BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT

375 - 11th Street, Oakland, CA 94607 Office of the Secretary: (510) 287-0440

Notice of Time Change

REGULAR BUSINESS MEETING
Tuesday, March 10, 2026
2:00 p.m.
Boardroom
375 11th Street
Oakland, CA 94607

Notice is hereby given that the Tuesday, March 10, 2026 Regular Business Meeting of the Board of Directors has been rescheduled from 1:15 p.m. to 2:00 p.m.

Dated: March 5, 2026

Rischa S. Cole

Rischa S. Cole
Secretary of the District

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BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT

375 - 11th Street, Oakland, CA 94607 Office of the Secretary: (510) 287-0440

AGENDA

REGULAR BUSINESS MEETING

Tuesday, March 10, 2026
2:00 p.m.
Boardroom
375 11th Street
Oakland, CA 94607

*****Please see appendix for public participation instructions*****

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

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.

COMMITTEE REPORTS:

- Planning
- Finance/Administration

CONSENT CALENDAR: (Single motion and vote approving 9 recommendations.)

1. Approve the Regular Meeting Minutes of February 10, 2026, and the Special and Regular Meeting Minutes of February 24, 2026.

2. File correspondence with the Board.

3. Award contracts beginning on or after March 10, 2026 to A.Y. McDonald Mfg. Co.; Cambridge Brass Inc.; and Mueller Co. LLC for supplying non-leaded brass water service fittings, for three years with two options to renew for additional one-year periods in an aggregate amount, after the addition of taxes, including option years, not to exceed $10,859,810 under Request for Quotation No. 2614.

4. Award a contract to the lowest responsive/responsible bidder, Mitchell Engineering, in an amount not to exceed $18,750,000 for the construction of the San Leandro Channel Crossing Pipeline, under Specification 2188.

CONSENT CALENDAR: (Continued)

5. Authorize the purchase of consulting services for the planning, training, and pilot deployment of Microsoft Purview software beginning on or after March 10, 2026 from Carahsoft Technology Corp. for a total amount not to exceed $134,715. This purchase will be made under State of California contracts available for use by local governments.

6. Authorize the purchase of light and medium-duty vehicles beginning on or after March 10, 2026 for five years for a total amount not to exceed $44,969,373. This purchase will be made under State of California contracts available for use by local governments.

7. Authorize the purchase of Supervisory Control and Data Acquisition system server hardware beginning on or after March 10, 2026 from Computacenter United States Inc., for a total amount not to exceed $854,273. This purchase will be made under State of California contracts available for use by local governments.

8. Approve the assignment of the agreement originally authorized under the General Manager's authority from Merlin Compliance, Inc. to Canto for the Merlin digital asset management system subscription, support, storage, and related services; and authorize an amendment to the agreement originally authorized under the General Manager's authority with Merlin Compliance, Inc., now Canto, to increase the agreement amount by $76,686 to a total amount not to exceed $150,986 and extend the agreement term to March 21, 2029 for digital asset management system subscription, support, storage, and related services.

9. Authorize the Office of General Counsel to continue the employment of the law firm of Hanson Bridgett, LLP, for specialized legal services related to construction, public contracts and procurement, intellectual property and technology matters, tax law, public pension law, labor and employment, and litigation matters in an additional amount not to exceed $125,000.

DETERMINATION AND DISCUSSION:

10. Legislative Update.

    - Receive Legislative Report No. 01-26 and consider a position on the following bill: SB 1330 (Arreguín) Assault and Battery: Utility Workers; and receive information on SB 1085 (Durazo) Water Supply Planning: California Environmental Quality Act Determination.
    - Update on Legislative Issues of Interest to EBMUD

11. General Manager's Report.

    - Water Supply Update – Current water supply conditions, water production, precipitation to date, reservoir storage, and forecasted supply conditions for the remainder of water year 2026 under various hydrological scenarios
    - Monthly Report – February 2026

DIRECTOR COMMENTS:

12. Other Items for Future Consideration.

13. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, March 24, 2026.

Disability Notice

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.

Document Availability

Materials related to an item on this agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.

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BOARD CALENDAR

Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, March 10	**Special Meeting** **Board of Directors Retreat**	8:30 a.m. Oakland Asian Cultural Center 388 9th Street, Suite 290 Oakland, CA	
	Planning Committee	3:00 p.m. Boardroom	• Wet Weather Consent Decree Implementation Update • Regulatory Compliance Semi-Annual Report – July 1, 2025 through December 31, 2025 • Proposed Changes to Board Meeting Frequency
	Legislative/Human Resources Committee	*Cancelled*	
	Board of Directors	*Closed Session Cancelled*	
		2:00 p.m. Boardroom	• Regular Business Meeting
Tuesday, March 24	**Finance/Administration Committee**	TBD Boardroom	
	Customer Assistance Program Workshop	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom	• Closed Session
		1:15 p.m. Boardroom	• Regular Business Meeting

2026 Board Committee Members

Finance/Administration	Oddie {Chair}, Katz, Lewis
Legislative/Human Resources	Smith {Chair}, Chan, Oddie
Planning	Lewis {Chair}, Gómez, Young
Sustainability	Young {Chair}, Katz, Smith

APPENDIX

Closed Session and Regular Business Meetings
11:00 a.m. and 1:15 p.m.

EBMUD public Board meetings will be conducted in person and accessible via Zoom.
These meetings are recorded, live-streamed, and posted on the District's website.

*Online**
https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDF2UDg2b0IyUT09
Webinar ID: 970 6508 6667
Passcode: 238500

*By Phone**
Telephone: 1 669 900 6833
Webinar ID: 970 6508 6667
Passcode: 238500
International numbers available: https://ebmud.zoom.us/u/adMXn1VnPp

*To familiarize yourself with Zoom, please visit https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting

Providing public comment - *The EBMUD 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.*

- Each speaker is allotted 3 minutes to speak; the Board President has the discretion to amend this time based on the number of speakers
- The Secretary will track time and inform each speaker when the allotted time has concluded
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- The Secretary will call each speaker in the order received

In person
- Fill out and submit a blue speaker card which is available in the meeting room

Via Zoom
- Use the raise hand feature in Zoom to indicate you wish to make a public comment https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar
- If you participate by phone, press *9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic

Submitting written comments or materials
- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com
- Please indicate the meeting date and agenda item number or non-agenda item topic in the subject line of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting**; written comments and other materials submitted to the Board of Directors will be filed in the record.

To view the livestream of Board meetings, please visit:
https://www.ebmud.com/about-us/board-directors/board-meetings/

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: March 5, 2026

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager CCC

FROM: Rischa S. Cole, Secretary of the District RC

SUBJECT: Finance/Administration Committee Minutes – February 24, 2026

Chair Jim Oddie called to order the Finance/Administration Committee meeting at 8:32 a.m. in the Administration Building Boardroom. Director Valerie D. Lewis was present at roll call. Director Andy Katz arrived at 8:57 a.m. (late/absent). Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Director of Finance Sophia D. Skoda, Principal Management Analyst Steven B. Goodman-Leibof, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled "Employees' Retirement System – Annual Financial Update, Actuarial Valuations, and Contribution Rates," dated February 24, 2026.

Monthly Investment Transactions Report. Principal Management Analyst Steven B. Goodman-Leibof reviewed the January 2026 report and highlighted factors that decreased the portfolio from $629.8 million to $617.3 million including January being a three-paycheck month. The portfolio yield was roughly 3.86 percent. The Committee raised no questions. It was moved by Director Lewis, seconded by Chair Oddie, and carried (2-0) by voice vote to accept the report. Director Katz was absent.

