.9%
Jackson Transportation Alfred Jackson 1744 Keesler Circle Suisun City, CA 94585  510-213-2642		Manager/Prof	2	-	-	-	2	100.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	-	-	NA	39.9%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		2 Bay Area: 0		
RP	EMW:B - L/SBE	Company Wide	1	-	-	-	1	100.0%	47.8%
Jarrah Transportation, Inc. Antionette Hill 720 Louisiana Street Oakland, CA 94603  510-398-3296		Manager/Prof	1	-	-	-	1	100.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	1	-	-	-	1	100.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	Oakland		# Employees-Co. Wide:		1 Bay Area: 1		



# AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:		Ethnic Minority Percentages From U.S. Census Data						
Dump Truck Rental Services - Two-Year Contract with 3 One-Year Renewal Options			B	H	A/PI	AI/AN	TOTAL	
		National	10.5	10.7	3.7	0.7	27.3	
		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9	
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2	
<b>General Services Agreement</b>		DATE:	9/10/2013					
R=Recomm P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT
RP	EMW:B - L/SBE	Company Wide	1	-	-	-	1	100.0%
JD 4 U Trucking Co. dba JD Trucking Co. Gloria J. Davis 312 Hunter Avenue Oakland, CA 94603  510-938-7786		Manager/Prof	1	-	-	-	1	100.0%
		Technical/Sales	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	-	NA
		Semi/Unskilled	-	-	-	-	-	NA
		Bay Area	1	-	-	-	1	100.0%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008	
		Co. Wide MSA:	Oakland		# Employees-Co. Wide:		1 Bay Area: 1	
RP	EMM:B - L/SBE	Company Wide	1	-	-	-	1	100.0%
MAE Trucking Kevin Moffett 268 Heron Drive Pittsburg, CA 94565  925-427-9240		Manager/Prof	1	-	-	-	1	100.0%
		Technical/Sales	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	-	NA
		Semi/Unskilled	-	-	-	-	-	NA
		Bay Area	1	-	-	-	1	100.0%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008	
		Co. Wide MSA:	Contra Costa Co.		# Employees-Co. Wide:		1 Bay Area: 1	
RP	EMW:H - L/SBE	Company Wide	-	1	-	-	1	33.3%
Robertson Trucking, Inc. Kirsten Konieczka P. O. Box 7597 Fremont, CA 94537  510-796-8111		Manager/Prof	-	1	-	-	1	50.0%
		Technical/Sales	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	-	NA
		Semi/Unskilled	-	-	-	-	0	0.0%
		Bay Area	-	1	-	-	1	33.3%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008	
		Co. Wide MSA:	Alameda Co.		# Employees-Co. Wide:		3 Bay Area: 3	
RP	EMM:A - SBE	Company Wide	-	-	4	-	4	80.0%
Roby Trucking Parmod Kumar 100 Countryview Court Vallejo, CA 94591  707-333-8706		Manager/Prof	-	-	-	-	-	NA
		Technical/Sales	-	-	-	-	-	NA
		Clerical/Skilled	-	-	1	-	1	100.0%
		Semi/Unskilled	-	-	3	-	3	75.0%
		Bay Area	-	-	4	-	4	80.0%
		AA Plan on File:	NA		Date of last contract with District:		NA	
		Co. Wide MSA:	Vallejo-Fairfield-Napa		# Employees-Co. Wide:		5 Bay Area: 5	
RP	EMM:B - L/SBE	Company Wide	1	-	-	-	1	100.0%
Royal Trucking/Maintenance Vaughn Royal 7333 Deerwood Street Oakland, CA 94605  510-455-0642		Manager/Prof	1	-	-	-	1	100.0%
		Technical/Sales	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	-	NA
		Semi/Unskilled	-	-	-	-	-	NA
		Bay Area	1	-	-	-	1	100.0%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008	
		Co. Wide MSA:	Oakland		# Employees-Co. Wide:		1 Bay Area: 1	
RP	EMM:B - L/SBE	Company Wide	2	-	-	-	2	100.0%
S&L Enterprises Stanley Warren 79 Covington Drive Pittsburg, CA 94565  925-439-1118		Manager/Prof	2	-	-	-	2	100.0%
		Technical/Sales	-	-	-	-	-	NA
		Clerical/Skilled	-	-	-	-	-	NA
		Semi/Unskilled	-	-	-	-	-	NA
		Bay Area	2	-	-	-	2	100.0%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008	
		Co. Wide MSA:	Contra Costa Co.		# Employees-Co. Wide:		2 Bay Area: 2	



# AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: <b>Dump Truck Rental Services - Two-Year Contract with 3 One-Year Renewal Options</b>		Ethnic Minority Percentages From U.S. Census Data							
			B	H	A/PI	AI/AN	TOTAL		
		National	10.5	10.7	3.7	0.7	27.3		
		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9		
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2		
General Services Agreement		DATE: 9/10/2013							
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WW - L/SBE	Company Wide	-	-	-	-	0	0.0%	53.9%
Sandstone Trucking Dawn Ortiz 4507 Recreation Road Castro Valley, CA 94552  510-538-9464		Manager/Prof	-	-	-	-	0	0.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	-	0	0.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Alameda Co.		# Employees-Co. Wide:		3		Bay Area: 3
RP	EMM:A - L/SBE	Company Wide	-	-	-	1	1	100.0%	47.8%
S.M.G. Trucking Sapinder Grewal 1610 Lawndale Avenue San Leandro, CA 94579  510-715-7479		Manager/Prof	-	-	-	1	1	100.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	1	1	100.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Oakland		# Employees-Co. Wide:		1		Bay Area: 1
RP	EMM:B - L/SBE	Company Wide	1	-	-	-	1	100.0%	47.8%
Sudden Sam's Trucking Co. Samuel Johnson 272 Euclid Avenue #105 Oakland, CA 94610  510-385-8594		Manager/Prof	1	-	-	-	1	100.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	1	-	-	-	1	100.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Oakland		# Employees-Co. Wide:		1		Bay Area: 1
RP	WM - L/SBE	Company Wide	-	-	-	-	0	0.0%	38.5%
Tom Aikens General Engineering Tom Aikens 95 Pastor Lane Knightsen, CA 94548  925-628-6402		Manager/Prof	-	-	-	-	0	0.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	-	-	-	0	0.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Contra Costa Co.		# Employees-Co. Wide:		1		Bay Area: 1
RP	EMM:B - L/SBE	Company Wide	2	2	-	-	4	100.0%	38.5%
Uris Kemp Trucking, Inc. Uris Kemp 239 Aloha Way Pittsburg, CA 94565  510-453-1281		Manager/Prof	1	-	-	-	1	100.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	-	-	-	-	NA	
		Semi/Unskilled	1	2	-	-	3	100.0%	
		Bay Area	2	2	-	-	4	100.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Contra Costa Co.		# Employees-Co. Wide:		4		Bay Area: 4
RP	WM - SBE	Company Wide	-	4	-	-	4	14.3%	23.4%
V. Dolan Trucking, Inc. Tom Brandal 100 Adobe Road Penngrove, CA 94951  707-664-1409		Manager/Prof	-	-	-	-	0	0.0%	
		Technical/Sales	-	-	-	-	-	NA	
		Clerical/Skilled	-	4	-	-	4	15.4%	
		Semi/Unskilled	-	-	-	-	-	NA	
		Bay Area	-	4	-	-	4	14.3%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		9/11/2008		
		Co. Wide MSA:	Santa Rosa		# Employees-Co. Wide:		28		Bay Area: 28







AGENDA NO.

6

MEETING DATE

October 8, 2013

**TITLE     STANFORD UNIVERSITY SUPPORT FOR WASTEWATER TREATMENT PLANT  
PROCESS UPSET INVESTIGATION**☒ MOTION                      ☐ RESOLUTION                      ☐ ORDINANCE**RECOMMENDED ACTION**

Authorize an agreement with Stanford University in the estimated amount of \$64,038 for specialized research services to investigate the cause of process upsets at the Main Wastewater Treatment Plant (MWWTP).



**SUMMARY**

The MWWTP has experienced several process upset events in its activated sludge biological treatment system over the past few years which have had the potential to violate NPDES permit discharge limits. The proposed project utilizes unique capabilities at Stanford University to identify and characterize the microbiological causes of these upset conditions, thus providing information to assist District staff in preventing or mitigating similar incidents in the future. In addition to the professional services contract for \$64,038, the project plan includes estimated costs of \$12,600 for chemicals and supplies and \$15,000 in additional laboratory analyses, which will be provided by the District.

**DISCUSSION**

In May and June 2013, a treatment process upset occurred in the MWWTP activated sludge biological treatment system. The upset condition was characterized by inefficient settling in the secondary clarifiers, resulting in elevated levels of Total Suspended Solids (TSS) in the treated effluent over a period of several weeks that almost resulted in an NPDES permit violation. Over the past several years, the MWWTP has experienced a number of other similar process upsets. District staff has determined that the rapid dispersed growth of an unidentified microorganism in the biological treatment system is a major contributing cause of these upset events. The proposed project plan aims to characterize the problematic microorganism, using advanced cell isolation and molecular biology techniques.

The District has incurred significant capital and operating costs in responding to these events. Following two similar incidents in 2006 and 2007, the District constructed chemical addition facilities at the MWWTP at a cost of \$1.1 million. Most recently during the May/June 2013 episode, chemical addition

Funds Available: FY13		Budget Code: WWG/932/5231/2020
DEPARTMENT SUBMITTING  WASTEWATER	DEPARTMENT MANAGER or DIRECTOR  Bennett K. Horenstein	APPROVED  General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

was used to assist solids settling, and the estimated cost of responding to that incident was approximately \$85,000.

The projected professional services agreement is for Stanford research staff costs over 18 months. Stanford is also contributing approximately \$38,000 to the project through a 12-month National Science Foundation fellowship that supports one of the researchers.

### **CONSULTANT SELECTION**

Requests for proposals were not applicable to this project. Stanford University possesses unique technological capabilities for performing this work, including the Stanford Genome Technology Center, and advanced cell isolation techniques such as microencapsulation and laser tweezers.

### **CONTRACT EQUITY PROGRAM EFFORTS**

The completed P-035 and P-061 forms are attached.

### **FISCAL IMPACT**

Funding for this work is available in the FY14 and FY15 operating budget.

### **UNION NOTIFICATION**

This type of specialized research work is not performed by District forces, and consequently union notification was not required.

### **ALTERNATIVE**

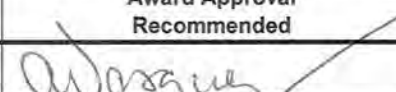
**Do not approve the project.** This alternative is not recommended, as the District does not have the resources and the required expertise to conduct the investigation.

### **Attachments**



## CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

<b>TITLE</b> <b>Professional Services Agreement</b> Stanford University Support for Wastewater Treatment Plant Turbidity Upset Investigation							<b>DATE:</b> September 27, 2013					
<b>CONTRACTOR:</b> Stanford University Stanford, CA					<b>PERCENTAGE OF CONTRACT DOLLARS</b>							
Sole Source					<b>Availability Group</b>		<b>Contracting Objectives</b>		<b>Participation</b>			
<b>BID/PROPOSER'S PRICE:</b>		<b>FIRM'S OWNERSHIP</b>			<b>White Men</b>		<b>25%</b>		<b>0.0%</b>			
		<b>Ethnicity</b>		<b>Gender</b>		<b>White Women</b>		<b>6%</b>		<b>0.0%</b>		
\$64,038		Gov't/Non Profit				<b>Ethnic Minorities</b>		<b>25%</b>		<b>0.0%</b>		
<b>CONTRACT EQUITY PARTICIPATION</b>												
<b>COMPANY NAME</b>		<b>ESTIMATED AMOUNT</b>	<b>ETHNICITY</b>	<b>GENDER</b>		<b>CONTRACTING PARTICIPATION</b>						
				<b>M</b>	<b>F</b>	<b>White-Men</b>	<b>White-Women</b>	<b>Ethnic Minorities</b>	<b>Unclassified</b>	<b>Publicly Held Corp.</b>	<b>Gov't/Non Profit</b>	<b>Foreign</b>
<b>PRIME:</b> Stanford University		\$64,038	Gov't/Non Profit			---	---	---	---	---	100.0%	---
<b>SUBS:</b> None						---	---	---	---	---	---	---
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<b>TOTAL</b>		\$64,038				0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%
<b>CONTRACTOR'S WORKFORCES PROFILE (From P-025 Form)</b>												
		<b>White Men</b>		<b>White Women</b>		<b>Ethnic Minorities</b>		<b>Total Employees</b>				
<b>No. of Employees:</b>		2,139		3,319		3,914		9,372				
<b>Percent of Total Employees:</b>		22.8%		35.4%		41.8%						
<b>MSA Labor Market %:</b>		32.3%		27.8%		39.9%						
<b>MSA Labor Market Location:</b>		9 Bay Area Counties										
<b>COMMENTS</b>												
Contract Equity Participation - Zero Contract Equity participation since firm is a government agency and no subcontract opportunities exist.												
<b>Workforce Profile &amp; Statement of Nondiscrimination Submitted</b>				<b>Good Faith Outreach Efforts Requirement Satisfied</b>				<b>Award Approval Recommended</b>				
NA				NA								



# AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: <b>Stanford University Support for Wastewater Treatment Plant Turbidity Upset Investigation</b>		Ethnic Minority Percentages From U.S. Census Data						
			B	H	A/PI	AI/AN	TOTAL	
		National	10.5	10.7	3.7	0.7	27.3	
Professional Services Agreement		DATE: 9/27/2013	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
			Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2
R=Recmnd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT
								MSA %
RP	Gov't./Non Profit	Company Wide	447	1,117	2,322	28	3,914	41.8%
Stanford University Rosa Gonzales 585 Capistrano Way Stanford, CA 94305  650-723-0755		Manager/Prof	203	472	1,699	14	2,388	37.1%
		Technical/Sales	15	74	97	1	187	50.3%
		Clerical/Skilled	179	348	465	12	1,004	46.5%
		Semi/Unskilled	50	223	61	1	335	82.5%
		Bay Area	447	1,117	2,322	28	3,914	41.8%
		AA Plan on File: NA	Date of last contract with District: NA					
		Co. Wide MSA: 9 Bay Area Counties	# Employees-Co. Wide: 9,372		Bay Area: 9,372			
		Company Wide						
		Manager/Prof						
		Technical/Sales						
		Clerical/Skilled						
		Semi/Unskilled						
		Bay Area						39.9%
		Co. Wide MSA:	# Employees-Co. Wide:		Bay Area:			
		Company Wide						
		Manager/Prof						
		Technical/Sales						
		Clerical/Skilled						
		Semi/Unskilled						
		Bay Area						39.9%
		Co. Wide MSA:	# Employees-Co. Wide:		Bay Area:			
		Company Wide						
		Manager/Prof						
		Technical/Sales						
		Clerical/Skilled						
		Semi/Unskilled						
		Bay Area						39.9%
		Co. Wide MSA:	# Employees-Co. Wide:		Bay Area:			
		Company Wide						
		Manager/Prof						
		Technical/Sales						
		Clerical/Skilled						
		Semi/Unskilled						
		Bay Area						39.9%
		Co. Wide MSA:	# Employees-Co. Wide:		Bay Area:			
		Company Wide						
		Manager/Prof						
		Technical/Sales						
		Clerical/Skilled						
		Semi/Unskilled						
		Bay Area						39.9%
		Co. Wide MSA:	# Employees-Co. Wide:		Bay Area:			

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)



AGENDA NO. \_\_\_\_\_

MEETING DATE October 8, 2013**TITLE     WATER SUPPLY ASSESSMENT FOR THE CHILDREN'S HOSPITAL AND  
RESEARCH CENTER OAKLAND MASTER PLAN PROJECT**☒ MOTION \_\_\_\_\_ ☐ RESOLUTION \_\_\_\_\_ ☐ ORDINANCE \_\_\_\_\_**RECOMMENDED ACTION**

Approve the Water Supply Assessment (WSA) requested by the City of Oakland (City) for the Children's Hospital and Research Center Oakland Master Plan Project pursuant to the California Water Code, Sections 10910-10915.

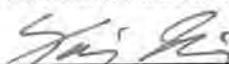
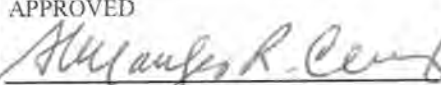
**SUMMARY**

The Children's Hospital and Research Center Oakland Master Plan Project site consists of the 11-acre Children's Hospital and Research Center Oakland (CHRCO) main campus and the 6.5-acre Children's Hospital Oakland Research Institute (CHORI) campus. The two campuses are shown on Attachment A. As described in the project's Notice of Preparation of a Draft Environmental Impact Report (EIR), the Children's Hospital and Research Center Oakland Master Plan Project will create new seismically compliant facilities which includes renovating or demolishing existing structures while constructing new hospital facilities, office buildings, medical offices, residential units, parking structures, utility plants, and research and development facilities (i.e., demolishing approximately 79,000 square feet, constructing approximately 421,000 square feet, and renovating approximately 129,000 square feet, for a net increase of approximately 342,000 square feet).

The present average annual water use at CHRCO and CHORI is approximately 70,000 gallons per day (gpd). The City provided estimates of approximately 152,000 gpd for the future net increase in the average water demand for the proposed project which includes a decrease of approximately 25,000 gpd due to demolition of existing buildings. This demand is accounted for in the District's Urban Water Management Plan (UWMP). Approval of the assessment is described in the attached letter (Attachment B) and upon Board approval will be sent to the City.

**DISCUSSION**

On July 31, 2013, the City submitted a formal request for consultation between the District and the City regarding water service to the Children's Hospital and Research Center Oakland Master Plan Project

Funds Available:		Budget Code:
DEPARTMENT SUBMITTING	DEPARTMENT MANAGER or DIRECTOR	APPROVED
Engineering and Construction	 Xavier J. Irias	 General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

pursuant to California Water Code, Sections 10910-10915. The project, for which an EIR is being prepared, meets the threshold requirements for an assessment of water supply availability (a proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space). The City is required to consult with the public water supplier to determine whether the water demand associated with the proposed project was included in its last UWMP, and to assess whether its 20-year water supply (available during normal, single-dry and multiple-dry water years) will meet the water demand associated with the proposed project. The 2010 UWMP concludes that the District has, and will have, adequate water supplies to serve existing and projected demand within the Ultimate Service Boundary during normal and wet years, but that deficits are projected for drought years. The District's Water Supply Management Plan includes up to a 15 percent water conservation requirement in a severe drought. The project will be subject to the same drought restriction as all District customers.

The WSA letter requests that the City comply with the California Code of Regulations concerning water-efficient landscapes and District water service regulations in force at the time the application is made. The letter also requests a meeting to discuss water conservation opportunities in the project area. A key objective of this discussion will be to explore timely opportunities to maximize conservation via early consideration of the District's conservation programs and state and federal best management practices applicable to the project.

The Children's Hospital and Research Center Oakland Master Plan site is located more than a mile away from any existing or planned recycled water supply facilities and infrastructure within the East Bayshore Recycled Water Project. Although the proposed project is not a likely candidate for recycled water, the District still recommends that the City and their developers maintain continued coordination and consultation with the District during the project development and implementation to confirm the feasibility of providing recycled water service to the project site for appropriate non-potable uses.

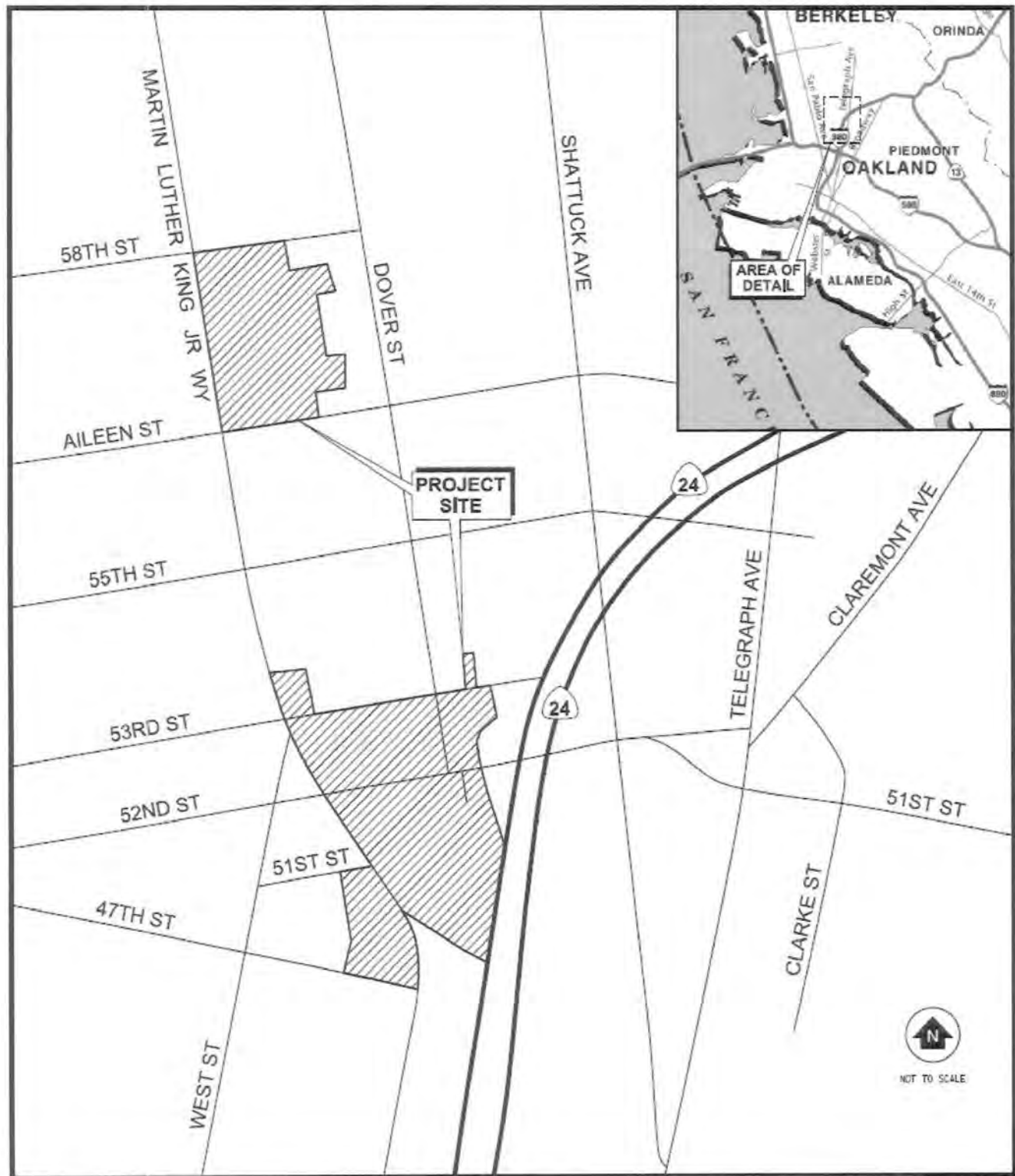
## **ALTERNATIVE**

**Do not submit a response.** This alternative is not recommended. This assessment has been prepared pursuant to California Water Code, Sections 10910-10915. It is consistent with the law and the District's past WSAs.

Attachments: A. Map – Children's Hospital and Research Center Oakland Master Plan Project  
B. District's Response to July 31, 2013 Water Supply Assessment Request

# CHILDREN'S HOSPITAL AND RESEARCH CENTER OAKLAND MASTER PLAN PROJECT

## Attachment A





DRAFT

October 8, 2013

Heather Klein, Planner III  
City of Oakland  
Planning, Building and Neighborhood Preservation Department  
Strategic Planning Division  
250 Frank Ogawa Plaza, Suite 3315  
Oakland, CA 94612

Re: Water Supply Assessment – Children’s Hospital and Research Center Oakland  
Master Plan Project

Dear Ms. Klein:

This letter responds to the City of Oakland’s (City) request of July 31, 2013, for water agency consultation concerning the Children’s Hospital and Research Center Oakland Master Plan Project (Enclosure 1) located in Oakland, which is within the East Bay Municipal Utility District’s (EBMUD) Ultimate Service Boundary. EBMUD appreciates the opportunity to provide this response.

Pursuant to Section 10910-10915 (SB-610) of the California Water Code, the project meets the threshold requirement for an assessment of water supply availability based on the amount of water this project would require, a proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.

Please note that this assessment addresses the issue of water supply only and is not a guarantee of service, and future water service is subject to rates and regulations in effect at the time.

### **Project Demand**

The water demand for the Children’s Hospital and Research Center Oakland Master Plan Project area is accounted for in EBMUD’s water demand projections as published in EBMUD’s 2010 Urban Water Management Plan (UWMP/Enclosure 2). EBMUD’s water demand projections account for anticipated future water demands within EBMUD’s service boundaries and for variations in demand-attributed changes in development patterns. The proposed project site is the location of the existing Children’s Hospital and Research Center Oakland (CHRCO) and Children’s Hospital Oakland Research Institute (CHORI). Current use is approximately 70,000 gallons per day (gpd). The projected net increase in water demand for the project at build out is approximately 152,000 gpd which includes a decrease of approximately 25,000 gpd due to demolition of existing buildings.

EBMUD's demand projections indicate both densification and land use changes in a few existing land use classifications, including commercial and residential land use areas, thus increasing EBMUD's overall demand. EBMUD's 2010 UWMP projects water demands over time, accounting for estimated variations in demand usage less conservation and recycled supply sources as noted in Table 4-1, Water Demand Projections for Each Water Use Sector, of the 2010 UWMP. EBMUD's water demand projections are based on the 2040 Demand Study (Demand Study), which was completed in 2009. For planning purposes, the demands are estimated in five year increments, but it is recognized that actual incremental amounts may occur stepwise in shorter time increments. An increase in usage by one customer in a particular customer class does not require a strict gallon-for-gallon increase in conservation by other customers in that class as, in actuality, the amount of potable demand, conservation and recycled water use EBMUD-wide will vary somewhat. Future versions of the UWMP, which is updated every five years, will include an updated assessment of customer demand and water supply.

### **Project Area**

The proposed Children's Hospital and Research Center Oakland Master Plan Project consists of the 11-acre CHRCO main campus and the 6.5-acre CHORI campus. The CHRCO campus is bounded by 53rd Street to the north, State Route 24 (SR-24) to the east, and Martin Luther King Jr. Way to the south and west, while the CHORI campus is located 0.4 miles north of CHRCO and is bounded by 58th Street to the north, Dover Street Park to the east, Aileen Street to the south, and Martin Luther King Jr. Way to the west. As described in the project's Notice of Preparation of a Draft Environmental Impact Report (EIR), the Children's Hospital and Research Center Oakland Master Plan Project will create new seismically compliant facilities. This will include renovating or demolishing existing structures while constructing new hospital facilities, office buildings, medical offices, residential units, parking structures, utility plants, and research and development facilities (i.e., demolishing approximately 79,000 square feet, constructing approximately 421,000 square feet, and renovating approximately 129,000 square feet, for a net increase of approximately 342,000 square feet).

### **EBMUD Water Demand Projections**

Since the 1970s, water demand within EBMUD's service area has ranged from 200 to 220 million gallons per day (mgd) in non-drought years. The 2040 water demand forecast of 312 mgd for EBMUD's service area can be reduced to 230 mgd with the successful implementation of water recycling and conservation programs, as outlined in the 2010 UWMP. Although current demand is lower than estimated in the Demand Study, as a result of the recent multi-year drought and the downturn in the economy, the Demand Study still reflects a reasonable expectation for growth over the long term for demand in year 2040. The Alameda Point Project will not change EBMUD's 2040 demand projection.



## **EBMUD Water Supply and Water Rights**

EBMUD has water rights permits and licenses that allow for delivery of up to a maximum of 325 mgd from the Mokelumne River, subject to the availability of Mokelumne River runoff and the senior water rights of other users. EBMUD's position in the hierarchy of Mokelumne River water users is determined by a variety of agreements between Mokelumne River water right holders, and the terms of the appropriative water rights permits and licenses, which have been issued by the State, pre-1914 rights, and riparian rights.

Conditions that could, depending on hydrology, restrict EBMUD's ability to receive its full entitlement include:

- Upstream water use by prior right holders.
- Downstream water use by riparian and senior appropriators and other downstream obligations, including protection of public trust resources.
- Variability in rainfall and runoff.

During prolonged droughts, the Mokelumne River supply cannot meet EBMUD's projected customer demands. To address this, EBMUD has completed construction of the Freeport Regional Water Facility and the Bayside Groundwater Facility, which are discussed below in the Supplemental Water Supply and Demand Management section of this assessment. EBMUD has obtained and continues to seek supplemental supplies.

## **EBMUD UWMP**

The 2010 UWMP, adopted on June 28, 2011, by EBMUD's Board of Directors by Resolution No. 33832-11, is a long-range planning document used to assess current and projected water usage, water supply planning and conservation and recycling efforts. A summary of EBMUD's demand and supply projections, in 5-year increments for a 25-year planning horizon is provided in Table 4-3, EBMUD Demand and Supply Projections of the 2010 UWMP (Enclosure 3).

EBMUD's evaluation of water supply availability accounts for the diversions of both upstream and downstream water right holders and fishery releases on the Mokelumne River. Fishery releases are based on the requirements of a 1998 Joint Settlement Agreement (JSA) between EBMUD, United States (U.S.) Fish and Wildlife Service, and the California Department of Fish and Game. The JSA requires EBMUD to make minimum flow releases from its reservoirs to the lower Mokelumne River to protect and enhance the fishery resources and ecosystem of the river. As this water is released downriver, it is, therefore, not available for use by EBMUD's customers.

The available supply shown in the attached table (Enclosure 3) was derived from EBMUD's hydrologic model with the following assumptions:

- EBMUD Drought Planning Sequence is used for 1976, 1977 and 1978;
- Total system storage is depleted by the end of the third year of the drought;
- EBMUD will implement its Drought Management Program when necessary;
- The diversions by Amador and Calaveras Counties upstream of Pardee Reservoir will increase over time, eventually reaching the full extent of their senior rights;
- Releases are made to meet the requirements of senior downstream water right holders and fishery releases are made according to the JSA;
- Dry-year supply of Central Valley Project (CVP) water, through the Freeport Regional Water Facility, is available; and
- Bayside Groundwater Project, Phase 1, is available.

As discussed under the Drought Management Program section in Chapter 3 of the 2010 UWMP, EBMUD's system storage generally allows it to continue serving its customers during dry-year events. EBMUD imposes rationing based on the projected storage available at the end of September. By imposing rationing in the first dry year of potential drought periods, EBMUD attempts to minimize rationing in subsequent years if a drought persists while continuing to meet its current and subsequent-year fishery flow release requirements and obligations to downstream agencies. Table 3-2, Long-Term Drought Management Program Guidelines, in the 2010 UWMP summarizes the Drought Management Program guidelines for consumer water reduction goals based on projected system storage.

In Table 4-3, EBMUD Demand and Supply Projections (Enclosure 3), "Single Dry Water Year" (or Year 1 of "Multiple Dry Water Years") is determined to be a year that EBMUD would implement Drought Management Program elements at the "moderate" stage with the goal of achieving a reduction between 0 to 10 percent in customer demand. Year 2 of "Multiple Dry Years" is determined to be a year that EBMUD would implement Drought Management Program elements at the "severe" stage with the goal of achieving between 10 to 15 percent reduction in customer demand. Year 3 of "Multiple Dry Years" is a year in which EBMUD would implement Drought Management Program elements at the "critical" stage. Despite water savings from EBMUD's aggressive conservation and recycling programs and rationing of up to 15 percent, additional supplemental supplies beyond those provided through the Freeport Regional Water Facility and the Bayside Groundwater Facility will be needed during Years 2 and 3 of a three-year drought. Therefore, supplemental supplies are needed in a multiple-year drought periods while continuing to meet the requirements of senior downstream water right holders and the provisions of the 1998 JSA.

### **Supplemental Water Supply and Demand Management**

The goals of meeting projected water needs and increased water reliability rely on supplemental supplies, improving reliability of existing water supply facilities, water conservation and recycled water programs.

By 2011, EBMUD completed construction of the Freeport Regional Water Facility and the Bayside Groundwater Facility to augment its water supply during drought periods. However, additional supplemental supplies beyond those provided through these facilities will still be needed, as noted above. Chapter 2 of the 2010 UWMP describes potential supplemental water supply projects that could be implemented to meet projected long-term water demands during multi-year drought periods.

The Freeport Regional Water Facility became operational in February 2011. EBMUD's ability to take delivery of water through the Freeport facility is based on its Long Term Renewal Contract (LTRC) with the U.S. Bureau of Reclamation. The LTRC provides for up to 133,000 acre-feet in a single dry-year, not to exceed a total of 165,000 acre-feet in three consecutive dry years. Under the LTRC, the CVP supply is available to EBMUD only in dry years when EBMUD's total stored water supply is forecast to be below 500 total acre feet on September 30 of each year.

Construction of the Bayside Groundwater Project, Phase 1, was completed in 2010. A permit from the Department of Public Health, which is pending, is required before the groundwater can be extracted and treated for municipal use. The project is designed to yield 2 mgd over a 6-month period, resulting in an average annual production capacity of 1 mgd per year.

Chapter 2 of the 2010 UWMP also lists other potential supplemental water projects, including northern California water transfers, Bayside Groundwater Project Expansion, Los Vaqueros Expansion and others that could be implemented as necessary to meet the projected long-term water supplemental need during multi-year drought periods. The 2010 UWMP identifies a broad mix of projects, with inherent scalability and the ability to adjust implementation schedules for a particular component, so that EBMUD will be able to continue to pursue the additional supplemental supplies that are projected to be necessary, while also minimizing the risks associated with future uncertainties such as project implementation challenges and global climate change. The EIR that EBMUD certified for the Water Supply Management Program 2040 examined the impacts of pursuing these supplemental supply projects at a program level. Separate project-level environmental documentation will be prepared, as appropriate, for specific components as they are developed in further detail and implemented in accordance with EBMUD's water supply needs.