Employees' Retirement System (ERS) Fiscal Year 2025 Update, Actuarial Valuations, and Fiscal Year 2027 Contribution Rates. Principal Management Analyst Steven B. Goodman-Leibof provided the presentation including the annual financial update for the ERS, the Fiscal Year (FY) 2025 actuarial valuations and the proposed employer and employee contribution rates for FY 2027. In FY 2025, the Retirement System's portfolio continued its robust performance with a third year of strong results, returning 13.1 percent following a 12.4 percent return in FY 2024. Under its Statement of Investment Policy and Procedures, the Retirement System adopts an updated Asset Allocation Study every five years and working with its investment advisor completed a new asset-liability study in May 2024. As part of the study, the Retirement System chose to replace its Covered Calls allocation with increased U.S. Equity and Fixed Income allocations and added a Private Credit allocation. Mr. Goodman-Leibof described the five-stage plan to transition to the new asset allocation targets approved by the Retirement Board at its July 18, 2024 meeting, noting the first three stages have been completed. At its January 29, 2026 meeting, the Retirement Board adopted the updated actuarial valuations. He reviewed FY 2025 actuarial valuations for the pension and health insurance benefit (HIB) and the system's funded ratio status for the pension (79.3%) and HIB (45.5%) as of June 30, 2025. The actuarially determined contribution rates for FY 2027 are based on the FY 2025 actuarial valuation. Employer pension contribution rates decreased due to favorable investment performance, while HIB contribution

rates increased primarily due to enhanced benefits established during labor negotiations. The overall recommended District contribution rate is slightly lower than the year prior. Employee contribution rates for 1955/1980 plan members are set in the Memorandum of Understanding with the unions at 8.66 percent of payroll. The employee HIB contribution rate is set to rise incrementally to 0.40 percent effective January 1, 2026, to 0.70 percent effective January 1, 2027, and to 1.00 percent effective January 1, 2028. Contribution rates for 2013 California Public Employees' Pension Reform Act (PEPRA) employees are calculated based on PEPRA requirements. During the previous valuation period, the pension plan employee rate was adjusted from 9.41 percent to 10.08 percent. The total normal cost for the 2013 Tier has not deviated more than 1 percent, resulting in the same employee contribution rate in FY 2027 of 10.08 percent. Like the 1955/1980 Plan, the 2013 PEPRA members will see the same increases to the HIB contributions at the same rates. Staff will present the FY 2025 actuarial valuations and proposed FY 2027 contribution rates for the Board to consider adoption at its meeting in the afternoon. Mr. Goodman-Leibof and Director of Finance Sophia D. Skoda responded to Committee questions about covered calls strategy and fee structure, private credit, the new asset allocation targets, and the pension plan funded ratio. The Committee asked staff to provide an update on the glide path to full funding, historically funded ratio trends, and comparative data at a future meeting. It was moved by Director Katz, seconded by Director Lewis, and carried (3-0) by voice vote to support the staff recommendation.

Adjournment. Chair Oddie adjourned the meeting at 9:24 a.m.

CCC/RSC

Draft Prepared By
RC
Secretary of the District

MINUTES

Tuesday, February 10, 2026
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California

Regular Closed Session Meeting

President Luz Gómez called to order the Regular Closed Session Meeting of the Board of Directors at 11:01 a.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Valerie D. Lewis, Jim Oddie, Joey D. Smith, Marguerite Young, and President Luz Gómez were present at roll call. Director Andy Katz arrived at 11:04 a.m.

Staff participants included General Manager Clifford C. Chan and General Counsel Derek T. McDonald.

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Gómez announced the closed session agenda, and the Board convened to Administration Building Conference Room 8 for discussion.

Regular Business Meeting

President Luz Gómez called to order the Regular Meeting of the Board of Directors at 1:15 p.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith, Marguerite Young, and President Luz Gómez were present at roll call.

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, and Secretary of the District Rischa S. Cole.

BOARD OF DIRECTORS

President Gómez led the Pledge of Allegiance.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board was Billy Trice who commented on billing, water rates, and the City of Oakland sewer service charge. Mr. Trice was referred to Director of Finance Sophia D. Skoda for assistance.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the January 27, 2026 Finance/Administration Committee Meeting.

- Chair Lewis reported the Planning Committee met earlier and received updates on the Influent Pump Station Resiliency Project and Follow-up Contracted Services for Maintenance and Construction.

- Chair Smith reported the Legislative/Human Resources Committee met earlier and received an update on the Reporting Year 2025 Equal Employment Opportunity Program Report.

- Director Oddie reported the FRWA Board met on February 5 to elect the 2026 Chair and Vice Chair; receive updates on EBMUD and Sacramento County Water Agency water supplies, the Freeport Regional Water Project, golden mussels, and the United States Army Corps of Engineers Levee Project; and accept the FRWA Fiscal Year 2025 Audited Financial Statements. Director Oddie was elected 2026 FRWA Vice Chair.

- President Gómez reported the DERWA Board met on February 2 and selected Board Officers for 2026; authorized the Authority Manager to finalize and execute a Memorandum of Agreement with Central Contra Costa Sanitary District to cooperate on the development of a long-term seasonal wastewater diversion agreement; and authorized the Authority Manager to finalize and execute an agreement with CDM Smith for the Central Contra Costa Sanitary District Evaluation Technical Study.

CONSENT CALENDAR

- Motion by Director Young, seconded by Director Lewis, to approve the recommended actions for Items 1-7 on the Consent Calendar carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

1. **Motion No. 027-26** – Approved the Special and Regular meeting minutes of January 27, 2026.

2. The following correspondence was filed with the Board: **1)** Presentation entitled, "Water Supply Update," dated February 10, 2026; **2)** Presentation entitled, "Education Program Update," dated February 10, 2026; **3)** Speakers' Bureau and Outreach Record CY26, dated February 10, 2026; and **4)** Email dated February 19, 2026 to Rischa Cole from Director April Chan transmitting the statement she read at the February 10, 2026 Regular Board meeting.

3. **Motion No. 028-26** – Authorized an agreement beginning on or after February 10, 2026 with EMSystems LLC/Esi Acquisition, Inc. for five years, with five options to renew for additional one-year periods for a total amount, including option years, not to exceed $620,528 for emergency management software and associated services.

4. **Motion No. 029-26** – Authorized an agreement beginning on or after February 10, 2026 with GA Technical Services, Inc., in an amount not to exceed $166,714 for the procurement and installation of electrical equipment at occupied District facilities.

5. **Motion No. 030-26** – Authorized an agreement beginning on or after February 10, 2026 with Maze & Associates Accountancy Corporation for three years, with two options to renew for additional two-year periods for a total amount, including option years, not to exceed $1,101,600 for professional auditing services.

6. **Motion No. 031-26** – Adopted the Reporting Year 2025 Equal Employment Opportunity Program Report.

7. **Resolution No. 35475-26** – Authorizing The District To Acquire And Hold Certain Conservation Easements And Related Access Easements On The Old Oak Property In San Joaquin County, California.

DETERMINATION AND DISCUSSION

8. **General Manager's Report.**

Water Supply Update

Manager of Maintenance and Construction/Water Operations Roberto C. Cortez presented the update on Water Year 2026 and the following data as of February 4, 2026: gross water production; current reservoir storage levels; the District's total system storage (600,550 acre-feet, representing 78% percent of capacity); precipitation in the East Bay (12.14 inches, or 76% of average) and in the Mokelumne (25.4 inches, or 93% of average); and snow conditions at Caples Lake, including snow depth (34 inches) and snow water content (8.75 inches). He reviewed snowpack levels and snow water equivalent in the Sierras, the seasonal precipitation outlook for February 2026, projected Mokelumne precipitation for Rainfall Year 2026, and 2026 end of season total system storage projections. He noted that as requested, the presentation graphs for Mokelumne precipitation rainfall and end of season storage were updated to include a 95th percentile.

Education Program Update

Senior Community Affairs Representative Kathryn A. Horn reviewed the program strategy and purpose, recent activities and upcoming initiatives. East Bay activities included water field trips for 5th-graders from Title I schools; school assemblies; STEAM nights and classroom presentations for students and parents; and continued promotion of the H2Flow song and music video. Upcountry activities included classroom presentations and field trips to Camanche and Pardee Reservoirs, supported by the City of Lodi Outdoor Equity Grant. District staff led facility tours and Water Walks in the East Bay and upcountry; hosted Water Wednesday webinars; and is preparing for the 2026 Community Water Academy (CWA) in which approximately 35 community leaders from local government, nonprofit, and education sectors will participate in five

in-person sessions to learn about the District. An interpretive display with information and artifacts focused on EBMUD history is planned for installation in the Administration Building lobby in May 2026. Looking ahead, staff is working to record the H2Flow song in Spanish, expand in-classroom lessons and STEAM demonstrations, build new partnerships, and introducing STEAM kits with water lessons for educators. The Board thanked Ms. Horn for the presentation and asked questions about CWA participants, partnering with the Siesta Valley Foundation, field trips for non-Title I schools, and encouraging student participation in county science fairs. Staff was asked to consider establishing expectations for CWA participants regarding their role as ambassadors and to provide information on the selected participants and the wards in which they reside. Staff was also asked to collaborate with partner organizations to provide meaningful outdoor and experiential learning opportunities for additional schools.

Monthly Report

General Manager Clifford C. Chan announced the January 2025 Monthly Report was included in the agenda materials and reported billed consumption and actual revenue is down. Staff will provide additional details on this information during the mid-year budget workshop in March 2026. He noted that the Speakers' Bureau and Outreach Record CY26 had been provided at Board places.

DIRECTOR COMMENTS

9. **Other Items for Future Consideration.**

None.

10. **Director Comments.**

- Director Chan reported attending the Fairview Municipal Advisory Council in Castro Valley on February 3 and completing two of the three professional development courses as directed by the Board during the November 12, 2025 Regular meeting. Director Chan read a response to an apology letter from Director Young, discussed the historical context of Asian American exclusion, and asked that the APEA Democratic Caucus letter previously submitted to the Board and the EBMUD internal security report be made available online, in a machine-readable format and searchable through search engines as this is a matter of digital civil rights.

- Director Oddie reported attending the Lunar New Year Bazaar-Opening Ceremony in Oakland on January 31 and acknowledged Community Affairs Representative II Sun Kwong Sze for interpreting during the event.

- Director Smith reported attending the Black Employee Network's Black History Month kickoff luncheon at the Administration Building on February 4 and plans to attend the APEA Lunar luncheon in Oakland on February 25.

- President Gómez reported attending the East Bay Leadership Council East Bay Leadership Series event in Concord on January 29; presenting at the Alamo Municipal Advisory Council on February 3; and presenting at the Danville Kiwanis meeting on February 5.

- Directors Katz, Lewis and Young had no reports.

ADJOURNMENT

President Gómez adjourned the Regular Meeting at 2:05 p.m.

SUBMITTED BY:

_____
Rischa S. Cole, Secretary of the District

APPROVED: March 10, 2026

_____
Luz Gómez, President of the Board

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Draft Prepared By
RC
Secretary of the District

MINUTES

Tuesday, February 24, 2026

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

Special Meeting

President Luz Gómez called to order the Special Meeting of the Board of Directors at 9:28 a.m. in the Administration Building Boardroom. The Board met in workshop session to receive a mid-year budget update for Fiscal Year (FY) 2026, review updated long-range financial projections, discuss planned bond issuances, and consider proposed revisions to non-Proposition 218 rates and charges, including System Capacity Charges (SCC) and Wastewater Capacity Fees (WCF).

ROLL CALL

Directors April Chan, Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith, Marguerite Young and President Luz Gómez were present at roll call.

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Director of Finance Sophia D. Skoda, Manager of Budget Samuel A. Feldman, Treasury Manager Robert L. Hannay, Principal Management Analyst Phoebe A. Grow, Customer Services Manager Jack J. Flynn, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled "Mid-Year Budget and Finance Workshop," dated February 24, 2026.

DISCUSSION

General Manager Clifford C. Chan introduced the workshop and stated the purpose was to provide the Board with a mid-year update on the FY 2026 budget, revisit the District's 10-Year long-range financial plan, review plans for Spring 2026 bond issuances for the Water and Wastewater systems, and discuss proposed revisions to certain non-Proposition 218 rates and charges for Board feedback.

Director of Finance Sophia D. Skoda reviewed the agenda, introduced the speakers, and provided an overview of the District's two-year budget and rates cycle. She explained the Board adopts Proposition 218 Schedule A rates with the biennial budget, while other non-Proposition 218 rates are considered for adoption annually. Ms. Skoda emphasized the connection between mid-year financial performance, long-range projections, bond planning, and capacity charges.

- Director Young left the meeting at 9:33 a.m. and returned at 9:34 a.m.

Manager of Budget Samuel A. Feldman presented the FY 2026 financial results through December 31, 2025. The FY 2026 budget for the Water System is $1.3 billion and $243 million for the Wastewater System. Total Water System revenues were $517.7 million (97% of the six-month budget), total expenses were $518.4 million (89% of the six-month budget), operating revenues totaled $496.3 million (100% of budget), and capital and grant revenues totaled $21.4 million (52% of budget). New bonds are scheduled to be issued during the last quarter of FY 2026. Operating expenses were $188.8 million (82% of budget), primarily due to lower non-labor spending and increased capital support offsets. Debt service totaled $71 million (88% of budget) due to the timing of the bond issuance. Capital cash flow expenses were $258.2 million (95% of budget). Overall, total expenses remained 11 percent below the trend-adjusted six-month budget. Total Water System revenues and operating expenses are projected to be approximately 7 percent less than budgeted respectively. Debt service is expected to be approximately 8 percent below budget, and capital expenditures approximately 5 percent below budget. Total Wastewater System revenues were $98.6 million (102% of the six-month budget), and total expenses were $103 million (109% of the six-month budget). Operating revenues totaled $97.2 million (105% of budget), primarily due to strong resource recovery revenues and higher interest income. Capital revenues were $1.5 million (41% of budget), reflecting lower capacity charges and grant revenues. Like the Water System, new bonds are scheduled to be issued during the last quarter of FY 2026. Operating expenses were $57.1 million (100% of budget). Debt service totaled $9.0 million (89% of budget) due to bond timing. Capital cash flow expenses were $36.9 million (93% of budget), driven by continued spending on interceptors, pump stations, and secondary treatment projects. Wastewater System revenues are expected to nearly meet budget, while operating expenses are projected to be approximately 5 percent less than budgeted, debt service is expected to be approximately 9 percent below budget, and capital expenditures approximately 7 percent below budget.

- Director Oddie left the meeting at 9:34 a.m. and returned at 9:34 a.m.
- Director Chan left the meeting at 9:52 a.m. and returned at 9:52 a.m.
- Director Young left the meeting at 10:04 a.m. and returned at 10:05 a.m.

Treasury Manager Robert L. Hannay reviewed the goals of the long-range financial plan. Ten-year financial projections were developed in March 2025 and included in the FY 2026 - FY 2027 budget book. He reviewed FY 2025 actual financials and 10-year projections for the Water and Wastewater systems noting both ended with higher cash balances than projected (Water System at $55.3 million and Wastewater System at $7 million). He discussed key changes since March 2025 for both systems including areas of pressure and reported the long-range financial plan remains fundamentally intact with limited updates. For both systems, projected average rate increases remain unchanged and debt service coverage remains well above the 1.6x policy minimum. New debt issues for the Water System are projected to trend down over the 10-year period, while additional debt for the Wastewater System is projected over the 10-year period to fund the capital program. The District is scheduled to issue approximately $355 million Water System bonds and $40 million Wastewater System bonds in spring 2026. The Board will consider authorizing the bond issuance in March 2026. Staff may also evaluate refunding certain Build America Bonds on a cost neutral basis to reduce federal subsidy risk and plan to pay down at least $10 million in Water System commercial paper.

- Director Oddie left the meeting at 10:16 a.m. and returned at 10:18 a.m.

Principal Management Analyst Phoebe A. Grow reviewed the schedules that contain the District's non-Proposition 218 rates and charges. These schedules, other than Schedule A, are updated annually primarily to reflect changes in labor and material costs. Staff is seeking Board feedback on a proposal to revise the Water SCC under Schedule J and WCF under Schedule G. EBMUD has collected Water SCCs since 1983 and WCFs since 1984. These charges are proportional capacity charges authorized under Government Code Section 66013 and are not impact fees or installation charges. They are applied to applicants connecting to or expanding use of EBMUD systems, help fund capital infrastructure, and are periodically updated through capacity charge studies. The current SCC study was completed in 2021 and the Wastewater Cost of Service study in 2019. Independent consultants are reviewing both methodologies, and staff anticipate potential updates to structure and calculation methods. Ms. Grow explained that EBMUD's approach to capacity charges is complex compared to other California utilities. The existing Schedule J water SCC includes 27 different charges for smaller meters and custom calculations for larger users, while wastewater has a similarly complex structure. The proposed update would simplify the methodology by moving from a consumption-based calculation to a meter capacity-based framework, where the charge is primarily determined by meter size. This change would eliminate regional distinctions, reduce the need for custom calculations, and make the schedule easier for applicants and staff to understand and administer. She discussed the benefits of using meter capacity to calculate capacity charges, noting this approach is well suited to mature Water and Wastewater systems with gradual growth. The proposal would reduce the District's regions from three to one. SCCs for multifamily and larger developments would decrease, while the charge for Region 1 new single-family construction would slightly increase, with a typical example rising from about $13,800 to about $20,000. Under this approach, Accessory Dwelling Unit (ADU) projects would often avoid additional SCC charges if the property remains within a 1 inch or smaller residential meter, though installation costs could still apply if meter upgrades are needed. WFCs would generally decrease for multifamily and larger developments with a minor increase in charges for Region 1 new single-family construction, with a typical example rising from about $3,125 to about $4,000. Staff estimated that the change could reduce annual SCC revenue by about $10 million and WCF revenue by roughly $1.5 million but indicated revenue impacts can be managed within the long-range capital plan.

- Director Oddie left the meeting at 10:55 a.m. and returned at 10:56 a.m.
- Director Chan left the meeting at 11:03 a.m. and returned at 11:06 a.m.

Director of Finance Sophia D. Skoda summarized the information presented and reiterated the benefits of the proposed approach to revise the SCCs and WFCs and how revenue impacts can be managed within the long-range capital plan.