In addition to pursuing supplemental water supply sources, EBMUD also maximizes resources through continuous improvements in the delivery and transmission of available water supplies, and investments in ensuring the safety of its existing water supply facilities. These programs, along with emergency interties and planned water recycling and conservation efforts, would ensure a reliable water supply to meet projected demands for current and future EBMUD customers within the current service area.

The Children's Hospital and Research Center Oakland Master Plan Project presents an opportunity to incorporate water conservation measures. Conditions of approval for the implementation of the Children's Hospital and Research Center Oakland Master Plan should require that the project comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). EBMUD staff would appreciate the opportunity to meet with the project sponsor to discuss water conservation programs and best management practices applicable to the integrated projects. A key objective of this discussion will be to explore timely opportunities to expand water conservation via early consideration of EBMUD's conservation programs and best management practices applicable to the project.

The project site is located more than a mile away from any existing or planned recycled water supply facilities and infrastructure within the East Bayshore Recycled Water Project. Although the proposed project is not a likely candidate for recycled water, EBMUD still requests that the project applicant maintain continued coordination and consultation with EBMUD during the project development and implementation to confirm the feasibility of providing recycled water service to the project site for appropriate non-potable uses.

The project sponsor should contact David J. Rehnstrom, Senior Civil Engineer, at (510) 287-1365 for further information.

Sincerely,

William R. Kirkpatrick  
Manager of Water Distribution Planning Division

WRK:KSG:sb  
sb13\_195.doc

Enclosures: 1. Letter of Request for Water Supply Assessment dated July 31, 2013, w/o the NOP  
2. EBMUD 2010 Urban Water Management Plan  
3. EBMUD Demand and Supply Projections Table

cc: Board of Directors w/o Enclosure 2



CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA, SUITE 3315 • OAKLAND, CALIFORNIA 94612-2032

Department of Planning, Building and Neighborhood Preservation  
Planning & Zoning Services Division

(510) 238-3941  
FAX (510) 238-6538  
TDD (510) 238-3254

July 31, 2013

Mr. William Kirkpatrick  
East Bay Municipal Utility District  
Manager, Water Distribution Planning Division  
P.O. Box 24055, MS 701  
Oakland, CA 94607

RE: Request for Confirmation of Water Supply Assessment for the proposed Children's Hospital and Research Center Oakland Master Plan Project

Dear Mr. Kirkpatrick:

Pursuant to Section 10910 of the Water Code, the City of Oakland is submitting this request to the East Bay Municipal Utility District (EBMUD) for a water supply assessment. The City is requesting EBMUD to determine whether the projected water demand associated with the proposed Children's Hospital and Research Center Oakland Master Plan Project (project) was included in the adopted Urban Water Management Plan and, if it was not included, to prepare a water supply assessment as outlined in Section 10910(c)(3) of the Water Code. The assessment is required in order to determine whether adequate water supply is available to meet the project water demand for the project. The project is currently in the planning stages. An Environmental Impact Report (EIR) is being prepared by the City of Oakland as lead agency, as indicated in the Notice of Preparation dated July 26, 2013 which you should already have received (and is attached for your reference).

Existing Children's Hospital and Research Center Oakland (CHRCO) facilities include the 11-acre CHRCO main campus and the 6.5-acre Children's Hospital Oakland Research Institute (CHORI) campus. The CHRCO main campus is located at 747 52nd Street and consists of 699,846 square feet of use. The CHORI campus is located at 5700 Martin Luther King Jr. Way, 0.4 mile north of the CHRCO campus and consists of 126,015 square feet of use. The proposed project would be constructed in two phases over the next several years. Ultimately, approximately 79,037 square feet of use would be demolished, 406,054 square feet would be constructed, and 128,745 square feet would be renovated, for a net increase of 342,364 square feet of use. (Approximately 15,350 square feet of the area to be renovated is the vacant CHROI Gymnasium, all other area to be renovated is currently occupied.)

The City respectfully requests that EBMUD prepare a water supply assessment for the proposed project as described in the Notice of Preparation. To assist EBMUD with the assessment, projected water demand calculations for the proposed project are also attached to this letter. The

City acknowledges that this request for an assessment is a required part of the environmental documentation for the project. We appreciate your prompt response to this request.

Please contact me if you need additional information. I can be reached at (510) 238-3659 or by email at [HKlein@oaklandnet.com](mailto:HKlein@oaklandnet.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Heather Klein', with a long horizontal flourish extending to the right.

Heather Klein  
Planner III  
Strategic Planning Division

cc: Doug Nelson, Children's Hospital & Research Center Oakland  
Shannon Allen, LSA Associates

Attachments

Notice of Preparation  
Water Demand Calculations



250 FRANK H. OGAWA PLAZA, SUITE 3315 • OAKLAND, CALIFORNIA 94612-2032

Department of Planning and Building  
Planning & Zoning Division

(510) 238-3941  
FAX 510) 238-6538  
TDD (510) 839-6451

**NOTICE OF PREPARATION (NOP) OF A  
DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)  
CHILDREN'S HOSPITAL AND RESEARCH CENTER OAKLAND  
MASTER PLAN PROJECT**

The Department of Planning and Building, Planning and Zoning Division, is preparing a Draft Environmental Impact Report (EIR) for the Children's Hospital and Research Center Oakland (CHRCO) Master Plan Project (project) as described below, and is requesting comments on the scope and content of the EIR. The Draft EIR will address the potential environmental effects for each of the environmental topics outlined in the California Environmental Quality Act (CEQA). The City has not prepared an Initial Study.

The City of Oakland is the Lead Agency for the project and is the public agency with the greatest responsibility for considering approval of the project and/or carrying it out. This notice is being sent to Responsible Agencies and other interested parties. Responsible Agencies are those public agencies, besides the City of Oakland, that also have a role in considering approval and/or carrying out the project. When the Draft EIR is published, it will be sent to all Responsible Agencies and to others who respond to this NOP or who otherwise indicate that they would like to receive a copy.

Responses to this NOP and any questions or comments should be directed in writing to: Heather Klein, Planner III, City of Oakland Department of Planning and Building, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612; 510-238-3659 (phone); (510) 238-6538 (fax); or e-mail [hklein@oaklandnet.com](mailto:hklein@oaklandnet.com). Comments on the NOP must be received at the above mailing or e-mail address **by 5:00 p.m. on August 28, 2013**. Please reference **Case File Number ER12-0013** in all correspondence. In addition, comments may be provided at the EIR Scoping Meetings to be held before the City Landmarks Preservation Advisory Board, the Bicycle and Pedestrian Advisory Committee and City Planning Commission. Comments should focus on potential impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the project in light of the EIR's purpose to provide useful and accurate information about such factors.

**EIR SCOPING MEETINGS:**

At 4:00 p.m. on August 12th, 2013, members of the City of Oakland Landmarks Preservation Advisory Board (LPAB) and the public are invited on a special tour of the exterior of the CHRCO A/B and B/C Wings. The tour will meet at the main hospital entrance at 747 52nd Street. The LPAB will also conduct a public scoping meeting focusing on the Cultural Resource aspects of the Draft EIR for the project on August 12, 2013 at 6:00 p.m. in Sgnt. Mark Dunakin Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza.

The City of Oakland Bicycle and Pedestrian Advisory Committee will conduct a public scoping meeting focusing on bicycle and pedestrian aspects of the Draft EIR for the project on August 15, 2013 at 5:30 p.m. in Hearing Room 4, City Hall, 1 Frank H. Ogawa Plaza.

The City of Oakland Planning Commission will conduct a public scoping meeting on the Draft EIR for the project on August 28, 2013 at 6:00 p.m. in Sgnt. Mark Dunakin Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza.



**PROJECT TITLE:** Children's Hospital and Research Center Oakland Master Plan Project

**PROJECT LOCATION:** The project site includes two locations. The CHRCO main campus is located at 747 52<sup>nd</sup> Street and is generally bounded by 53<sup>rd</sup> Street to the north, State Route 24 (SR-24) to the east, and Martin Luther King Jr. Way and the elevated BART tracks to the south and west. The CHRCO campus consists of the following parcels, by Assessor's Parcel Numbers (APNs): 14-1205-19-1, 14-1204-14-5, 14-1206-26-1, 14-1206-14-2, 14-1206-27, 14-1206-28, 14-1206-3, 14-1215-25, 14-1215-26, 14-1215-27-2, 14-1215-21-2, 14-1215-20, 14-1215-19, 14-1215-23-1, 14-1215-28-3, 14-1214-020-00, 14-1207-036, 14-1206-4, 14-1215-24. The CHRCO Annex Parking Lot APN is 013-1163-005-4. The Children's Hospital Oakland Research Institute (CHORI) campus is located at 5700 Martin Luther King Jr. Way and is generally bounded by 58<sup>th</sup> Street to the north, Dover Street Park to the east, Aileen Street to the south, and Martin Luther King Jr. Way and the elevated BART tracks to the west (see attached Figure 1). The CHORI campus consists of APN 15-1281-02-8.

**PROJECT SPONSOR:** Children's Hospital and Research Center Oakland

**EXISTING CONDITIONS:** The approximately 11-acre CHRCO campus is located at 747 52<sup>nd</sup> Street in the northern portion of Oakland. The campus is an existing, approximately 699,846 square-foot medical campus with 190 beds, 170 of which are located at the main campus and 20 of which are located off-site at Alta Bates Summit Medical Center. Buildings and structures located in the northern area (north of 52<sup>nd</sup> Street) of the CHRCO campus include the Outpatient Center, parking garage structure, 14 CHRCO-owned properties (11 of which are residential buildings) and 2 private residences. Buildings and structures located in the southern area (south of 52<sup>nd</sup> Street) include the main hospital facilities, comprised of the 1982 Patient Tower (1982 Tower), Ford Diagnostic and Treatment Center (D&T Building), Cardiac Catheterization Lab (Cath Lab), B/C Wing, A/B Wing (Baby Hospital), Cafeteria, the Western Addition, and the Central Utility Plant. Other buildings and structures in the southern area include the helistop structure, Bruce Lyon Memorial Research Center, Hematology Oncology (HemOnc) Administrative Building, and five temporary trailers that house office and administrative uses. The majority of the existing CHRCO campus is designated Institutional per the City's Land Use and Transportation Element of the City's General Plan; the northeastern corner of the CHRCO campus is designated Mixed Housing Type Residential. The majority of the campus is zoned Medical Center (S-1) per the City's zoning map; the northeastern corner of the CHRCO campus is zoned Mixed Housing Type Residential (RM-2). The CHRCO campus does not include any Cortese list sites; however, the CHRCO annex employee parking lot west of Martin Luther King Jr. Way is on the Cortese list.

The approximately 6.5-acre CHORI campus is located at 5700 Martin Luther King Jr. Way, 0.4 mile north of the CHRCO campus. The CHORI campus includes three buildings which total approximately 126,015 square feet: the former University High School main building; the former University High gymnasium; and the Hedco Building, north of and adjacent to the other two buildings. The CHORI campus currently functions as a medical research facility and contains laboratory facilities and associated equipment, as well as surface parking lots. The gymnasium is currently vacant. The property that includes the CHORI building is designated Neighborhood Center Mixed Use per the City's Land Use and Transportation Element of the City's General Plan and is zoned Neighborhood Commercial (CN-3). The property that includes the CHORI gymnasium is designated Mixed Housing Type Residential in the City's General Plan and is zoned Mixed Housing Type Residential (RM-2).

**PROJECT PURPOSE:** The main purpose of the proposed project is to create new seismically compliant acute care facilities that meet the seismic safety requirements of SB 1953. Other project goals include renovating existing structures, constructing new and replacement hospital facilities and associated infrastructure, and redesigning the campus' access points and internal street layout to improve site access, intermodal circulation, and pedestrian safety within the CHRCO campus and adjacent City streets.

**PROJECT DESCRIPTION:** The proposed project would be constructed in two phases; the sequencing for Phase 1 is provided in Figure 2 and the sequencing for Phase 2 is provided in Figure 3, attached. Table 1 provides a summary of the existing building area, hospital beds, parking spaces and employees as well as changes that would result from implementation of Phase 1 and Phase 2.

Phase 1 would include the demolition of four residential buildings (currently owned by the hospital) south of 53<sup>rd</sup> Street to accommodate the construction of the six-story Outpatient Center Building 2 (OPC2) with a helistop on the roof, and a new entrance to the existing parking garage from Dover Street (see Figure 2). Phase 1 would also include construction of internal hospital renovations in the 1982 Tower, the D&T Building, and the Cath Lab building, as well as construction of a central utility plant near the southwest boundary of the campus to serve utilities to the renovated areas. Phase 1 would include the loss of thirty on-site hospital beds (as a result of interior renovations). The net loss in parking spaces during Phase 1 is 137; 23 new spaces would be constructed at the new Emergency Parking area on the ground floor of the new OPC2 and 160 spaces would be lost when CHRCO's lease expires on a lot at 51<sup>st</sup> Street and Clarke Street. As part of Phase 1, approximately 8,602 square feet of use would be demolished, 97,150 square feet would be constructed, and 86,403 square feet would be renovated. Total Phase 1 project construction is anticipated to take 42 months.

Phase 2 would include the demolition of the following structures: six residential buildings south of 53<sup>rd</sup> Street (currently owned by the hospital), the B/C Wing, Bruce Lyon Memorial Research Center, HemOnc Administrative Building, helistop structure and trailers. Phase 2 would include construction of an Administrative Building, Family Residence Building (containing 12-16 units), Link Building Acute Care Patient Pavilion with an additional helistop on the roof, expansion to the Central Utility Plant, and a 334-stall parking structure (see Figure 3). New buildings would be two- to five- stories. Phase 2 would also include interior renovations to the 1982 Tower. In addition, site and circulation improvements would be constructed. Dover Street between 52<sup>nd</sup> and 53<sup>rd</sup> Streets would be realigned and either remain a through-street or be changed to a cul-de-sac. The intersection of Dover Street and 52<sup>nd</sup> Street would be realigned to create a 4-legged intersection. The PG&E duct bank that extends east-west across the campus would be rerouted around the southern tip of the campus. Phase 2 includes the acquisition and improvement of a portion of the SR-24 right-of-way currently owned by the California Department of Transportation (Caltrans). Phase 2 would include an increase of 40 main campus hospital beds (for a total of 210 beds from an existing baseline of 170 main campus beds) and an increase of 295 parking spaces on the CHRCO campus.

Phase 2 also includes the renovation of the 24,150 square-foot gymnasium (currently vacant) on the CHORI campus to accommodate research and development, office and storage uses. The gymnasium is on the National Register of Historic Places as a contributor to the CHORI (University High School) campus which was listed in 1992. Renovations to the gymnasium would be undertaken in conformance with the *Secretary of the Interior's Standards for Rehabilitation*. As part of Phase 2, approximately 70,435 square feet of use would be demolished, approximately 308,904 square feet would be constructed, and approximately 42,342 square feet would be renovated. Phase 2 project construction is expected to take approximately 36 months.

The project sponsor is proposing to request a General Plan Amendment for the northeastern corner of the CHRCO site and the CHORI site to redesignate those areas to Institutional, and a rezoning of the CHRCO site and the CHORI site to S-1. A Planned Unit Development (PUD) permit would also be requested, in addition to other land use entitlements. Instead of rezoning to S-1 and applying for a PUD permit and these other entitlements, the project sponsor may request creation of a special zoning district for the project.

**PROBABLE ENVIRONMENTAL EFFECTS:** It is anticipated that the proposed project may have environmental impacts on land use and planning; aesthetics and shadow; cultural and historical resources; transportation and circulation; air quality; greenhouse gas emissions; noise; geology, seismicity and soils; hydrology and water quality; hazards and hazardous materials; and utilities. It is anticipated that the project would have no impact or less-than-significant environmental impacts on agricultural and forestry resources;

biological resources; mineral resources; population and housing; public services; and recreation. Nevertheless, these environmental factors will be analyzed in the Draft EIR.

The Draft EIR will also examine a reasonable range of alternatives to the project, including the CEQA-mandated No Project Alternative and other potential alternatives that may be capable of reducing or avoiding potential environmental effects.

July 26, 2013  
Case File Number 12-0013

  
\_\_\_\_\_  
Scott Miller  
Zoning Manager and Environmental Review Officer

Attachments: Table 1: Proposed Development By Phase and Total Buildout  
Figure 1: Project Location Map  
Figure 2: Phase 1 Proposed Site Plan  
Figure 3: Phase 2 Proposed Site Plan

**Table 1: Proposed Development by Phase and Total Buildout**

	CHRCO Campus	CHORI Campus	Total	Change <sup>a</sup>
<b>Existing</b>				
Site Acres	11	6.5	17.5	
Building Area (sq. ft.)	699,846	126,015	825,861	
Parking Spaces	1,246	183	1,429	
On-Site Hospital Beds (#)	170	0	170	
Off-Site Hospital Beds (#)	20	0	20	
Patients <sup>b</sup> (daily)	852	0	852	
Visitors (daily)	604	0	604	
Total Employees (FTE <sup>c</sup> ) (daily)	2,086	246	2,332	
<b>Phase 1- Completed in 42 months</b>				
Site Acres	11	6.5	17.5	0
Demolished Building Area	(8,602)	0		(8,602)
New Building Area	97,150	0		97,150
Net Building Area	788,394	126,015	914,409	88,548
Removed Parking Spaces	(160)	0		(160)
New Parking Spaces	23	0		23
Net Parking Spaces	1,109	183	1,292	(137)
On-Site Hospital Beds (#)	140	0		(30)
Off-Site Hospital Beds (#)	40	0		20
Patients <sup>b</sup> (daily)	853	0		1
Visitors (daily)	604	0		0
Total Employees (FTE <sup>c</sup> ) (daily)	2,111	246		25
<b>Phase 2- Anticipated to begin in 2020; completed in 36 months</b>				
Site Acres	14.4	6.5	20.9	2.4
Demolished Building Area	(70,435)	0		(70,435)
New Building Area	308,904	0 <sup>d</sup>		308,904
Net Building Area	1,026,863	126,015	1,152,878	238,469
Removed Parking Spaces	(48)	0		(48)
New Parking Spaces	343	0		343
Net Parking Spaces	1,404	183	1,587	295
On-Site Hospital Beds (#)	210	0		70
Off-site Hospital Beds (#)	0			(40)
Patients <sup>b</sup> (daily)	923	0		70
Visitors (daily)	761	0		157
Total Employees (FTE <sup>c</sup> ) (daily)	2,291	271		205
<b>Total Buildout</b>				
Site Acres	14.4	6.5	20.9	2.4
Total Building Area	1,026,863	126,015	1,152,878	327,017
Parking Spaces	1,404	183	1,587	158
On-Site Hospital Beds (#)	210	0	210	40
Off-Site Hospital Beds (#)	0	0	0	(20)
Patients <sup>b</sup> (daily)	923	0	923	71
Visitors (daily)	761	0	761	157
Total Employees (FTE <sup>b</sup> )	2,291	271	2,562	205

<sup>a</sup> The change column under Phase 1 represents change from existing conditions to implementation of Phase 1. The change column under Phase 2 represents change from Phase 1 to implementation of Phase 2. The change column under Total Buildout represents change from existing conditions to Total Buildout. The EIR will analyze the change associated with Phase 1 and the change at total buildout.

<sup>b</sup> Patients include census, emergency department and outpatients

<sup>c</sup> FTE = full time equivalents

<sup>d</sup> While not the construction of new square footage, Phase 2 will include the redevelopment and activation of the 24,150 square-foot CHORI Gymnasium.



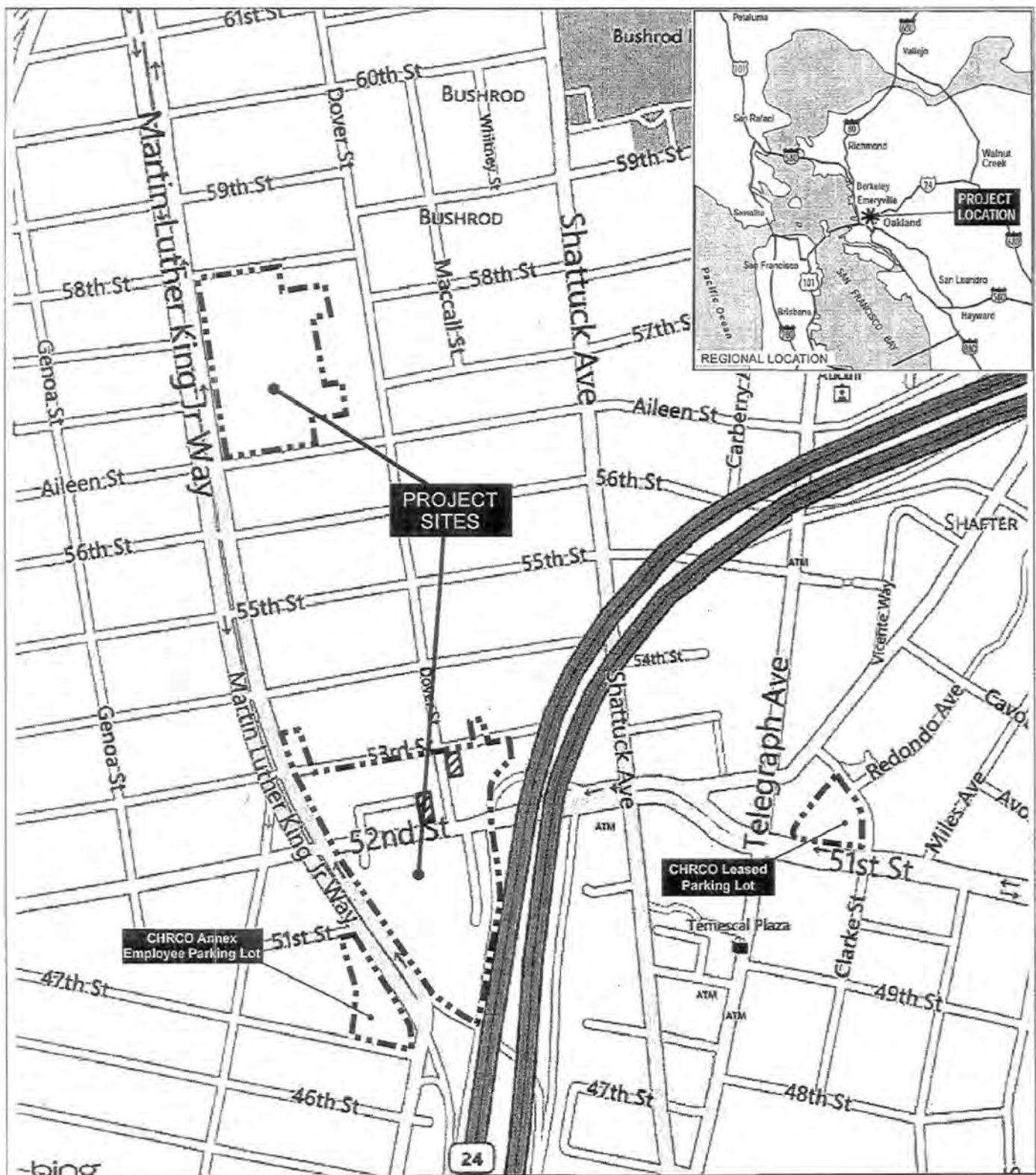
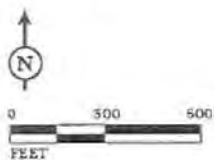


FIGURE 1

LSA



- Project Sites
- Private Residence, Parcel Not Owned by CHRCO

SOURCES: BING MAPS; LSA ASSOCIATES, INC., 2013.

I:\CHR1201 Childrens Hospital\figures\NOP\Fig\_1.ai (7/23/13)

CHRCO Master Plan NOP  
Project Vicinity and Regional Location



# MASTER PLAN PHASE 1 SEQUENCING

## SEQUENCE 1A:

Bulk Oxygen Tank Replacement - completed under HAZUS Project.  
Engage in the EIR process and initiate dialogue with the community and neighbors.  
Remodel the Second Floor MPOE.

## SEQUENCE 1B:

Remove 4 hospital-owned structures between 52nd and 53rd Streets to prepare site for construction.

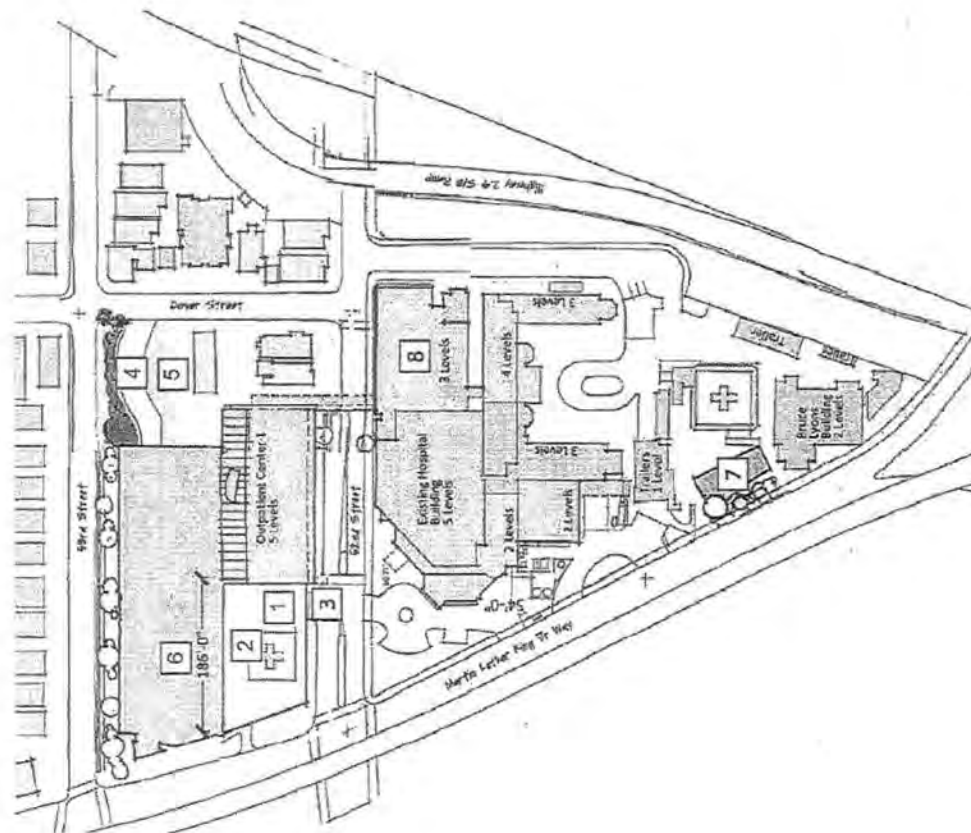
Build a 6-story, 92,700 square foot Outpatient Building 2 (OPC2) with a helistop on the roof. Emergency Room parking at grade on Level 1. Many non-acute care services will be relocated from the hospital to this building.

Provide new entrance driveway to the existing Parking Garage from Dover Street.

## SEQUENCE 1C:

Remove temporary trailer.  
Build a 4,450 sf Central Utility Plant to support Inpatient Remodels and capable of future expansion in a later phase.

SB 90/Interior Hospital Renovations: The space vacated by non-acute care services from the existing Hospital to the new OPC2 will allow for interior renovations of the inpatient floors of the existing hospital. The Morgue, CSPO, Pharmacy, EVS, PBX, Main Entry, PICU, NICU, Surgery/PACU, Inpatient Rehab, Admit Holding, Medical Surgical Overflow, and Child Life department will be renovated and will undergo technological upgrades.



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## PHASE 1 SCOPE OF WORK

- 1 NEW 6 STORY OUTPATIENT CENTER (OPC 2)
- 2 NEW HELISTOP AT ROOF LEVEL OF OPC2
- 3 EMERGENCY DEPARTMENT PARKING ENTRANCE & EXIT

- 4 NEW PERMANENT ENTRANCE/EXIT DRIVE TO EXISTING PARKING GARAGE
- 5 NEW SERVICE YARD & DELIVERY PARKING
- 6 BICYCLE PARKING LOCATION
- 7 NEW "MINI" CENTRAL PLANT
- 8 INPATIENT HOSPITAL INTERIOR RENOVATIONS

FIGURE 2

NOT TO SCALE

CHRCO Master Plan NOP  
Phase 1  
Proposed Site Plan

SOURCE: HDR/TAYLOR, 2013. [G0.02]

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# MASTER PLAN PHASE 2 SEQUENCING

## SEQUENCE 2A:

SR50/Interior Hospital Renovations will continue in Phase 2 to include the Emergency Department, Radiology/Imaging, and the new IMRI.

## SEQUENCE 2B:

Acquire Caltrans Right of Way land adjacent to the western edge of SR 24. Land is for incorporation of future campus building elements.

Remove 6 hospital-owned structures between 52nd and 53rd Streets, 3 east of Dover Street to prepare site for construction.

Build a two-story 14,500 sf Family Residence Building over parking on the south side of 53rd Street, east of Dover.

Build a five-story, 31,300 sf Administration Building at the Northeast corner of Dover and 52nd Street. An optional cul-de-sac at Dover and 53rd discourages hospital parking in the neighborhood to the north.

Reconfigure Dover Street between 52nd Street and 53rd Streets to align with Dover's southern terminus. Dover becomes the primary entry to the South Campus, and helps to organize the campus into distinct Outpatient and Inpatient zones (south and north of 52nd Street).

## SEQUENCE 2C:

The existing BC Wing will be demolished. All departments housed within this building will be relocated to the existing hospital, OPC2, or other hospital owned properties renovated in Phase 1.

Build a three-story, 19,020 sf Link Building, connecting the services of the existing hospital's east and west areas.

## SEQUENCE 2D:

The existing Trailers, Bruce Lyon Memorial Research Center, HemOnc Administration Building, and Heli Stop structure are demolished.

## SEQUENCE 2E:

Re-route PG&E Utility Easement which currently runs east-west across southern portion of campus to around the southern tip of hospital property. Build a 4-level, 114,901 sf, 334-stall parking structure. This structure will provide parking to support the inpatient population of the campus.

Build a 3,870 sf Central Utility Plant expansion to the Phase 1 Central Utility Plant. This expansion will provide service to the new Patient Pavilion.

Site improvements south of 52nd Street along with the existing drop-off area. Convert existing semi-private patient rooms on the fifth floor to single-bed patient rooms.

LSA

## PHASE 2 SCOPE OF WORK

- 1 NEW FAMILY RESIDENCE BLDG. 2 STORIES
- 2 NEW ADMINISTRATION BUILDING 5 STORIES
- 3 NEW PEDESTRIAN GREEN BELT TO 53RD STREET

NOT TO SCALE

- 4 SITE IMPROVEMENTS TO 52ND STREET STREET WIDENED IMPROVED TRAFFIC FLOW
- 5 SITE IMPROVEMENTS TO EXISTING HOSPITAL DROP-OFF SHUTTLE PARKING AMBULANCE DROP-OFF
- 6 SITE IMPROVEMENTS TO DOVER STREET SOUTH OF 52ND STREET
- 7 NEW LANDSCAPING AND RETAINING WALLS AT CALTRANS IF ROW ACQUIRED

- 8 INFANT RENOVATIONS: LEVEL 1 - EMERGENCY DEPARTMENT LEVEL 2 - RADIOLOGY DEPARTMENT LEVEL 3 - IMRI
- 9 NEW LINK BUILDING 3 STORIES
- 10 NEW LOADING DOCK
- 11 NEW PATIENT PAVILION 5 STORIES HELISTOP ON ROOF

- 12 NEW MAIN HOSPITAL ENTRANCE DRIVE & DROP-OFF
- 13 NEW EXPANDED CENTRAL UTILITY PLANT
- 14 NEW PARKING GARAGE 4 STORIES 334 PARKING STALLS
- 15 NEW REALIGNED DOVER STREET
- 16 NEW DOVER STREET OPTIONAL CUL-DE-SAC
- 17 NEW DOVER STREET OPTIONAL THROUGH-STREET

FIGURE 3

CHRCO Master Plan EIR  
Phase 2

Proposed Site Plan

SOURCE: HDR/TAYLOR, 2011 (B1.10)

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## Children's Hospital Oakland Master Plan Water Demand Calculation

Phase 1	Use	Square Footage	Average Daily Sewer Flow (gpd/unit) <sup>a</sup>	Water Demand (gpd) <sup>b</sup>
<b>Construction</b>				
Outpatient Center 2 Building (OPC2) - medical <sup>c</sup>	Medical Office	85,700	300 gpd/1,000 gsf	30,081
Outpatient Center 2 Building (OPC2) - parking	Parking	7,000	0	0
Central Utility Plant	Utility	4,450	0	0
<b>Demolition</b>				
715 53rd Street	Office	1,530	200 gpd/1,000 gsf	358
707 53rd Street	Residential	1,923	330 gpd/du	386
5225 Dover Street	Office	2,000	200 gpd/1,000 gsf	468
5204 MLK Jr. Way	Office	1,041	200 gpd/1,000 gsf	244
Trailer (Ed Administration)	Office	2,108	200 gpd/1,000 gsf	493

### Notes:

- Sanitary Sewer Generation Rates, City of Oakland Sanitary Sewer Design Standards, 2008.
- Water demand was calculated by multiplying square footage of use (or number or dwelling units) by average daily sewer rate by 117%, as was the methodology used in the Alta Bates/Summit Medical Center Draft EIR.
- OPC2 square footage above does not include 9,700 square foot mechanical penthouse and helistop

Phase 2	Use	Square Footage	Average Daily Sewer Flow (gpd/unit) <sup>a</sup>	Water Demand (gpd) <sup>b</sup>
<b>Construction</b>				
Family Residences Building (12-16 units, assume 16)	Residential	14,500	250 gpd/du	4,680
Administrative Building	Office	31,300	200 gpd/1,000 gsf	7,324
Link Building	Medical Office	19,020	300 gpd/1,000 gsf	6,676
Patient Pavilion (210 Beds) <sup>c</sup>	Hospital	125,403	500 gpd/bed	122,850
Central Utility Plant	Utility	3,780	0	0
Parking Garage	Parking	114,901	0	0
CHROI Gymnasium - Office	Office	6,900	200 gpd/1,000 gsf	1,615
CHROI Gymnasium - R&D <sup>d</sup>	R&D	8,450	300 gpd/1,000 gsf	2,966
<b>Total New Construction and Water Demand</b>		<b>324,254</b>		<b>146,111</b>
<b>Demolition</b>				
679 53rd Street	Office	2,106	200 gpd/1,000 gsf	493
675 53rd Street	Office	1,277	200 gpd/1,000 gsf	299
671 53rd Street	Office	1,030	200 gpd/1,000 gsf	241
5212 Dover Street (2,253 square feet)	Vacant	2,253	200 gpd/1,000 gsf	0
688 52nd Street	Office	1,472	200 gpd/1,000 gsf	344
682 52nd Street	Office	1,400	200 gpd/1,000 gsf	328
B/C Wing	Medical Office	33,510	300 gpd/1,000 gsf	11,762
Trailer (Facilities Design & Construction)	Office	480	200 gpd/1,000 gsf	112
Trailer (HemOnc)	Office	628	200 gpd/1,000 gsf	147
Trailer (Education/HIS)	Office	1,779	200 gpd/1,000 gsf	416
Bruce Lyon Memorial Research Center	R&D	20,000	300 gpd/1,000 gsf	7,020
Bruce Lyon's Addition/HemOnc Office	R&D	4,500	300 gpd/1,000 gsf	1,580
<b>Total Demolition and Decrease in Water Demand</b>		<b>70,435</b>		<b>22,742</b>

### Notes:

- Sanitary Sewer Generation Rates, City of Oakland Sanitary Sewer Design Standards, 2008.
- Water demand was calculated by multiplying square footage of use (or number or dwelling units) by average daily sewer rate by 117%, as was the methodology used in the Alta Bates/Summit Medical Center Draft EIR.
- Patient Pavilion square footage above does not include helistop.
- The 8,850 square feet of storage proposed in the CHROI Gymnasium is not included above.