There was considerable Board discussion, with general support for the proposal as it simplifies the framework and aligns with practices used by other utilities. Some Board members expressed concerns regarding equity impacts, regional cost increases, development incentives, providing clear explanations of the changes to the public, and potential unintended policy effects. Staff responded to questions regarding the District's current regions and the geographic region covered; which customers will be most affected by the SCC and WCF increases in Region 1; how the new framework would apply to ADUs; the wards and cities that include affected applicants; capacity differences when upgrading or downsizing meter sizes; messaging the cost increases to the public; how the new framework may impact condominium developments compared to apartment buildings; how the new framework will apply to individually metered multi-unit properties; capacity considerations for properties requiring fire sprinklers; the number of applicants whose SCC would have been eliminated

under the new framework and the number of applications that would have triggered an increased SCC; meter sizing and potential costs for existing homes adding an ADU; how the District would address impacts to water service and connections following a catastrophic fire; the rationale for adjusting the framework for calculating SCCs and WCFs at this time; and whether the increased charges under the new framework could be phased in. There was additional discussion and staff was asked to provide the following:

- Update on the status of capital projects
- Updates on typical and atypical budget variances
- Messaging explaining the rationale for capacity charge changes to ratepayers
- Historical Region 1 single-family developments by ward and city
- The calculation for capacity charges for meter sizes up to 1 inch
- The plan to address damaged water services and connections following a catastrophic fire
- Alternatives for phasing in increased SCC charges for properties that will experience higher fees
- Clarification of ADU classification and when capacity charges apply versus installation charges only

ADJOURNMENT

President Gómez adjourned the Special Meeting at 11:20 a.m.

SUBMITTED BY:

_____
Rischa S. Cole, Secretary of the District

APPROVED: March 10, 2026

_____
Luz Gómez, President of the Board

Draft Prepared By
RC
Secretary of the District

MINUTES

Tuesday, February 24, 2026
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California

Regular Closed Session Meeting

President Luz Gómez called to order the Regular Closed Session Meeting of the Board of Directors at 11:24 a.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith, Marguerite Young, and President Luz Gómez were present at roll call.

Staff participants included General Manager Clifford C. Chan and General Counsel Derek T. McDonald.

PUBLIC COMMENT

- Addressing the Board were the following: 1) Dustin D. Battaion, Water Treatment Supervisor commented on the proposed equity adjustments in Agenda Item 9 and asked the Board to direct staff to reconsider the request for equity adjustments for the Water Treatment Supervisor and other classifications with pending equity concerns; 2) Alison M. Brede, Water Treatment Supervisor commented on the status of the equity adjustment request for the Water Treatment Supervisor classification, referenced an October 2025 memo from Director of Human Resources Cindy R. Charan and Manager of Recruitment and Classification Vincent L. James, and asked the Board to pull and review Agenda Item 9; 3) Bryan N. Wolverton, General Pipe Supervisor commented on Agenda Item 9 and equity adjustments for the General Pipe Supervisor classification; 4) Perry J. Foreman, General Pipe Supervisor ceded his time to Dwight C. George; 5) Dwight C. George, Executive Board Member, IFPTE Local 21, commented on Agenda Item 9 and equity adjustments for members of IFPTE Local 21 and AFSCME Local 444; and 5) Eric Larsen, President, AFSCME Local 444 said the union objects to equity adjustments for the classifications listed in Agenda Item 9 and asked the Board to defer taking action on this item until the District and the unions have concluded impasse proceedings.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Gómez announced the closed session agenda, and the Board convened to Administration Building Conference Room 8 for discussion.

Regular Business Meeting

President Luz Gómez called to order the Regular Meeting of the Board of Directors at 1:16 p.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith, Marguerite Young, and President Luz Gómez were present at roll call.

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, and Secretary of the District Rischa S. Cole.

BOARD OF DIRECTORS

President Gómez led the Pledge of Allegiance.

PRESENTATION

Director Valerie D. Lewis announced the EBMUD Women Employees' Resource Opportunity Collaboration Community, also known as WE ROCC, was founded in 2023 to promote understanding, goodwill, fellowship, and communication among women and all employees of the District. EBMUD recognizes and celebrates the many contributions of women across the District and acknowledges the leadership of women within the organization including the five female Board members and nine female Senior Management Team members. Director Lewis highlighted the events being hosted by WE ROCC in honor of Women's History Month with a kick off scheduled for Monday, March 2. On behalf of the Board, Director Lewis encouraged support of WE ROCC and Women's History Month.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

There was no public comment.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the February 10, 2026 Planning and Legislative/Human Resources Committee Meetings.

- President Gómez reported the Board met earlier for the Mid-year Budget and Finance Workshop where staff presented an overview of the mid-year budget, updated financial projections, information on the 2026 bond issuances, discussed the District's non-Proposition 218 rates and charges with a focus on capacity charges.

- Chair Oddie reported the Finance/Administration Committee met earlier and received updates on the Monthly Investment Transactions Report and the Retirement System Fiscal Year 2025 Update, Actuarial Valuations, and Fiscal Year 2027 Contribution Rates.

CONSENT CALENDAR

- Items 1, 5, and 9 were pulled from the Consent Calendar for separate discussion.

- Motion by Director Young, seconded by Director Chan to approve the recommended actions for Items 2-4 and 6-8 on the Consent Calendar carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

1. **Approve the Regular meeting minutes of February 10, 2026.**

   Director Chan pulled the meeting minutes to request an edit to the comments she made under Director comments. Secretary of the District Rischa S. Cole explained that Board meeting minutes are summarized rather than verbatim and described the process for correcting and revising the minutes. Director Chan and Ms. Cole will review the meeting minutes, and revised draft minutes will be submitted for approval at the March 10, 2026 Board meeting.

2. The following correspondence was filed with the Board: **1)** Presentation entitled, "Employees' Retirement System: Actuarial Valuations and Contribution Rates," dated February 24, 2026; **2)** Presentation entitled, "Water Supply Update," dated February 24, 2026; **3)** Speakers' Bureau and Outreach Record CY26, dated February 24, 2026; **4)** Memo dated October 1, 2025, to Charles Whites, Local 21 President and Angela Long, Local 21 Business Representative from Director of Human Resources Cindy R. Charan and Manager of Recruitment and Classification Vincent L. James regarding Local 21 Equity Adjustment Review: Water Treatment Supervisor; and **5)** Email dated February 24, 2026 from Ivette Rivera to Office of the Secretary et al., regarding Testimony/Transcripts of trial re Saji Pierce, et al., Plaintiffs, v. EAST BAY MUNICIPAL UTILITY DISTRICT, et al., Defendants (with attachments).

3. **Motion No. 032-26** – Authorized an agreement beginning on or after February 24, 2026 with Cabral Enterprizes, Inc. for three years with two options to renew for additional one-year periods for a total amount, including option years, not to exceed $240,000 for street sweeping services.

4. **Motion No. 033-26** – Authorized the purchase of Adobe ColdFusion software license subscriptions term beginning on or after February 24, 2026, from Ablegov, Inc. for one year, with two options to renew for additional one-year periods, for a total amount not to exceed $184,528.13. This purchase will be made under State of California contracts available for use by local governments.

5. **Authorize the purchase of telematics-related software, hardware, service, training, and support beginning on or after February 24, 2026 from Geotab USA, Inc., for three years, with two options to renew for additional one-year periods for a total amount not to exceed $1,400,000. This purchase will be made under State of California contracts available for use by local governments.**

   Director Oddie pulled the item to request an update on the meet and confer efforts with the unions. General Manager Clifford C. Chan and Manager of Maintenance and Construction/Water Operations Crystal J. Yezman reported on the meet and confer discussions with Locals 444 and 21 and the status and review process for Procedure 709 – Fleet Management which directs the use of telematics. Ms. Yezman confirmed that staff has addressed all issues raised by the unions and is ready to move forward with the contract. Ms. Yezman addressed Board questions and General Manager Chan clarified that procedures are not approved by the Board. Director Young put forth a motion to approve the contract and for staff to conduct a one-year implementation review. There was additional discussion regarding program implementation, unanticipated changes to

working conditions, continued dialogue with the unions, and how telematics data will be used. General Manager Chan said staff will provide an update on the program's implementation to the Legislative/Human Resources Committee next year.

- Motion by Director Young, seconded by Director Oddie, to approve the recommended actions for Item 5 carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

  Motion No. 037-26 – Authorized the purchase of telematics-related software, hardware, service, training, and support beginning on or after February 24, 2026 from Geotab USA, Inc., for three years, with two options to renew for additional one-year periods for a total amount not to exceed $1,400,000. This purchase will be made under State of California contracts available for use by local governments.

6. **Motion No. 034-26** – Authorized a one-year extension, effective as of December 10, 2025, to the option agreement with Oakport Energy Storage, LLC (OES) authorized by the Board under Resolution No. 35208-20. The extension to the option agreement will allow OES to lease approximately 1.4 acres of the District's property for the installation of one or more Battery Energy Storage Systems on a portion of the District's property, located behind the Oakport Wet Weather Facility in Oakland, California.