**EAST BAY MUNICIPAL UTILITY DISTRICT DEMAND AND SUPPLY PROJECTIONS**  
**(Reference: Table 4-3, UWMP 2010 – EBMUD)**

	2010	2015	2020	2025	2030	2035 <sup>1</sup>	2040
<b>PROJECTED DEMAND (MGD)</b>							
CUSTOMER DEMAND <sup>2</sup>	251	266	280	291	304	308	312
ADJUSTED FOR CUMULATIVE CONSERVATION <sup>3</sup>	(26)	(32)	(43)	(49)	(56)	(59)	(62)
ADJUSTED FOR RECYCLED WATER <sup>4</sup>	(9)	(11)	(16)	(18)	(19)	(20)	(20)
PLANNING LEVEL OF DEMAND	216	223	221	224	229	229	230
<b>PROJECTED AVAILABLE SUPPLY AND NEED FOR SUPPLEMENTAL SUPPLY (MGD)<sup>5</sup></b>							
NORMAL YEAR	>216	>223	>221	>224	>229	>229	>230
SUPPLEMENTAL SUPPLY NEED	0	0	0	0	0	0	0
<b>SINGLE DRY YEAR (MULTIPLE DRY YEARS – YEAR 1)</b>							
AVAILABLE SUPPLY	211	217	215	218	223	222	222
CUSTOMER RATIONING <sup>6</sup>	2%	3%	3%	3%	3%	3%	4%
SUPPLEMENTAL SUPPLY NEED <sup>7</sup>	5	6	6	7	7	8	8
<b>MULTIPLE DRY YEARS – YEAR 2</b>							
AVAILABLE SUPPLY	183	189	188	190	194	194	195
CUSTOMER RATIONING <sup>6</sup>	15%	15%	15%	15%	15%	15%	15%
SUPPLEMENTAL SUPPLY NEED <sup>7</sup>	21	21	21	21	22	22	22
<b>MULTIPLE DRY YEARS – YEAR 3</b>							
AVAILABLE SUPPLY	183	189	188	190	183	164	144
CUSTOMER RATIONING <sup>6</sup>	15%	15%	15%	15%	15%	15%	15%
SUPPLEMENTAL SUPPLY NEED <sup>7</sup>	21	21	21	21	33	53	73
<b>THREE-YEAR DROUGHT</b>							
TOTAL SUPPLEMENTAL SUPPLY NEED (TAF) <sup>7</sup>	53	54	54	55	69	93	115

<sup>1</sup> Projected demand for 2035 is interpolated.

<sup>2</sup> Customer demand values are based on the demand projections from the "2040 Demand Study," Feb 2009. These projected water demands are based on land use in EBMUD's ultimate service area and is unadjusted for conservation and non-potable water. The values are also unadjusted for the current suppressed demand due to the 2007-2010 rationing period and the economic downturn.

<sup>3</sup> Existing conservation saving from the "1994 Water Conservation Master Plan" and planned conservation program savings based on the "2011 Water Conservation Master Plan".

<sup>4</sup> Existing recycled water achieved per the "1993 Water Supply Management Program" and planned recycled water program savings as outlined in Chapter 5 of the UWMP 2010.

<sup>5</sup> Projected available supply data includes dry year supply deliveries from the Freeport Regional Water Project (FRWP) and Bayside Groundwater Project, Phase 1. Delivery rules for the FRWP follow the rules as developed in the Freeport EIR, 2003.

<sup>6</sup> Rationing reduction goals are determined according to projected system storage levels in the Long-Term Drought Management Program guidelines per Table 3-2 in Chapter 3 of the UWMP 2010.

<sup>7</sup> The supplemental supply need is based on EBMUDSIM modeling studies. It is the amount of water needed based on EBMUD's updated demand projections, the provisions of the 1998 Joint Settlement Agreement and the rationing policy stated in Table 3-2, Chapter 3 of the UWMP 2010. The actual need will be dependent on antecedent conditions and the severity of actual drought conditions. Supplemental supply stored during the initial year of the drought could be later released, diminishing supplemental supply needs. During the drought that continued into 2010, the combined effects of water rationing and an economic downturn suppressed demand below the planning level of demand to maintain a sufficient water supply and deferred the need for supplemental water. However, if the drought had continued into its second year, most likely supplemental supplies would have been obtained from the Freeport Regional Water Facility as anticipated in the Interim Drought Management Program Guidelines discussed in Appendix G-2.







**EAST BAY MUNICIPAL UTILITY DISTRICT**

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DATE: October 3, 2013

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager 

FROM: Marlaigne Dumaine, Manager of Legislative Affairs 

SUBJECT: State Legislative Initiatives for 2014 Legislative Year

The following issues are being referred to the Legislative/Human Resources Committee for review and recommendation to the Board of Directors for action, as appropriate.

The Office of Intergovernmental Affairs has received and evaluated one staff proposal for sponsorship of legislation during the 2014 state legislative year, and one proposal raised during the June 25<sup>th</sup> Board meeting. Three additional legislative initiatives are ongoing. Evaluations of each of these five legislative initiatives proposed for 2014 are set forth below.

**SUMMARY**

The following legislative initiatives are evaluated in the attachment to this memo:

1. Protect EBMUD's interests, including its water rights and water supply, as the legislature continues to consider Delta-related water supply and reliability issues and Delta-related funding issues.
2. Protect EBMUD's interests in any efforts to impose a statewide water surcharge or public goods charge on water.
3. Protect EBMUD's property tax revenues.
4. Provide greater flexibility to reject bids and exclude bidders.
5. Revise the utility marking law to allow for the broader use of vacuum extraction techniques for planned and emergency excavations.

LEGISLATIVE PROPOSAL	2014 RECOMMENDATIONS
1. Protect EBMUD's interests as the legislature continues to consider Delta funding and policy issues.	<p><b><u>Proceed</u></b> – Legislative discussions regarding the Delta are ongoing and are expected to continue throughout 2014. These discussions are likely to include sources of funding for the continuing implementation of the 2009 Delta legislation as well as policy issues.</p> <p>Staff will continue to advance EBMUD's interests to protect its ratepayers and its water supply and water rights.</p>
2. Protect EBMUD's interests in any efforts to impose a statewide surcharge on water.	<p><b><u>Proceed</u></b> – The legislature is likely to continue to explore the feasibility of some type of statewide surcharge or public goods charge on water to fund infrastructure and other statewide water-related benefits, and to provide funding for disadvantaged communities.</p> <p>Staff will continue to work to ensure EBMUD's interests are represented in any effort to impose such a charge.</p>
3. Protect EBMUD's property tax revenues.	<p><b><u>Proceed</u></b> – As part of the state's effort to grapple with complex issues, such as realignment, prisons, and former redevelopment functions, there is a continuing effort to identify long-term and reliable sources of revenue to fund local obligations.</p> <p>Staff will continue with the ongoing efforts to protect EBMUD's local property tax revenues.</p>
4. Provide greater flexibility to reject bids and exclude bidders.	<p><b><u>Do Not Proceed</u></b> – This proposal would provide greater flexibility to reject bids of non-responsible bidders and exclude bidders on the basis of issues unrelated to cost such as prior performance.</p> <p>Existing law provides EBMUD the authority to reject any and all bids, to make a determination that a bidder is non-responsible, and to award a contract to a bidder other than the lowest bidder if the low bid is found to be non-responsive or non-responsible.</p>
5. Revise the utility marking law to allow for the broader use of vacuum extraction techniques for planned and emergency excavations.	<p><b><u>Do Not Proceed With Sponsorship. Engage in Legislative Discussions.</u></b> – This proposal would allow for the broader use of vacuum excavation in planned and emergency situations and would affect all public and private operators of underground utilities and those entities that excavate in areas where underground utilities may be located.</p> <p>Staff has contacted entities that represent excavators within and outside of the water community and has been unable to secure sufficient support to advance this proposal. However, discussions in the legislature on the broader issue of excavation safety are expected in the coming months.</p> <p>Staff will actively participate in legislative discussions on the broader issue of excavation safety and work to advance the need for broader authorization to use vacuum excavation.</p>

## **STATE LEGISLATIVE INITIATIVES – 2014**

### **INITIATIVE #1 – PROTECT EBMUD'S INTERESTS AS THE LEGISLATURE CONTINUES TO CONSIDER DELTA FUNDING AND POLICY ISSUES**

Funding and policy discussions associated with the 2009 Delta legislative package are expected to continue throughout 2014.

In 2009, the legislature passed and Governor Schwarzenegger signed the Delta legislative package. The "Delta package" consisted of four policy bills and an \$11.1 billion water bond measure. The four policy bills establish a new framework for the Delta that will determine when and how water flows through the Delta and who provides that water, require water conservation to reduce urban water use statewide, require groundwater monitoring statewide, and assign new enforcement duties to state agencies to protect the Delta and other river systems. The water bond was initially planned for the 2010 ballot and has been twice delayed by the legislature. The water bond is now scheduled for the 2014 ballot.

In 2013, the legislature considered reworking the \$11.1 billion water bond measure that is currently slated for the November 2014 ballot. Though operative language that addressed both funding and policy issues was amended into two bills, the legislature agreed to postpone discussions until 2014.

In addition, in 2010 and 2011, measures were introduced to develop a financing plan for implementation of the Delta Plan, AB 2092 (Huffman) and AB 576 (Dickinson). Though both measures failed to advance out of the legislature, a funding gap remains for the implementation of the full suite of actions identified in the Delta Plan as well as the other elements of the Delta package. Staff will continue to work to protect EBMUD's water rights, water supplies, and ratepayers as water bond, funding, and policy discussions continue in 2014.

### **INITIATIVE #2 – PROTECT EBMUD'S INTERESTS IN ANY EFFORTS TO IMPOSE A STATEWIDE SURCHARGE ON WATER**

The issue of some type of statewide surcharge or public goods charge on water may be discussed in the legislature during 2014. Such a charge can take the form of a surcharge imposed on water providers, such as urban and agricultural suppliers, or imposed directly on users as part of their utility bill similar to the energy public goods charge. Though such a charge could be proposed for a specific purpose, such as to fund some public benefit projects within the Delta or to fund projects to provide safe drinking water for disadvantaged communities, the application of a surcharge would likely be statewide and not limited to the areas where projects would be located. The idea of a water surcharge has been discussed in several forums over the past year including the Governor's Drinking Water Stakeholder Group and the legislature.

A public goods charge for electricity was passed in California in 1996 as part of the energy sector deregulation. The energy public goods charge appears on retail customer bills, and the money collected from this charge is used to fund energy efficiency and renewable energy projects within the service area

of the utility collecting the funds, as well as research and development. In its 2009 AB 32 Scoping Plan, the California Air Resources Board recommended a public goods charge for funding investments in water. An important distinction in most water surcharge proposals, however, is that collected funds would be distributed statewide and not necessarily re-invested in a water provider's service area. In this respect, such proposals likely constitute a "water tax" as opposed to a surcharge.

The concept of a water surcharge is not new. Following the example of the energy public goods charge, the prior administration expressed interest in assessing a charge for water users to help fund the state's water-related needs. In 2006, the legislature considered a statewide surcharge, known as the Water Resources Investment Fund (WRIF), proposed by then Governor Schwarzenegger. The WRIF would have created a new state retail water surcharge to generate about \$500 million annually to fund a variety of water resources projects in perpetuity. To finance the program, the bill would have imposed an annual state water surcharge on each urban retail water supplier in the state based on the number and types of water connections in its service area (agricultural water districts would have contributed a de minimus percentage of total revenues). In 2006, EBMUD staff estimated that the WRIF would have resulted in an across-the-board rate increase for EBMUD's customers of nearly seven percent. The bill contained a provision for automatic increases in the state retail water surcharge in future years. This concept failed to advance out of the legislature.

In addition, legislation was introduced during the 2011-2012 legislative session which would have imposed a statewide charge on water providers to fund water infrastructure (SB 34 – Simitian) and tasked the California Water Commission with developing and implementing a water investment plan to allocate the funds (SB 571 – Wolk). Neither bill advanced out of the legislature.

The concept of the collection and allocation of funds collected through a statewide water surcharge remains a topic of intense interest by the legislature and governor's administration. Staff will continue to work to ensure EBMUD's interests are represented in any effort to impose such a charge.

### **INITIATIVE #3 – PROTECT EBMUD'S PROPERTY TAX REVENUES**

The protection of EBMUD's property tax revenues continues to be a key issue. Though the state's 2013-2014 budget was completed in June and included a projection that the state would end 2013-2014 with a significant reserve, the legislature continues to grapple with complex issues where stable, long-term sources of local revenue are needed. Examples include realignment of some state services, prisons, and former redevelopment functions. Special district local property tax revenues are viewed by the legislature as a secure and stable source of income that, in the instance of enterprise special districts, can be replaced with rate increases.

Property tax revenues are allocated at the county level using specified statutory formulas that cannot be changed without legislation. In prior years, the legislature routinely "borrowed" local property tax revenues to address statewide budget shortfalls. In recent years, voters approved two measures, Proposition 1A and Proposition 22, that now bar the state from taking local property tax revenues for any purpose. Though the state may not borrow local property tax revenues, the state has retained its



authority to make the statutory changes necessary to alter the local property tax allocation formulas, as long as the property taxes stay within the county of origin.

Any shift of property taxes away from EBMUD would jeopardize EBMUD's ability to fund its non-enterprise fire suppression services that benefit property owners and would likely necessitate a rate increase. Staff will continue with the ongoing efforts to protect EBMUD's local property tax revenues.

#### **INITIATIVE #4 – PROVIDE EBMUD GREATER FLEXIBILITY TO REJECT BIDS AND EXCLUDE BIDDERS**

The Municipal Utility District Act (MUD Act) requires EBMUD to publicly bid contracts and award the contract to the lowest responsible bidder for the purchase of supplies and materials above a certain amount. That amount was adjusted to \$70,000 by the Board in April 2010 in accordance with MUD Act requirements. Accordingly, EBMUD must publicly bid and award to the lowest bidder its public works construction contracts that include the purchase of supplies and materials in excess of \$70,000. Existing law grants EBMUD flexibility with regard to these requirements in two primary ways.

First, EBMUD may reject any and all bids and rebid the project. The MUD Act grants EBMUD the authority to reject any, and/or all bids. Included in this authority is the right to reject a bid if a bidder is deemed to be "non-responsible." If all bids are rejected, EBMUD may rebid the same project, modify the project and rebid it, or abandon the project all together.

Second, instead of rejecting all bids and re-bidding a contract, EBMUD may award a contract to a bidder other than the lowest bidder, if either of the following can be shown: 1) the lowest bidder was not responsive to the invitation to bid, such as the bid forms containing an error that, if allowed to stand, would give the bidder an advantage over the other bidders; or 2) the lowest bidder was not a "responsible" bidder, i.e. that the bidder was not qualified to perform the work under consideration.

Public Contract Code section 1103 defines a "responsible" bidder as "a bidder who has demonstrated the attributes of trustworthiness, as well as quality of fitness, capacity, and experience to satisfactorily perform the public works contract." Public agencies, including EBMUD, have the right to determine that a bidder does not meet this statutory definition of a "responsible" bidder and is therefore a "non-responsible" bidder. Once a bidder is found to be "non-responsible," the bidder loses the right to be awarded a project despite being the lowest bidder. In addition, the determination that a bidder is "non-responsible" can apply to a particular project, or it can apply to future projects, excluding the bidder from bidding for a specified period of time up to, and including, in perpetuity.

In order for a public agency to exclude a bidder on the basis of being "non-responsible," the bidder must be afforded due process. The United States Supreme Court has found that the right to bid on a public contract is a constitutionally protected right. To meet the due process requirements, the agency must provide the bidder with notice of the evidence supporting the determination and an opportunity to present rebuttal information at a hearing. The hearing can be held in an informal manner, such as a meeting in an office or conference room, or can be a formal presentation to the public agency's governing body at a regularly scheduled meeting.



## **AFFECTED PARTIES**

This legislative proposal would be specific to EBMUD, however, interested parties would include contractors who bid on EBMUD public contracts and other stakeholders in the public contracting community.

## **LEGISLATIVE CHANGE REQUESTED**

Amend existing law to allow EBMUD to exclude a bidder on the basis of issues unrelated to cost such as prior performance.

## **ALTERNATIVES TO LEGISLATION**

EBMUD may exercise its existing authority to reject any and all bids and rebid a project, or to exclude a bidder.

## **DISCUSSION**

Legislation is not recommended at this time. When considering legislation, potential authors and the legislature are not inclined to author or support measures that would provide a remedy when one exists under current law unless it can be demonstrated that the existing remedy has been exercised, is ineffective, and has adversely impacted stakeholders (in this case EBMUD and its ratepayers).

Existing law provides EBMUD with a remedy to exclude bidders through its authority to deem a bidder “non-responsible.” The statutory definition of “non-responsible” is sufficiently broad that prior contractor performance and other issues could be used in making the “non-responsible” determination. To date, this authority has not been exercised by EBMUD and thus it can not be adequately demonstrated that this authority is insufficient such that legislative intervention is warranted.

## **INITIATIVE #5 – REVISE THE UTILITY MARKING LAW TO ALLOW FOR THE BROADER USE OF VACUUM EXCAVATION TECHNIQUES FOR PLANNED AND EMERGENCY EXCAVATIONS**

Existing law requires every operator of a subsurface installation, except for Caltrans, to participate in, and share in the costs of a regional notification center, also referred to as a “one-call center” (California Government Code section 4216). Subsurface installations are defined to include any underground pipeline, conduit, duct, wire, or other structure, except non-pressurized sewer lines, storm drains, or other non-pressurized drain lines. Except in an emergency, any person planning to conduct an excavation is required to notify the one-call center at least two working days prior to commencing the excavation.

The one-call center notifies participating members with subsurface installations in the area of the proposed excavation, who are then required to field mark the approximate location of their subsurface installation within two working days. The excavator is prohibited from using power tools within 24

inches on either side of the subsurface installation. Prior to 2005, hand excavation was the only alternative for digging around subsurface utilities. In 2005, the statute was amended to permit the use of vacuum excavation, a faster and less labor intensive method, when documented notice is provided to the subsurface installation operator (operator) and the excavator and operator have mutually agreed, regardless of whether the excavation is planned or an emergency.

EBMUD completes over 4,000 excavations every year primarily to install and repair water distribution piping. Many of these excavations are in public rights of way with other utilities like telephone, electric, sewer, and natural gas. Many of these utilities represent a significant safety hazard for EBMUD crews and the public. For example, Pacific Gas & Electric (PG&E) has electric subsurface utilities that can operate at 12,000 volts or more and has pressurized natural gas installations that are ubiquitous and typically run in small plastic pipes, approximately one- to two-inches in diameter. Accordingly, the accurate location of subsurface installations is critical to protecting worker and public safety and vacuum excavation is a preferred method of excavation because it is faster when compared to other methods and reduces the risks posed to the public and workers.

EBMUD has consistently encountered problems in getting the location of subsurface installations, particularly those operated by PG&E, marked in a timely fashion. With regard to emergencies, when the utility locations are not marked, EBMUD field crews must hand dig to locate the subsurface installations before the emergency repair can be completed. This puts public and worker safety at risk and unnecessarily delays the repair and can result in interruptions in water service to customers and for fire flows. Using vacuum excavation in emergencies would reduce worker risk, reduce the amount of time needed to complete emergency repairs, and restore water delivery service faster.

Vacuum excavation is recognized by the Common Ground Alliance (CGA), a national industry group focused on preventing damage to underground installations, as an efficient, safe, and effective alternative to hand digging around subsurface utilities, when used appropriately. CGA and the California Regional CGA have included vacuum excavation in their best practices and several states, including New Hampshire and Pennsylvania, expressly allow vacuum excavation for the approximate location of subsurface installations.

## **AFFECTED PARTIES**

This legislative proposal would affect all public and private operators of subsurface installations (e.g. electric, water, natural gas, petroleum, telecommunications, and fiber optics) as well as those who complete excavations in areas where subsurface utilities might be located (e.g. public and private contractors). Other interested parties include Underground Service Alert, CGA, and industry associations that represent various utilities, cities, counties, the petroleum industry, and contractors.

## **LEGISLATIVE CHANGE REQUESTED**

The legislative change would modify section 4216 of the Government Code to allow the broader use of vacuum excavation equipment in the approximate location of a subsurface utility for planned excavations and in the event of an emergency.

## **ALTERNATIVES TO LEGISLATION**

Since EBMUD maintains over 4,200 miles of potable water distribution pipe in the service area, pipe repairs can occur at numerous locations and times of the day. In order to enable EBMUD to use vacuum excavation broadly for planned excavations and in emergency situations, blanket agreements would be needed with all of the entities, including PG&E, who operate subsurface installations in locations of EBMUD's distribution pipes.

## **DISCUSSION**

This proposed legislation would expressly allow for the broader use of vacuum excavation for planned excavations and in emergency situations. This legislation is not limited to the water community and would directly affect thousands of entities in many different industries including all public and private operators of subsurface installations (e.g. electric, water, natural gas, petroleum, telecommunications, and fiber optics) as well as those who complete excavations in areas where subsurface utilities might be located (e.g. public and private contractors).

Accordingly, this proposed legislation would require broad support among interested parties. However, staff discussions with Underground Service Alert, the California Regional CGA, and others indicate that there is little support and the proposal would encounter significant opposition, including opposition from other subsurface installation operators. Without widespread support, legislation to allow the broader use of vacuum excavation for planned excavations and in emergencies should not be pursued in 2014.

However, the broader issue of excavation safety has been garnering increased attention in the legislature. Discussions in the senate and assembly are scheduled to continue over the coming months and will explore ways to further the goal of reducing excavation-related damages and injuries. These discussions will involve a broad group of stakeholders that will be needed to successfully advance any legislation and will include an exploration of potential solutions.

Staff will actively participate in these legislative discussions and work to advance the need for broader authorization to use vacuum excavation for planned excavations and in emergencies.

ARC:MD:JF

## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: October 3, 2013

MEMO TO: Board of Directors

FROM: Alexander R. Coate, General Manager *ARC*

SUBJECT: Monthly Report – September 2013

### HIGHLIGHTS

**Camanche Permit Extension Draft Environmental Impact Report published September 30.**

The Draft EIR for EBMUD's water right Permit 10478 Time Extension Project is now in its public comment period, which will end on November 18. Public meetings are scheduled in Oakland, Lodi, San Andreas, and Jackson.

**EBMUD notified that the Camanche Area Regional Water Supply Plan (CARWSP) will be awarded full funding from the State's Integrated Regional Water Management fund.**

The Upper Mokelumne Water Regional Authority requested a total of \$2,174,000 of which \$1,449,000 is designated for Phase I of the Camanche Area Regional Water Supply Project. Phase I is the design and construction of a new water treatment plant to serve EBMUD's Camanche North Shore and South Shore recreation areas. Subsequent phases will expand the treatment plant capacity to provide service to Amador and Calaveras County customers in the Camanche area.

**The District's Chabot Dam Seismic Retrofit Project received \$5 million in grant funds from Department of Water Resources.** The grant will provide funding for 25 percent of the estimated \$20 million cost of the project.

### WATER SUPPLY AND WATER RIGHTS PROGRAMS AND ACTIVITIES

**EBMUD and San Joaquin County Water Conservation and Flood Control District (San Joaquin County) adopt a Memorandum of Agreement (MOA) to develop a demonstration groundwater banking project.** The MOA was recommended for approval by San Joaquin County's Groundwater Banking Authority and their Advisory Water Commission and was approved by the San Joaquin County's Board of Supervisors and the EBMUD Board at their respective meetings on September 24, 2013. EBMUD and San Joaquin County are proceeding with project planning activities.

**EBMUD and Bay Area Water Supply and Conservation Agency (BAWSCA) staff finalized a Pilot Water Transfer Plan on September 26, 2013.** The pilot plan includes an executive summary and technical memoranda that evaluates the feasibility of partnering with BAWSCA on a one-year pilot water transfer. Prior to completing the plan, staff met with representatives of the



City of Hayward (COH) and San Francisco Public Utility Commission (SFPUC) and their comments were addressed in the plan. BAWSCA plans to discuss the next phase of the project, including cooperative work with SFPUC, COH, and BAWSCA's other member agencies to address institutional arrangements needed before a pilot transfer can occur.

**EBMUD entered into a wheeling agreement with Contra Costa Water District (CCWD) on September 10, 2013.** CCWD needed to complete a one-time water transfer with Woodbridge Irrigation District for 2,000 Acre Feet (AF) of Mokelumne River water. Water was wheeled into Los Vaqueros Reservoir from September 11 to September 18. As part of the agreement, EBMUD will be reimbursed for actual costs incurred and has a 10-year option to purchase up to 2,000 AF of water stored by CCWD in Los Vaqueros Reservoir.

**On September 5, Upper Mokelumne River Water Authority representatives held a project kick-off meeting with member agency representatives to begin the Mokelumne Watershed Interregional Sustainability Evaluation Program (MokeWISE) effort.** UMRWA representatives and their engineering consultants met with agency representatives including key EBMUD staff, to discuss UMRWA's upcoming MokeWISE activities. These activities include evaluating alternatives for integrated water management on an interregional scale, with the potential to provide water supply and environmental benefits to a broad range of Mokelumne River basin stakeholders; identifying a mutually preferred program alternative; and developing a bi-regional plan to implement the preferred alternative.

**On August 22, EBMUD staff attended a Delta Vision Foundation roundtable meeting with a broad group of stakeholders to discuss an "integrated water action plan" for the state.** Participants expressed strong interest in working together to develop a comprehensive strategy on a 6-month timeline to submit to the Governor. This will be a parallel and distinct effort from ACWA's Statewide Water Action Plan, which is now nearing completion.

**Precipitation.** The East Bay precipitation for September was 0.74 inches (255% of average, 9th wettest September on record) and a season total of 0.74 inches (195% of average). The Mokelumne precipitation for September was 1.04 inches (133% of average, 19th wettest September on record) and a season total of 1.16 inches (90% of average).

**Releases from Camanche Reservoir.** The average rate of Camanche release for September was 279 cfs (207 cfs generation, 52 cfs sluice, and 20 cfs through the hatchery), and the average flow below Woodbridge Dam was 41 cfs, both in accordance with the Joint Settlement Agreement "Dry" criteria.

**Mokelumne reservoirs storage is 98% of average.** As of September 30, 2013, Pardee was at 562.5 feet or 102% of average, and the Camanche was at 211.6 feet or 96% of average. Combined Pardee and Camanche reservoir storage was 443,000 acre-feet compared to 450,000 acre-feet last year.

**Releases from East Bay Reservoirs.** There were no East Bay reservoir releases in September.



**East Bay reservoirs storage is 84% of average.** As of September 30, 2013, USL was at 446.4 feet or 109% of average, San Pablo was at 283.2 feet or 66% of average, and Briones was at 546.0 feet or 79% of average. Total terminal reservoir storage was 99,000 acre-feet compared to 121,000 acre-feet last year.

**Mokelumne Aqueducts and Raw Water Pumping Plants.** The average rate of Mokelumne Aqueduct draft for September 2013 was 195 MGD. Approximately 2,000 acre-feet of Woodbridge Irrigation District's water was wheeled through Mokelumne Aqueduct No. 2 to the Contra Costa Water District. Walnut Creek, Moraga and Briones Raw Water Pumping Plants remained out of service for the month.

**Water Production.** Average rate of gross water production for September.

	September 2013	September 2012	September 2011	Average of 2005-2007
East of Hills	77 MGD	78 MGD	78 MGD	88 MGD
West of Hills	151 MGD	146 MGD	150 MGD	172 MGD
Total	228 MGD	224 MGD	228 MGD	260 MGD
Max Day Production	245 MGD (9/6/2013)	243 MGD (9/3/2012)	245 MGD (9/2/2011)	

*Note: Data are all from preliminary daily operational reports and are subject to revision*

## CUSTOMER EVENTS AND PUBLIC OUTREACH

**The Draft Engineering Evaluation and Cost Analysis (EE/CA) for remediation at the Poison Lake site in Amador County was discussed at an open house at Pardee Center on August 22.** The open house was co-hosted by the Bureau of Land Management and the District for the residents of Ione and surrounding communities to discuss the proposed remediation alternatives. The comment period for the draft EE/CA ended September 23 and no comments were received. The document will be finalized by the end of October and then BLM will issue an Action Memorandum by November 30, 2013. The Action Memorandum documents the need for a removal action, authorizes the removal action, identifies the action and cleanup levels (if applicable) and explains the rationale for the removal response.

**EBMUD staff conducted a tour of the Freeport Project Intake for representatives of Bay Area agencies on September 20, 2013.** Representatives from the U.S. Bureau of Reclamation, Contra Costa Water District, Bay Area Water Supply and Conservation Agency, San Francisco Public Utilities Commission, Santa Clara Valley Water District, Zone 7 Water Agency, Alameda County Water District and the Delta Stewardship Council toured the intake facility and learned more about EBMUD's history of successfully collaborating with project partners to develop regional water supply projects.

**Pardee RV Park informational meeting held September 7.** EBMUD staff conducted a meeting for the RV park tenants explaining the status and scope of the upcoming park renovation project. Proposed site dimensions and configurations were reviewed and two RVs were on site to show how RVs could fit on the new sites. Approximately 60 people attended and the information provided was positively received by attendees.

**Mokelumne shoreline clean up a huge success.** On September 21 staff coordinated 120 volunteers to join the fifth annual Great Sierra River Cleanup. Working at Pardee Reservoir, Camanche Reservoir, Middle Bar (above Pardee on the Mokelumne River), and the Mokelumne River Day Use Area below Camanche Dam, the volunteers covered 33 miles of shoreline and collected 2,500 pounds of trash and recyclables. The event was part of the larger Coastal Cleanup and Great Sierra River Cleanup events which collectively involved more than 50,000 volunteers removing more than 500,000 pounds of trash and recyclables from California's waterways.

**The Annual Tom Fitch Fishing Outing was held at San Pablo Reservoir on September 28.** Sixty youth from the Oakland Boy's and Girl's Club spent the day boating and fishing during this event, which was sponsored by the Orinda Rotary Club.

**Contract Equity outreach events.**

- **On September 11, the Associated General Contractors of California (AGC) hosted its Bay Area Region Public Works Night in Pleasanton.** Staff participated in the business expo disseminating information on the Contract Equity Program, upcoming contract opportunities and the small business incentives. Approximately 100 participants were in attendance.
- **On September 12, the San Francisco Public Utilities Commission's Small Firm Advisory Committee hosted its Tips and Tricks for Success Workshop in San Francisco.** Staff participated in the vendor expo disseminating information on the Contract Equity Program, upcoming contract opportunities and the small business incentives. Approximately 80 participants were in attendance.

**Staff participated in the following business community events:**

- September 3, National Association of Minority Contractors – General Membership meeting in Oakland
- September 12, National Forum of Black Public Administrators – General Membership meeting in Oakland
- September 19, San Francisco Bay Area Rapid Transit (BART) – Business Advisory Council meeting in Oakland
- September 20, American Indian Chamber of Commerce – General Membership meeting in Livermore
- September 20, Skanska USA NorCal Chapter – General Membership meeting in Berkeley

### **Water Conservation outreach events.**

**On September 11-12, staff participated in a WaterSmart Innovations Summit hosted by the CleanTech Group at the Claremont Hotel in Berkeley.** Over 125 local, national and international investors, corporate/utility executives, entrepreneurs and organizations participated in the invitation-only gathering to discuss water and energy technology, policy initiatives, industry trends and explore future collaborative and investor-funding opportunities.

**On September 19, the District co-sponsored and participated in the Bay Friendly Landscaping & Gardening Coalition's conference at the Craneway Pavilion in Richmond.** Staff networked with Bay Area landscaping professionals, contractors, designers, and agencies. Approximately 250 industry professionals and water agency personnel attended.