7. **Motion No. 035-26** –Approved the January 2026 Monthly Investment Transactions Report.

8. **Motion No. 036-26** –Authorized the Office of General Counsel to continue the employment of the law firm of GinnLaw, PC, for specialized legal services related to public works construction, public contracts and procurement, and related claims and litigation matters in an amount not to exceed $150,000.

9. **Adopt a resolution to approve equity adjustment increases for the following fourteen confidential and non-represented classifications: Assistant to the General Manager (5.0%); Customer Support Program Administrator (5.0%); Human Resources Information Systems Analyst I (5.0%); Legal Assistant I (5.0%); Legal Assistant II (2.5%); Legal Office Administrator (5.0%); Manager of Distribution Maintenance and Construction (5.0%); Manager of Facilities Maintenance and Construction (5.0%); Manager of Fisheries and Wildlife (5.0%); Manager of Laboratory and Technical Services (5.0%); Manager of Maintenance Support (5.0%); Manager of Pipeline Construction (5.0%); Manager of Watershed and Recreation (5.0%); and Paralegal (2.5%).**

   General Manager Clifford C. Chan provided historical perspective on equity adjustments discussed during the most recent contract negotiations for represented and non-represented classifications. He highlighted the equity adjustments approved for confidential and non-represented classifications during the contract negotiations in 2022 and the classification studies and compensation reviews conducted in 2025 for the current requests. He noted the status of equity adjustments currently in the impasse process. Manager of Recruitment and Classification Vincent L. James reviewed the process and four criteria (recruitment and retention factors; external labor market competitiveness; internal pay equity and classification alignment; and changes in job scope, responsibilities, and requirements) used to evaluate equity adjustments for managers and non-represented classifications, which is the same evaluation process used for represented staff. There was considerable Board discussion. Mr. James and General Manager Chan

responded to Board questions about the number of equity proposals requested and prioritized for review for non-represented positions; the number of employees affected by the equity adjustments; the timing to address equity proposals for non-represented classifications; information on the rationale and analysis for the proposed equity adjustments; and length of time equity proposals have been pending for represented, non-represented, and confidential classifications. General Manager Chan provided additional detail on how equity proposals for non-represented and confidential classifications were addressed during the recent contract negotiations and confirmed if equity adjustments are approved, the employees will receive cost of living adjustments and retroactive pay back to April 2025.

- Addressing the Board were the following: 1) Eric Larsen, President, AFSCME Local 444 commented the union objects to the equity adjustments and retroactive pay and asked the Board to defer the item until impasse proceedings with the unions are completed; 2) John E. Halseth Jr. Water Distribution Plumber III and Member Relations Secretary, AFSCME Local 444 commented on the process and status of equity adjustments for Local 444 classifications, recruitment and retention, and the proposed equity adjustments for managers. He asked the Board to scrutinize the equity adjustment requests for managers; and 3) Tony G. Martin, Truck Driver III commented on equity adjustments.

General Counsel Derek T. McDonald pointed out that the classifications in the Office of General Counsel (OGC) are not managers and that staff in those classifications had been seeking classification reviews and compensation studies for several years which were completed in May 2025. He also commented on the unions' requests for the Board to deny retroactive pay noting the OGC classifications are not represented by a union and staff has been waiting for this item to be considered by the Board.

- Addressing the Board was Eric Larsen who clarified the union was not objecting to equity adjustments for the non-managerial positions.

There was additional Board discussion about which equity adjustments to approve, the timing to request equity adjustments for these classifications, and the equity adjustment evaluation process. Staff provided clarification on which classifications are managers or non-represented. President Gómez acknowledged the remarks made by Board members and Director Young restated the recommended action for the Board to consider approving equity adjustment increases for the Assistant to the General Manager; Customer Support Program Administrator; Human Resources Information Systems Analyst I; Legal Assistant I; Legal Assistant II; Legal Office Administrator; and Paralegal, and to defer taking action on equity adjustments for the manager positions until after the internal impasse process for the represented positions under consideration is concluded with the Board. General Manager Chan provided the most recent status of the internal impasse process for Local 444 and IFPTE Local 21. President Gómez requested a roll call vote.

- Motion by Director Young, seconded by Director Chan, to approve equity adjustment increases for the Assistant to the General Manager; Customer Support Program Administrator; Human Resources Information Systems Analyst I; Legal Assistant I; Legal Assistant II; Legal Office Administrator; and Paralegal and to defer taking action on equity adjustments for the manager positions until after the internal impasse process for the represented positions under consideration is concluded with the Board carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35476-26 – Authorizing Equity Adjustment Increases For The Following Confidential And Non-Represented Classifications: Assistant To The General Manager; Customer Support Program Administrator; Human Resources Information Systems Analyst I; Legal Assistant I; Legal Assistant II; Legal Office Administrator; And Paralegal.

DETERMINATION AND DISCUSSION

10.1. – 10.2. **Adopt the Actuarial Valuations of the Employees' Retirement System as of June 30, 2025 prepared by the Retirement System's actuary and set Retirement System Contribution Rates for Fiscal Year (FY) 2027 based on the actuarially determined contribution rates in the valuations.**

Principal Management Analyst Steven Goodman-Leibof provided the presentation. He stated the valuations prepared by the Retirement System's actuary and previously adopted by the Retirement Board on January 29, 2026 provide funding requirements for the pension and Health Insurance Benefit (HIB) plans. The actuarially determined contribution rates for FY 2027 are based on the FY 2025 actuarial valuation. The recommended employer pension contribution rates for FY 2027 decreased compared to FY 2026 primarily due to strong investment performance, while employer HIB contribution rates increased primarily due to enhanced benefits established during labor negotiations. Overall, the combined employer contribution rate is slightly lower than the prior year. Employee contribution rates for 1955/1980 plan members are set in the Memorandum of Understanding with the unions at 8.66 percent of payroll. The employee HIB contribution rate is set to rise incrementally to 0.40 percent effective January 1, 2026, to 0.70 percent effective January 1, 2027, and to 1.00 percent effective January 1, 2028. Contribution rates for 2013 California Public Employees' Pension Reform Act (PEPRA) employees are calculated based on PEPRA requirements. During the previous valuation period, the pension plan employee rate was adjusted from 9.41 percent to 10.08 percent. The total normal cost for the 2013 Tier has not deviated more than 1 percent, resulting in the same employee contribution rate in FY 2027 of 10.08 percent. Like the 1955/1980 Plan, the 2013 PEPRA members will see the same increases to the HIB contributions at the same rates. Staff is recommending that the Board adopt the actuarial valuations and set FY 2027 contribution rates based on the actuarially determined contribution rates in the valuations.

- Motion by Director Oddie, seconded by Director Young, to approve the recommended actions for Items 10.1.–10.2. on the Consent Calendar carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35477-26 – Adopting The Actuarial Valuations Of The East Bay Municipal Utility District Employees' Retirement System And Setting The Pension And Health Insurance Benefit Employer Contribution And 2013 Tier Employee Contribution Rates For Fiscal Year 2027.

11. **General Manager's Report.**

Water Supply Update

Manager of Maintenance and Construction/Water Operations Roberto C. Cortez presented the update on Water Year 2026 and the following data as of February 18, 2026,: gross water production; current reservoir storage levels; the District's total system storage (612,570 acre-feet,

representing 79% of system capacity); precipitation in the East Bay (15.4 inches or 84% of average) and in the Mokelumne (31.76 inches or 102% of average); and snow conditions at Caples Lake, including snow depth (85 inches) and snow water content (12.4 inches). He reviewed snowpack levels and snow water equivalent in the Sierras as of February 19, 2026, the seasonal precipitation outlook for February 2026, projected Mokelumne precipitation for Rainfall Year 2026, and 2026 end of season total system storage projections.

General Manager Clifford C. Chan announced that the Speakers' Bureau and Outreach Record CY26 had been provided at Board places.

DIRECTOR COMMENTS

12. **Other Items for Future Consideration.**

None.

13. **Director Comments.**

- Director Chan reported attending the San Leandro Lunar New Year event on February 13 and plans to attend the EBMUD APEA Annual Lunar New Year Luncheon in Oakland on February 25. Director Chan reported the Ward 7 event will be on April 7 starting at 8:30 a.m.

- Director Katz reported attending the Alameda County Mayors Conference in Berkeley on February 11.

- Director Lewis reported attending the Alameda County Mayors Conference in Berkeley on February 11; the Oakland NAACP Founder's Day event in Oakland on February 12 where former Director Bill Patterson was recognized; and attending the Rotary Club of Oakland #3 Black History Month luncheon in Oakland on February 19.

- Director Oddie reported on plans to participate in the Oakland Chinatown Improvement Council's Lunar New Year Parade on February 28.

- Director Smith reported attending the EBMUD Black Employee Network's AAQGO Quilting Workshop in Oakland on February 18 and plans to attend the EBMUD APEA Annual Lunar New Year Luncheon in Oakland and the EBMUD Water Wednesday webinar on February 25.

- Director Young reported attending the SupplyBank.org and the Clinton Foundation DiaperTime event along with President Gómez and General Manager Chan in Oakland on February 23 and plans to present at the Moraga Town Council on February 25.

- President Gómez reported attending the East Bay Leadership Council East Bay Leadership Series event in Concord on February 12; presenting at the Danville San Ramon Rotary Club on February 17; meeting with Customer Services staff in Oakland on February 17 and February 18; attending a Chinese New Year event in San Ramon on February 22; and attending the SupplyBank.org and the Clinton Foundation DiaperTime event in Oakland on February 23. President Gómez thanked Director of Customer and Community Services and the Customer Services staff for the meetings.

ADJOURNMENT

President Gómez adjourned the Regular Meeting at 2:54 p.m.

SUBMITTED BY:

_____
Rischa S. Cole, Secretary of the District

APPROVED: March 10, 2026

_____
Luz Gómez, President of the Board

EBMUD

BOARD ACTION

Agenda Number:	3.	Meeting Date:	March 10, 2026

TITLE **NON-LEADED BRASS WATER SERVICE FITTINGS**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Award contracts beginning on or after March 10, 2026 to A.Y. McDonald Mfg. Co.; Cambridge Brass Inc.; and Mueller Co. LLC for supplying non-leaded brass water service fittings, for three years with two options to renew for additional one-year periods in an aggregate amount, after the addition of taxes, including option years, not to exceed $10,859,810 under Request for Quotation (RFQ) No. 2614.

SUMMARY

The District continues to be proactive in minimizing the concentration of lead in water served to our customers. As part of the ongoing strategy and commitment to eliminate or minimize the use of any lead-containing materials in the water distribution system, the District has purchased non-leaded brass water service fittings for the past 21 years. The fittings include items such as compression couplings, ball valves, and meter couplings.

DISCUSSION

The Board will consider awarding contracts on an item-by-item basis to A.Y. McDonald Mfg. Co., Cambridge Brass Inc., and Mueller Co. LLC with contracts in annual amounts of $1,270,596, $694,376, and $206,990, respectively. The contracts are structured this way to obtain the lowest responsible bid pricing for the District. All vendors provide National Sanitation Foundation (NSF) 61 certified parts. NSF 61 certification verifies that materials, components, products, or systems that come into contact with drinking water have been tested to ensure they do not leach harmful contaminants, helping protect public health and support regulatory compliance.

These contracts support the District's Water Quality and Environmental Protection Strategic Plan goal.

VENDOR SELECTION

An RFQ was posted on the District's website, advertised in the Oakland Tribune, and sent to 13 potential proposers. Three bids were received.

SUSTAINABILITY

Economic

The Fiscal Years 2026/2027 adopted operating budget includes funding for the first two years of this multi-year contract. Funding for the additional years will be considered as part of the associated budget development process.

Originating Department: Finance	**Department Director or Manager:** Sophia D. Skoda	**CEP Forms?** Yes	**Board Action Type:** Materials and Supplies
Funds Available: FY 2026/2027	**Budget Coding:** 11.000.0000.000000.17750.000000		**Approved:**
Attachment(s): P-035; P-061			

Title:	Non-Leaded Brass Water Service Fittings	Meeting Date:	March 10, 2026

Environmental

The three vendors provide products that are tested and certified as meeting the specifications of both NSF and American National Standards Institute (ANSI) 61 and are certified as "lead-free" per California Health and Safety Code Section 116875 and NSF 61 Annex G or NSF 372. The vendors also utilize material reduction and recycling, lean manufacturing principles, and conservation of utilities within their facilities.

ALTERNATIVES

Purchase material on the open market. This alternative is not recommended because the District would not be taking advantage of the economies of scale which are realized in long-term bulk contractual procurements such as this.

Reject received bids and re-bid. This alternative is not recommended because the District engaged in a fair and competitive bid process. The bids received meet all specifications and are reasonable for the materials being purchased.

I:\Sec\2026 Board Related Items\03102026 Board Agenda Items\FIN - Non-Leaded Brass Water Service Fittings.docx

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE	DATE:
Materials and Supplies Contract - RFQ No. 2614 Non-Leaded Brass Water Service Fittings	February 23, 2026

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
Various Firms (See below)			Availability Group	Contracting Objectives	Participation
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**0.0%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$10,859,810 *	See below	-	**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:											
A.Y. McDonald Mfg. Co.	$6,352,980	Unclassified						58.5%			
Cambridge Brass Inc.	$3,471,880	Foreign									32.0%
Mueller Co. LLC	$1,034,950	Publicly Held Corporation							9.5%		
TOTAL	$10,859,810				0.0%	0.0%	0.0%	58.5%	9.5%	0.0%	32.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	See Attached P-061 Forms			
Percent of Total Employees:				
MSA Labor Market %:				
MSA Labor Market Location:				

COMMENTS

Contract Equity Participation: Zero Contract Equity participation. Firms are either unclassified, publicly held or foreign.
Contract Duration : Three years, with two options to renew for additional one-year periods.

*Total not to exceed: $10,859,810

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: **Non-Leaded Brass Water Service Fittings**

Materials and Supplies Contract - RFQ No. 2614

DATE: 2/23/2026

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

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	Unclassified	Company Wide	17	28	10	0	55	6.5%	6.0%
A.Y. McDonald Mfg. Co.		Manager/Prof	1	1	0	0	2	1.5%	
Brad Johnson		Technical/Sales	1	0	1	0	2	2.8%	
4800 Chavenelle Road		Clerical/Skilled	0	2	1	0	3	2.4%	
Dubuque, IA 52002		Semi/Unskilled	15	25	8	0	48	9.4%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
800-292-2737		AA Plan on File:	NA		Date of last contract with District:			1/12/2021	
		Co. Wide MSA:	Iowa		# Employees-Co. Wide:		846	Bay Area:	0
RP	Foreign	Company Wide	2	4	20	0	26	27.7%	NA
Cambridge Brass Inc.		Manager/Prof	1	1	6	0	8	33.3%	
Fehmeel Sidiqui		Technical/Sales	0	0	6	0	6	42.9%	
140 Orion Place		Clerical/Skilled	0	0	0	0	0	0.0%	
Cambridge, Ontario N1T 1R9		Semi/Unskilled	1	3	8	0	12	22.6%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
519-621-5520 x3264		Co. Wide MSA:	Canada		# Employees-Co. Wide:		94	Bay Area:	0
RP	PHC	Company Wide							
Mueller Co. LLC		Manager/Prof							
Blair Jones		Technical/Sales							
1200 Abernathy Road N.E., Suite 1200		Clerical/Skilled	INFORMATION NOT PROVIDED						
Atlanta, GA 30328		Semi/Unskilled							
		Bay Area							
917-415-5256		Co. Wide MSA:							

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)

EBMUD

BOARD ACTION

Agenda Number:	4.	Meeting Date:	March 10, 2026

TITLE **SAN LEANDRO CHANNEL CROSSING PIPELINE**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Award a contract to the lowest responsive/responsible bidder, Mitchell Engineering (Mitchell), in an amount not to exceed $18,750,000 for the construction of the San Leandro Channel Crossing Pipeline (Project), under Specification 2188.

SUMMARY

Work includes furnishing and installing approximately 2,100 linear feet of 24-inch mortar lined and coated steel pipe; 1,500 linear feet of 24-inch mortar lined and plastic-coated steel pipe; 450 linear feet of conductor casing; 2,100 linear feet of 30-inch high-density polyethylene (HDPE) pipe by horizontal directional drilling, and perform related required work in City of Alameda.

DISCUSSION

The Alameda North Bay Farm Island Crossing Master Plan (Master Plan) identified the need to replace the existing underwater pipelines serving Alameda to ensure long-term system reliability and redundancy, meet current and future water demands, and address aging infrastructure. The Master Plan recommends construction of three new underwater pipeline crossings, along with associated in-street pipelines to connect the crossings to the existing transmission system.

The first crossing was completed in 2023 as part of the Oakland Inner Harbor Pipeline Crossing Project. The Project is the second crossing identified in the Master Plan. The Project will replace an existing 24-inch diameter underwater pipeline crossing between Alameda and Bay Farm Island, parallel to the Bay Farm Island Bridge. The new crossing will consist of an HDPE pipeline installed by horizontal directional drilling. In addition, a new 24-inch steel pipeline will be installed within Alameda by open trench method to connect the new crossing to the existing transmission system. The Project was discussed at the October 11, 2022 Long-Term Infrastructure Investment Workshop. Additionally, at its September 10, 2024 meeting, the Board authorized under Motion No. 172-24 an agreement with the City of Alameda for temporary construction staging to support the Project.