### **Staff and Board members staffed EBMUD booths at the following community events:**

- September 8, Solano Avenue Stroll in Albany, approximately 100,000 attendees
- September 14-15, Castro Valley Fall Festival, approximately 50,000 attendees
- September 15, El Sobrante Stroll, approximately 15,000 attendees
- September 21-22, Lafayette Art & Wine Festival, approximately 50,000 attendees

### **CAPITAL IMPROVEMENT AND FACILITIES MAINTENANCE**

**The Plant Effluent Channel Rehabilitation Project requires an increase in the construction change order contingency to 13 percent.** The contractor found a significant amount of additional concrete spalling and corroded reinforcing steel in the ceilings and walls (approximately 235 percent more than the contractual amount) in the Main Wastewater Treatment Plant's effluent channel. A change order of approximately \$264,000 or 8.7 percent of the contract amount is required to cover the additional concrete repair expense. The total change order amount is projected to be \$393,510 or 13 percent of the original contract amount of \$3,027,000. Sufficient appropriations are available for this increased change order contingency because the original bid was approximately 30 percent below the engineer's estimate.

**Penn Mine landfill modification.** The District signed a change order with the Shaw Company and a cost-sharing agreement with the Central Valley Regional Water Quality Control Board for modification work at the Penn Mine landfill. This work will completely seal the landfill by bonding its cover to the bottom liner to prevent surface water intrusion. Construction has begun and is expected to last ten weeks.

**USL Reservoir slide area repairs.** Staff will be excavating the slide debris and clearing off the access road to the reservoir in the Tower Road and Redwood Road area. The slide occurred in 2006. After the contractor drills 42, 35-foot-deep holes, staff will assist in the installation of metal beams for a retaining wall and road base.

**Vehicle Replacement Program update.** The District will receive seven new half-ton pick-up trucks and will be finalizing the specifications for saw trucks and welding vehicles.

**Paving.** Staff concentrated on completing several high-priority projects using District forces and outside resources. Most notably, the Saroni Drive, Oakland project (Shepherd Canyon to Homewood Drive), was contracted out as a two-inch-thick, “curb-to-curb” overlay of the existing 25-foot wide street in cooperation with the City of Oakland.

**Pipeline.** Staff began work on an applicant job to install 345 feet of 12-inch water pipe for Alta Bates Hospital in Oakland at Webster and Hawthorne, and to complete an infrastructure renewal job consisting of 800 feet of 6-inch water pipe in the Lafayette hills on Oleander Drive.

**Mokelumne River Fish Hatchery chiller replaced.** The vendor installed and tested the new chiller and the unit is ready for the arrival of adult salmon this fall. The chiller is essential for maintaining optimum temperatures for the incubation of salmon eggs.

**The final geotechnical investigation finds the Summit Dam Reservoir basin is suitable for the construction of the replacement tank.** A geotechnical reassessment of the foundation level after the demolition of the existing reservoir will determine the depth of additional soil removal required prior to construction of the new tanks.

## **WATER AND WASTEWATER SYSTEM OPERATIONS**

**Staff successfully coordinated with CalTrans during the opening of the new Bay Bridge eastern span.** Good coordination during a CalTrans bridge closure power outage and their demolition activity ensured EBMUD had safe and continuous access to District facilities, addressed power supply issues to the dechlorination facility and avoided potential staff exposure to lead.

**Staff assisted City of Richmond staff in a September 24 presentation to the Richmond City Council meeting on the Richmond Wastewater Services Joint Study.** The city council was informed that of alternatives considered by EBMUD, the most cost viable is to convert the City of Richmond’s Water Pollution Control Plant to a liquid treatment only plant and convey the removed solids to the District’s MWWTP. The City will continue studying this as well as other options in the coming months.

**There was one odor complaint during September.** The complaint occurred September 15 and the subsequent investigation concluded the likely source was a secondary treatment clarifier which had been taken out of service for cleaning and repair of a broken shear pin.

**All MWWTP discharges were in compliance with the permit limits in September.** This is the 169th consecutive month that the plant experienced no exceedances.



**On August 31 there was an unauthorized discharge from the outfall transition building.** Sequential mechanical failures of the dechlorinated effluent sample sump pumps resulted in a discharge of up to 9,800 gallons of the final effluent on the shoreline of the Bay. The regulators have been notified and action will be taken to avoid a reoccurrence of this type of an event.

**A small water treatment filter unit was installed in the Administration Building recycled water system on September 11.** The pilot test is in progress to monitor removal of odor, color and particulates in the recycled water distributed from the East Bayshore project to the building for toilet and urinal flushing in the second floor public restrooms.

**Quick response ensures overturned tanker's hazardous contents do not affect Mokelumne River.** On September 10, staff responded to an overturned tanker truck on Highway 49 near EBMUD property and approximately ¼ mile from the Mokelumne River. The tanker was carrying a load of Pozzoloth, an additive used in concrete. Staff coordinated with CalTrans and Calaveras County Environmental staff to ensure that water quality was protected during the tanker's removal from the site and the subsequent clean-up of contaminated soil.

**September main breaks.** The attached table lists the main breaks that were repaired by staff in September, sorted by city and street. The associated map shows the locations of the breaks geographically.

## **ORGANIZATION EFFECTIVENESS AND EFFICIENCY**

**The U.S. Steel Tank Institute and Steel Plate Fabricators Association awarded the District the "2012 Steel Tank of the Year" award for the Berryman Reservoir Replacement Project.** Berryman Reservoir's unique architectural and structural design features set it apart from other traditional welded steel tank designs nationwide. The new 2.6 million gallon tank has been in service since March 2013.

**Lost Time Injury Rate (LTIR) has dropped to 1.65 per 100 employees.** The District has gone from LTIR over 4 to under 2 from 2010 through 2013. That is about 3 lost time injuries less per 100 employees. This improves productivity, saves money and reduces pain and suffering for employees.

### **Employment Information**

	September 2013	FY14 Total
Retirements*	10	24
Other Separations	2	13
Hires	15	61

\*Includes vested employees who left District employment and retired at a later date.



### Tuition Reimbursement

	September 2013	FY14 Total
# of Employees	12	48
# of Classes	12	63
Total Reimbursed	\$6,815	\$44,841

### FINANCIAL NEWS

**The net Mokelumne power revenue for September was \$194,695 vs the \$397,445 planned.** Inflows into Pardee for August were 88% of plan and generation was 52% of plan. The average electricity price was higher than expected at \$43.71/MWh. Renewable power and related Renewable Energy Credits (RECs) were sold to the Sacramento Municipal Utility District under the Power Purchase Agreement. REC revenue for September was \$24,847. Capacity payment was \$52,000 less than planned due to unit overhaul at Pardee Powerhouse. Total net revenue for FY14 is \$535,435 which is 9.4% of the annual budgeted revenue of \$5.7 Million.

FY14	Net Revenue		Inflow (Acre Feet)	
	Plan	Actual	Plan	Actual
<b>July</b>	\$147,740	\$187,052	28,400	27,638
<b>August</b>	\$444,302	\$153,688	27,000	27,589
<b>September</b>	\$397,445	<b>\$194,695</b>	26,600	<b>23,300</b>
<b>FY14 YTD Total</b>	\$989,487	<b>\$535,435</b>	82,000	<b>78,527</b>

*\*Bold items are estimated*

**On September 1 the Western Area Power Administration (WAPA) began providing electrical service to the Danville Pumping Plant.** This change from PG&E electrical service is estimated to save the District approximately \$160,000 per year in energy purchases. WAPA now serves five District electric accounts at the Danville Pumping Plant, Sobrante Water Treatment Plant, San Pablo Center, Scenic East Pumping Plant, and the Wastewater Plant. These accounts have a combined load of approximately 20,000 MWh per year or about 15 percent of the total District electrical load.

**There were no contracts over \$70,000 and less than \$100,000 approved by the General Manager in September 2013.**

**Monthly yield on all investments including reserve funds and proceeds for the Wastewater 2010B bond issue was 0.43%, an increase of 0.01% from August 2013.** The return on new investments made in September was 0.055%. The yield on 90-day Treasury bills on September 30, 2013 was 0.005%.

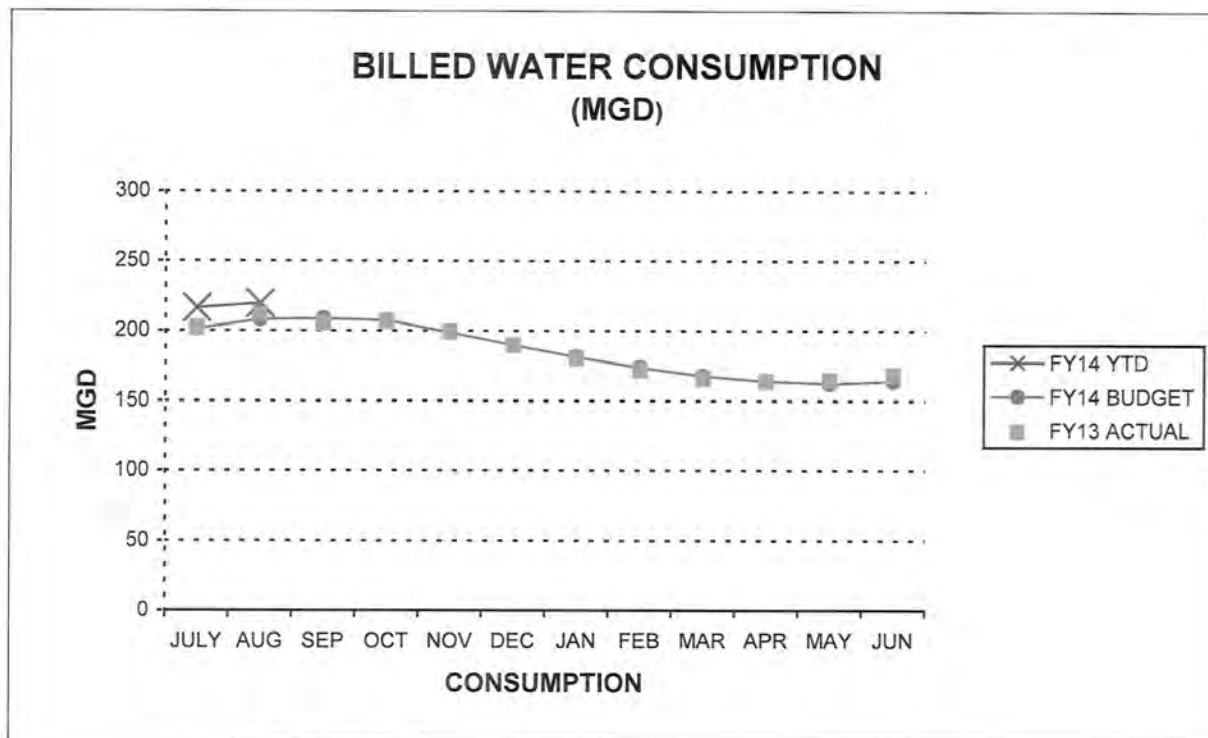
**Average interest cost during the month of September on outstanding commercial paper issued for the Water System was 0.14%, one basis point lower than in August 2013.** The average interest cost for outstanding Wastewater System commercial paper in September was 0.14%, no change from August 2013.

**Plant book activity for September 2013.** Fourteen plant books were sold in September, which increased the total plant books sold to 34,153. September plant book revenues were \$434.30, increasing total revenues to \$728,052.51. Total revenues as a percentage of out-of-pocket book design and production cost equals 93%.

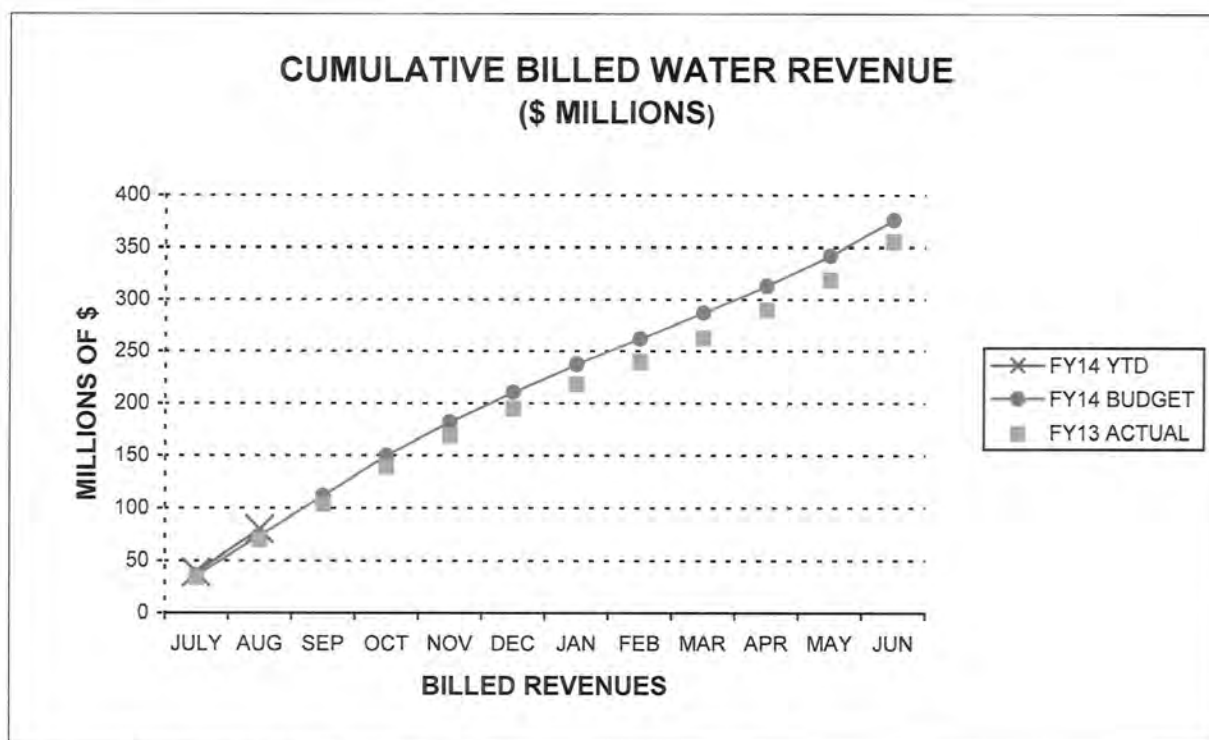
**As a result of the extreme dry weather in May, June and July 2013, billed water consumption for FY14 through August 2013 was 219.6 MGD, which is 3.7% more than billed consumption of 211.7 MGD for the same period in FY13, a period of normal weather.**

<b>Billed Water Consumption</b>		
<b>Usage Type</b>	<b>FY14 (MGD)</b>	<b>FY13 (MGD)</b>
Residential	117.8	115.4
Commercial	71.9	66.1
Industrial	19.4	17.8
Public Authority	10.5	12.4
<b>Total Billed Water Consumption</b>	<b>219.6</b>	<b>211.7</b>

**Water revenues billed fiscal year to date were \$79.7 million, which is 15.2% more than the FY13 actual revenue of \$69.2 million due to increased consumption and the 9.75% rate increase rate for services provided and billed starting July 1<sup>st</sup>.**



Source: Customer Information System



Source: Customer Information System

## September 2013 Main Breaks

	City	Bldg	Pr e	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On
1	ALAMEDA	1608		FERNESIDE	BL	CAST IRON	6	1954	720	09/09/13	09/09/13
2	ALAMO			LIVORNA	RD	ASBESTOS CEMENT	8	1978	2,700	09/04/13	09/05/13
3	ALAMO	3		NAVAJO	CT	ASBESTOS CEMENT	6	1958	36,000	09/03/13	09/03/13
4	ALBANY	735		SANTA FE	AVE	CAST IRON	4	1927	11,520	09/16/13	09/17/13
5	BERKELEY	20		ALAMO	AVE	CAST IRON	4	1941	1,800	09/19/13	09/19/13
6	BERKELEY	2425		EUNICE	ST	STEEL	8	1988	5,760	08/23/13	09/26/13
7	BERKELEY	1252		GILMAN	ST	CAST IRON	6	1954	5,760	09/17/13	09/18/13
8	BERKELEY	1336		SAN PABLO	AVE	CAST IRON	10	1937	4,500	09/04/13	09/04/13
9	CASTRO VALLEY	22336		CAMERON	ST	CAST IRON	6	1951	5,760	08/27/13	09/03/13
10	CASTRO VALLEY	4823		SHAUNA	CT	ASBESTOS CEMENT	6	1967	57,600	09/08/13	09/09/13
11	CASTRO VALLEY	3971		SOMERSET	AVE	CAST IRON	4	1953	5,760	09/16/13	09/19/13
12	CASTRO VALLEY	19359		STANTON	AVE	CAST IRON	6	1931	3,600	09/03/13	09/03/13
13	CASTRO VALLEY	2596		STANTON HILL	RD	CAST IRON	4	1937	4,500	09/03/13	09/03/13
14	DANVILLE	26		CATHY	LN	ASBESTOS CEMENT	6	1978	5,760	08/22/13	09/03/13
15	DANVILLE	479		EL ALAMO		STEEL	6	1981	120,000	09/20/13	09/20/13
16	DANVILLE	100		HARTZ	AVE	CAST IRON	10	1931	27,000	09/26/13	09/27/13
17	DANVILLE	373		LAUREL	DR	ASBESTOS CEMENT	8	1962	4,500	09/22/13	09/22/13
18	DANVILLE	86		ST PATRICKS	CT	ASBESTOS CEMENT	6	1970	5,760	09/08/13	09/16/13
19	DANVILLE	67		WELLER	LN	ASBESTOS CEMENT	6	1979	1,350	09/12/13	09/13/13
20	EL CERRITO	1246		CONTRA COSTA	DR	CAST IRON	10	1950	9,000	09/19/13	09/19/13
21	EL CERRITO	6949		FAIRVIEW	DR	CAST IRON	6	1948	17,280	09/04/13	09/10/13
22	EL CERRITO	511		OAK	ST	CAST IRON	4	1939	4,200	09/23/13	09/23/13
23	EL CERRITO	515		OAK	ST	CAST IRON	4	1939	50,400	09/18/13	09/19/13
24	EL CERRITO	7701		POTRERO	AVE	STEEL	8	1960	2,700	09/19/13	09/20/13
25	EL CERRITO	1034		RICHMOND	ST	CAST IRON	6	1952	5,400	09/21/13	09/21/13
26	EL CERRITO	7677		STOCKTON	AVE	CAST IRON	6	1926	2,250	09/22/13	09/22/13
27	HAYWARD	24694		FAIRVIEW	AVE	CAST IRON	4	1933	86,400	09/04/13	09/05/13
28	LAFAYETTE	899		CARL	RD	CAST IRON	6	1954	1,350	09/13/13	09/14/13