The Project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

BID RESULTS

Bid documents were posted on the District's website and issued to 22 resource organizations and 18 prospective bidders. Seven bids were received, ranging from $18,750,000 to

Originating Department: Engineering and Construction	**Department Director or Manager:** Serge V. Terentieff	**CEP Forms?** Yes	**Board Action Type:** Construction
Funds Available: FY 2026/2027, Award #7000254, Page #55	**Budget Coding:** 11-577-2015090-2015095:39-7000254		**Approved:**
Attachment(s): Bid Summary; Location Map; P-035; P-061; Garney Pacific letter; Mitchell response letter; District response letter			

Title:	San Leandro Channel Crossing Pipeline	Meeting Date:	March 10, 2026

$22,547,000. The bid summary is attached. The engineer's estimate for this work is $17,837,948.

Garney Pacific, Inc. (Garney) submitted a Letter of Protest to the District, dated February 11, 2026, suggesting the District should reject the bid submitted by Mitchell. The District reviewed and investigated the information provided in the letter and determined there was no basis to deem Mitchell's bid as non-responsive. A copy of the Garney's letter, Mitchell's response letter, and the District's response letters are attached.

The lowest responsive/responsible bidder, Mitchell, is licensed to perform work in California, and is not on the State Department of Industrial Relations (DIR) debarment list. Mitchell and its listed subcontractors are properly registered with the State DIR.

In the past five years, Mitchell has not filed a Government Code Claim against the District nor initiated any litigation against the District.

SUSTAINABILITY

Economic
Funding for this work is available in the Fiscal Years 2026/2027 adopted capital budget for the Large Diameter Pipelines.

Social
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 the DIR of the State of California.

Local 444 was notified of this contract on July 16, 2025 and did not raise any specific issues related to this contract.

Environmental
A California Environmental Quality Act Environmental Impact Report (EIR) for the Alameda-North Bay Farm Island Crossings Project was certified by the Board on December 13, 2016. This action was included in the project evaluated in the EIR.

ALTERNATIVES

Do not complete the project. This alternative is not recommended because the new crossing and associated in-street transmission pipelines are necessary to meet existing and future water needs, improve reliability, and redundancy of the water system and facilitate repair and replacement of aging infrastructure.

Perform the work with District forces. This alternative is not recommended because District forces do not possess the resources needed to perform an open-trench pipeline project of this scope and scale. In addition, they do not have the tools, equipment and experience to complete the trenchless pipeline installation.

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EAST BAY MUNICIPAL UTILITY DISTRICT

SPECIFICATION 2188

SAN LEANDRO CHANNEL CROSSING PIPELINE

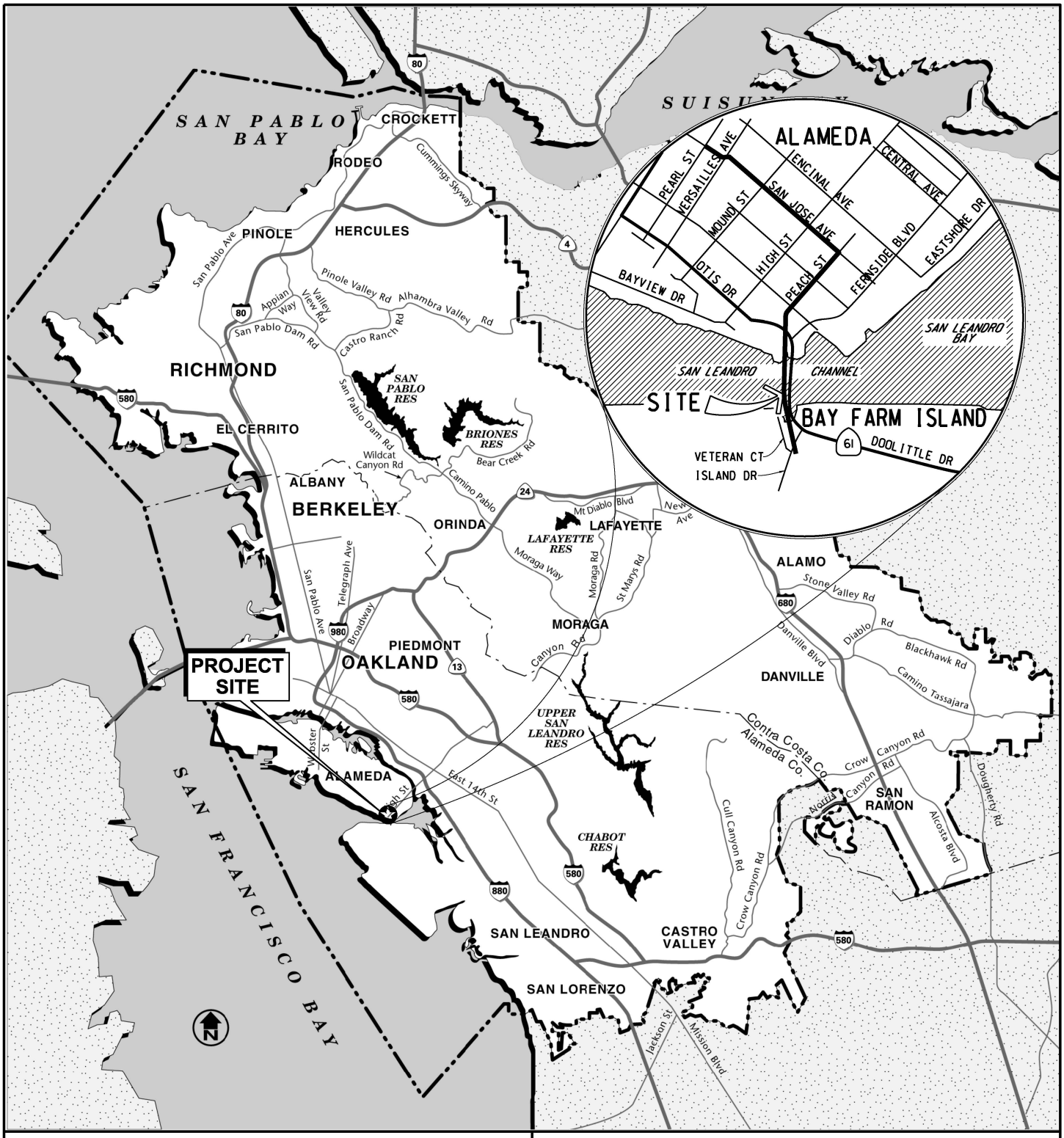
Bids Opened February 4, 2026

	BIDDER	TOTAL AMOUNT BID
1.	Mitchell Engineering (SBE/DVBE) 1395 Evans Ave. San Francisco, CA 94124 (415) 227-1040	$18,750,000 / $18,600,000*
2.	Garney Pacific, Inc. 17510 W. Bethany Rd., Tracy, CA 95391 (925) 800-1848	$19,172,012
3.	Cratus, Inc. 945 Taraval St., #302 San Francisco, CA 94116 (415) 939-2840	$19,750,000
4.	Escano and Associates (SBE/DVBE) 111 Broadway St., Ste. 300 Oakland, CA 94607 (305) 773-7756	$20,685,378.47 / $20,535,378.47*
5.	Mountain Cascade, Inc. 555 Exchange Ct. Livermore, CA 94550 (925) 373-8370	$20,915,000
6.	JMB Construction, Inc. 132 S. Maple Ave. South San Francisco, CA 94080 (650) 267-5300	$22,350,000
7.	Steve P. Rados, Inc. 2002 E. McFadden Ave., Ste. 200 Santa Ana, CA 92705 (916) 475-1654	$22,547,000

SBE/DVBE – Small Business Enterprise or Disabled Veteran Business Enterprise

*Effective Bid Amount due to SBE/DVBE discount (7% of the low bid amount, not to exceed $150,000)

Engineer's Estimate: $17,837,948



PROJECT SITE LOCATION MAP

NOT TO SCALE

EAST BAY MUNICIPAL UTILITY DISTRICT

SAN LEANDRO CHANNEL

CROSSING PIPELINE

SPECIFICATION 2188

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE	DATE:
SPECIFICATION NO.: **2188** San Leandro Channel Crossing Pipeline	February 26, 2026

CONTRACTOR:	
Mitchell Engineering San Francisco, CA	Small Business

BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP	
	Ethnicity	Gender
$18,750,000 *	White	Men

PERCENTAGE OF CONTRACT DOLLARS

Availability Group	Contracting Objectives	Participation
White Men	25%	100.0%
White Women	9%	0.0%
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:											
Mitchell Engineering	$13,972,559	White	X		74.5%						
SUBS:											
The HDD Company	$4,577,441	White	X		24.4%						
Thomas J's Welding	$200,000	White	X		1.1%						
TOTAL	$18,750,000				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	10	2	45	57
Percent of Total Employees:	17.5%	3.5%	79.0%	
MSA Labor Market %:	29.2%	22.5%	48.3%	
MSA Labor Market Location:	San Francisco			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration: NA