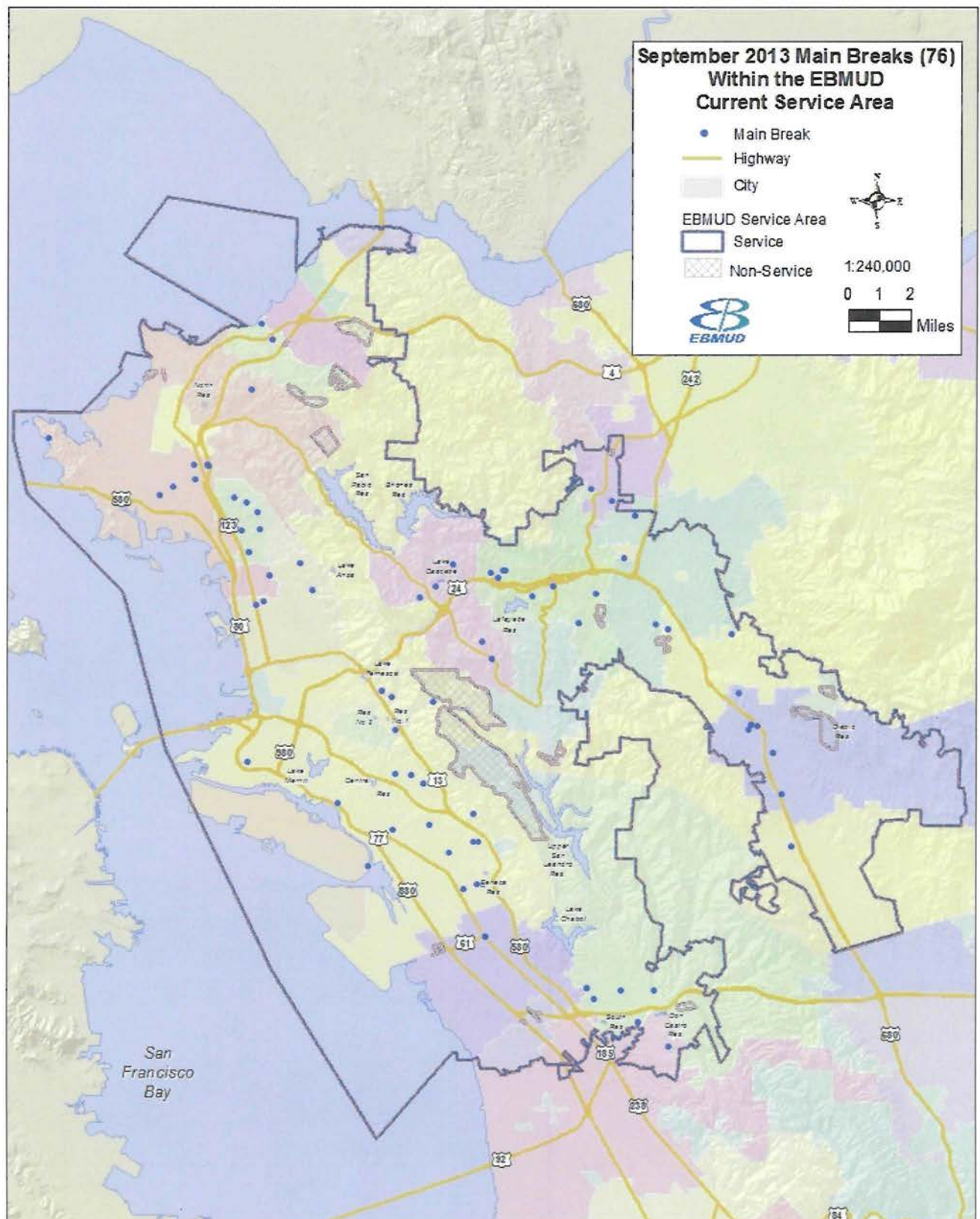
## September 2013 Main Breaks

	City	Bldg	Pr e	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On
29	LAFAYETTE	3727		HIGHLAND	RD	CAST IRON	12	1948	9,000	08/31/13	09/01/13
30	LAFAYETTE	71		LAFAYETTE	CIR	CAST IRON	4	1932	9,000	09/29/13	09/30/13
31	LAFAYETTE	4067		LOS ARABIS	DR	CAST IRON	6	1946	2,700	09/01/13	09/02/13
32	LAFAYETTE	3943	S	PEARDALE	DR	CAST IRON	6	1948	5,760	09/17/13	09/23/13
33	LAFAYETTE	3972	S	PEARDALE	DR	CAST IRON	4	1946	5,760	08/30/13	09/11/13
34	LAFAYETTE	4015		TILDEN	LN	ASBESTOS CEMENT	6	1954	4,500	09/16/13	09/17/13
35	LAFAYETTE	3264		WITHERS	AVE	CAST IRON	10	1941	5,760	09/05/13	09/11/13
36	LAFAYETTE	3346		WOODVIEW	CT	STEEL	6	1968	900	09/03/13	09/03/13
37	OAKLAND	1610		7TH	ST	CAST IRON	8	1877	900	09/12/13	09/12/13
38	OAKLAND	2331		73RD	AVE	STEEL	24	1930	17,280	08/22/13	09/05/13
39	OAKLAND	2250		96TH	AVE	CAST IRON	6	1933	5,760	09/11/13	09/16/13
40	OAKLAND			16TH	AVE	CAST IRON	6	1933	5,760	09/23/13	09/26/13
41	OAKLAND			35TH	AVE	CAST IRON	6	1925	900	09/18/13	09/19/13
42	OAKLAND			98TH	AVE	CAST IRON	8	1949	5,760	08/06/13	09/11/13
43	OAKLAND	2233		ARROWHEAD	DR	STEEL	8	1962	5,760	09/24/13	09/29/13
44	OAKLAND	6900		BROADWAY	TER	STEEL	8	1962	5,760	08/29/13	09/18/13
45	OAKLAND	2956		CARMEL	ST	CAST IRON	12	1935	4,500	09/05/13	09/05/13
46	OAKLAND	2426		DAMUTH	ST	ASBESTOS CEMENT	6	1961	450	09/20/13	09/20/13
47	OAKLAND	6676		ESTATES	DR	CAST IRON	6	1934	450	09/09/13	09/09/13
48	OAKLAND	4280		FOOTHILL	BL	CAST IRON	6	1937	900	09/14/13	09/14/13
49	OAKLAND	3520		LAMP	ST	CAST IRON	6	1945	900	09/09/13	09/10/13
50	OAKLAND	5805		MERRIEWOOD	DR	CAST IRON	6	1938	2,700	09/13/13	09/13/13
51	OAKLAND	5318		NORMANDIE	AVE	CAST IRON	4	1934	5,400	09/02/13	09/02/13
52	OAKLAND	7634		SUNKIST	DR	CAST IRON	6	1925	4,500	09/21/13	09/21/13
53	OAKLAND	4307		VIEWCREST	CT	ASBESTOS CEMENT	6	1982	11,520	08/30/13	09/06/13
54	OAKLAND	9424		WALNUT	ST	CAST IRON	4	1911	900	09/11/13	09/11/13
55	ORINDA	68		CAMINO SOBRANTE		CAST IRON	6	1934	3,150	09/12/13	09/12/13
56	ORINDA	261		COURTNEY	LN	ASBESTOS CEMENT	6	1974	4,500	09/29/13	09/29/13



**September 2013 Main Breaks**

	City	Bldg	Pr e	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On
57	ORINDA	11		EL GAVILAN	RD	CAST IRON	6	1941	1,350	09/16/13	09/17/13
58	ORINDA	3		MARIPOSA	LN	CAST IRON	4	1934	270	09/10/13	09/11/13
59	ORINDA			MORAGA	WAY	ASBESTOS CEMENT	8	1951	90,000	09/17/13	09/18/13
60	PINOLE	975		FERNANDEZ	AVE	ASBESTOS CEMENT	6	1959	900	09/13/13	09/13/13
61	PINOLE			TENNENT	AVE	ASBESTOS CEMENT	6	1962	900	09/20/13	09/20/13
62	PLEASANT HILL	281		LUCINDA	LN	CAST IRON	4	1951	5,760	08/29/13	09/05/13
63	RICHMOND	143	S	16TH	ST	ASBESTOS CEMENT	6	1967	900	09/10/13	09/10/13
64	RICHMOND	217		25TH	ST	CAST IRON	6	1931	2,250	09/20/13	09/20/13
65	RICHMOND	852		35TH	ST	CAST IRON	6	1927	900	09/21/13	09/21/13
66	RICHMOND	300		CASTRO	ST	ASBESTOS CEMENT	8	1944	5,760	09/23/13	09/23/13
67	RICHMOND	600		DONNA MAE	CT	CAST IRON	6	1954	28,800	09/15/13	09/17/13
68	RICHMOND	5211		GARVIN	AVE	CAST IRON	6	1934	17,280	09/22/13	09/25/13
69	RICHMOND	781		HUMBOLDT	ST	CAST IRON	4	1938	13,500	09/21/13	09/21/13
70	RICHMOND	3704		ROOSEVELT	AVE	CAST IRON	6	1933	11,520	08/26/13	09/03/13
71	SAN LEANDRO	1298	E	14TH	ST	CAST IRON	6		1,800	09/24/13	09/24/13
72	SAN RAMON	2599		TWIN CREEKS	DR	ASBESTOS CEMENT	8	1973	1,350	09/05/13	09/05/13
73	WALNUT CREEK	1855		1ST	AVE	ASBESTOS CEMENT	6	1964	2,700	09/05/13	09/14/13
74	WALNUT CREEK	1855		1ST	AVE	ASBESTOS CEMENT	6	1964	3,600	09/05/13	09/14/13
75	WALNUT CREEK	241		CASTLE GLEN	RD	ASBESTOS CEMENT	6	1956	6,300	09/18/13	09/18/13
76	WALNUT CREEK	37		CUESTA	WAY	CAST IRON	4	1941	5,760	09/24/13	09/30/13
<b>TOTAL</b>									<b>822,060</b>		



DATE: October 3, 2013

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager *ARC*

FROM: Lynelle M. Lewis, Secretary of the District *Lynelle*

SUBJECT: Finance/Administration Committee Minutes – September 24, 2013

Director John A. Coleman called to order the Finance/Administration Committee in the Training Resource Center at 9:30 a.m. Director Doug Linney arrived at 9:33 a.m. and Director William B. Patterson arrived at 9:40 a.m. Staff present included: General Manager Alexander R. Coate, General Counsel Jylana Collins, Director of Operations and Maintenance Michael J. Wallis, Director of Finance Eric L. Sandler, Internal Audit Supervisor Barry N. Gardin, Controller Scott Klein, Manager of Budget Jeanne M. Chase, Principal Management Analyst David A. Mercado, Engineering Manager Clifford C. Chan, Special Assistant to the General Manager Cheryl A. Farr, and Secretary of the District Lynelle M. Lewis.

**Public Comment.** None.

**Annual Audit and Management Letter and Financial Trends Report.** The District's outside auditor, Maze & Associates, highlighted the Memorandum on Internal Control for the year ended June 30, 2013. The auditors found no material weaknesses in District operations, no irregularities in reporting and no need for significant adjustments. Next, Controller Scott Klein highlighted the FY13 Financial Trends Report and reported that the overall financial condition of the water and wastewater systems continue to be sound, with a stable revenue base and rates that compare favorably with other local agencies. He noted that the FY13 debt service coverage ratio was above the target and pointed out that this is primarily a result of refinancing transactions. Additionally, he noted that total revenue increased primarily due to the increase in water rates and increase in consumption from the prior year. The Committee requested information on changes in water use by manufacturing customers and whether the District is able to estimate what percent of the change might be due to water conservation efforts.

**FY13 Annual Budget Performance Report.** Manager of Budget Jeanne M. Chase highlighted the annual budget results for FY13. She reported that the Water System ended FY13 with revenues that were less than budget by \$32.6 million or 6.9 percent, and operating expenses that were less than budget by \$46.3 million or 11.7 percent. As a result, the Water System ended FY13 with net revenue of \$13.7 million. She pointed out that overall operating expenses were less than budget due to debt refinancing, cost-saving measures that were implemented and lower costs associated with reduced demand. The Wastewater System ended FY13 with revenues that were greater than budget by \$0.8 million or 0.8 percent primarily due to additional Resource Recovery Program revenue and operating expenses that were less than budget by \$5.1 million or 5.5 percent. The Wastewater System ended FY13 with a net revenue of \$5.9 million. The Committee requested information showing percentages for water system expenditures by department.



**Key Performance Indicators (KPIs) Report for FY13.** Principal Management Analyst David Mercado provided an update on key performance indicators. He reported that for FY13 the District met or was on track to meet its target in 40 of 43 KPIs (93 percent) where targets were set. He pointed out the FY13 turnover rate of 10.1 percent represents an increase in retirements and was a significant change when compared to the FY12 turnover rates of 6.6 percent. The Committee raised no questions.

**FY14 Insurance Summary.** General Manager Alexander R. Coate reported that the District's insurance policies have been renewed for the new fiscal year. The overall cost of insurance in FY14 had a slight increase over FY13, from \$1,448,515 to \$1,490,313. This is a \$41,798 or 2.9 percent total combined annual increase for all lines of insurance currently carried by the District. This was primarily due to the increase in property values. The Committee raised no questions.

**Water and Wastewater Bond Refunding Authority.** Director of Finance Eric L. Sandler said the recommended action would give staff authority to take advantage of opportunities that may arise to refund outstanding variable rate bonds with fixed rate bonds and terminate the associated portions of the related interest rate swaps on an approximately cost-neutral basis. It was moved, seconded, and carried to recommend approval of this action to the full Board.

**Replacement of Remarketing Agent.** Director of Finance Eric L. Sandler reported on proposed financial transactions which would authorize the transfer of the remarketing agent assignment for the Water Series 2008A-1 Variable Rate Demand Bonds (VRDBs) from Royal Bank of Canada (RBC) to Wells Fargo Bank and transfer the remarketing agent assignment for the Water Series 2008A-2 and 2008A-3 VRDBs from Barclays Bank to U. S. Bank. It was moved, seconded, and carried to recommend approval of this action to the full Board.

**Proposed Revisions to Energy Policy.** Engineering Manager Clifford C. Chan summarized the proposed 2013 changes to Policy 7.07, Renewable Energy, and financial impacts associated with the changes. He said that the revised draft policy reflects input from the Sustainability/Energy Committee and discussed key changes: to have the policy address all energy sources and to establish a greenhouse gas zero emissions by the 2040 goal. The revised policy would establish targets for indirect (from purchase of electricity) and direct (from direct sources) emissions with a goal to be carbon-free for indirect emissions and reduce direct emissions by 50 percent by 2040 relative to 2000. There was considerable discussion about the options and fiscal impact for achieving a carbon-free goal for indirect emissions by 2040. Staff was asked to clarify in the policy language the intent to achieve the goal in a cost-effective manner. Staff will return to the Sustainability/Energy Committee for a final review of the revised policy prior to consideration by the full Board.

**Review of Revisions to District Policies.** Internal Audit Supervisor Barry N. Gardin noted that minor changes were made to six policies (Policy 4.01, 4.12, 4.15, 4.19, 4.24 and 7.03) to clarify their purpose and accurately reference current procedures and/or operating practices. He also noted that these policies will be presented to the full Board for approval. The Committee raised no questions.

**Adjournment.** Director John A. Coleman adjourned the meeting at 11:02 a.m.