*Total not to exceed: $18,750,000

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: **San Leandro Channel Crossing Pipeline**

Spec. No.: 2188

DATE: 2/26/2026

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

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	WM: SBE	Company Wide	1	39	1	0	41	71.9%	48.3%
	Mitchell Engineering	Manager/Prof	1	5	0	0	6	35.3%	
	Kathleen Streblow	Technical/Sales	0	0	0	0	0	0.0%	
	1395 Evans Avenue	Clerical/Skilled	0	11	1	0	12	80.0%	
	San Francisco, CA 94124	Semi/Unskilled	0	23	0	0	23	92.0%	
		Bay Area	1	39	1	0	41	71.9%	39.9%
	415-227-1040	AA Plan on File:	NA		Date of last contract with District:		9/9/2025		
		Co. Wide MSA:	San Francisco		# Employees-Co. Wide:		57	Bay Area:	57
S	WM	Company Wide							
	The HDD Company	Manager/Prof							
	Ty Hewer	Technical/Sales							
	3117 N Cessna Avenue	Clerical/Skilled							
	Casa Grande, AZ 85194	Semi/Unskilled							
		Bay Area							
	520-709-3080	Co. Wide MSA:	INFORMATION NOT PROVIDED						
S	WM: SBE	Company Wide	0	0	0	0	0	0.0%	48.4%
	Thomas J's Welding	Manager/Prof	0	0	0	0	0	0.0%	
	Thomas DeCoste	Technical/Sales	0	0	0	0	0	0.0%	
	19625 S. Creek Road	Clerical/Skilled	0	0	0	0	0	0.0%	
	Los Banos, CA 93635	Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
	209-495-9945	Co. Wide MSA:	California		# Employees-Co. Wide:		3	Bay Area:	0
P	WM: LBE	Company Wide	2	35	1	1	39	60.9%	48.4%
	Garney Pacific, Inc.	Manager/Prof	0	5	1	1	7	30.4%	
	R. Daniel Eckdahl	Technical/Sales	0	0	0	0	0	0.0%	
	17510 W. Bethany Road	Clerical/Skilled	0	1	0	0	1	33.3%	
	Tracy, CA 95391	Semi/Unskilled	2	29	0	0	31	81.6%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
	816-741-4600	Co. Wide MSA:	California		# Employees-Co. Wide:		64	Bay Area:	0
P	WM	Company Wide	1	70	1	0	72	80.9%	39.9%
	Cratus, Inc.	Manager/Prof	0	1	0	0	1	9.1%	
	Michael Kirwan	Technical/Sales	0	0	0	0	0	0.0%	
	2178 Palou Avenue	Clerical/Skilled	0	1	0	0	1	14.3%	
	San Francisco, CA 94124	Semi/Unskilled	1	68	1	0	70	98.6%	
		Bay Area	1	70	1	0	72	81.8%	39.9%
	415-939-2840	Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		89	Bay Area:	88

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: **San Leandro Channel Crossing Pipeline**

Spec. No.: 2188

DATE: 2/26/2026

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

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 %
P	**EMM-H: L/SBE**	**Company Wide**	0	4	0	0	4	100.0%	47.8%
	Escano & Associates Inc.	Manager/Prof	0	2	0	0	2	100.0%	
	Juan Escano	Technical/Sales	0	0	0	0	0	0.0%	
	1111 Broadway, Suite 300	Clerical/Skilled	0	2	0	0	2	100.0%	
	Oakland, CA 94607	Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	4	0	0	4	100.0%	39.9%
	305-773-7756	Co. Wide MSA:	**Oakland**		# Employees-Co. Wide:		**4**	Bay Area:	**4**
P	**WW**	**Company Wide**	2	36	1	0	39	54.2%	47.9%
	JMB Construction, Inc.	Manager/Prof	0	0	0	0	0	0.0%	
	Margaret Burke	Technical/Sales	0	0	0	0	0	0.0%	
	132 South Maple Avenue	Clerical/Skilled	0	6	0	0	6	28.6%	
	South San Francisco, CA 94080	Semi/Unskilled	2	30	1	0	33	91.7%	
		Bay Area	2	36	1	0	39	54.2%	39.9%
	650-267-5300	Co. Wide MSA:	**San Mateo**		# Employees-Co. Wide:		**72**	Bay Area:	**72**
P	**WM: LBE**	**Company Wide**	0	88	2	0	90	43.5%	59.3%
	Mountain Cascade, Inc.	Manager/Prof	0	11	1	0	12	22.6%	
	Desiree Arslanian	Technical/Sales	0	1	0	0	1	9.1%	
	555 Exchange Court	Clerical/Skilled	0	8	1	0	9	40.9%	
	Livermore, CA 94550	Semi/Unskilled	0	68	0	0	68	56.2%	
		Bay Area	0	88	2	0	90	43.5%	39.9%
	925-373-8370	Co. Wide MSA:	**Alameda**		# Employees-Co. Wide:		**207**	Bay Area:	**207**
P	**WM**	**Company Wide**	1	82	7	1	91	59.9%	48.4%
	Steve P. Rados, Inc.	Manager/Prof	0	0	0	0	0	0.0%	
	Stephen S. Rados	Technical/Sales	0	17	5	0	22	52.4%	
	2002 E. McFadden Avenue, Suite 200	Clerical/Skilled	1	43	1	1	46	60.5%	
	Santa Ana, CA 92705	Semi/Unskilled	0	22	1	0	23	76.7%	
		Bay Area	0	2	0	0	0	0.0%	39.9%
	916-475-1654	Co. Wide MSA:	**California**		# Employees-Co. Wide:		**152**	Bay Area:	**4**

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)

GARNEY

17510 Bethany Rd, Tracy, CA 95391
925-800-1848 | www.garney.com

February 11, 2026

Garney Pacific, Inc.
17510 Bethany Rd.
Tracy, California 95391

Attention:
Director of Engineering and Construction
East Bay Municipal Utility District
P.O. Box 24055
Oakland, California 94623-1055

RE: Garney Pacific Formal Bid Protest for Spec 2188 – San Leandro Channel Crossing Pipeline of Mitchell Engineering Submitted Bid Documents

To Director of Engineering and Construction,

Garney Pacific Inc. "Garney" and I on Garney's behalf are writing to EBMUD to formally protest the bid submission and consideration of the bid of Mitchell Engineering, the apparent low bidder for the San Leandro Crossing Project (Specification No. 2188).

As the responsive second place bidder on this project, Garney has reviewed the bid results and available documentation and has identified concerns regarding whether the apparent low bid complies with the requirements set forth in the bid documents and applicable EBMUD procurement standards.

Specifically, the low bid appears to contain material deficiencies and irregularities, which makes the bid non-responsive and non-compliant, including but not limited to:

- Failure to meet mandatory bid requirements as specified in the Instructions to Bidders
- Inconsistencies or omissions within the bid submission
- Non-responsiveness and/or lack of demonstrated responsibility as required for award consideration

The specific deficiencies in Mitchell Engineering's bid documents are detailed in the following items.

1. Section 00 21 13-2 Article 4. PROPOSAL FORMS states:
   "The proposal shall be made on the forms provided, with the blank spaces properly filled in. The phraseology shall not be changed, and ***no additions shall be made****.*

MITCHELL
ENGINEERING

February 20, 2026

General Engineering Contractor
License No. 754676

VIA EMAIL

Mr. Mun Lee
East Bay Municipal Utility District
375 11th Street
Oakland, California 94607
mun.lee@ebmud.com

Re: San Leandro Crossing Project (Specification No. 2188)
Response to Garney Pacific, Inc.'s Bid Protest dated February 11, 2026

Dear Mr. Lee:

Mitchell Engineering ("**Mitchell**") submits this response to the February 11, 2026 bid protest letter from Garney Pacific, Inc. ("**Garney**"). Based on the bid documents Garney attached and marked up (Protest, pp. 6-20), Garney's objections are vastly inaccurate, and concern minor, waivable irregularities that do not affect bid price, scope, quality, quantity, or delivery, do not provide Mitchell any competitive advantage, and do not undermine the integrity of the competitive bidding process. East Bay Municipal Utility District ("**EBMUD**") has broad discretion to waive immaterial defects and to award the contract to Mitchell, the lowest responsive and responsible bidder. Garney's protest should be denied.

More importantly, none of the alleged deficiencies raised by Garney justify EBMUD expending additional public funds on this Project. Mitchell's bid was for $18,750,000, and Garney's was $19,172,012. The inconsequential and minor deviations identified by Garney can hardly justify EBMUD expending an additional $422,012 on this Project. Indeed, to do so would be a waste of public funds. Garney has no basis to protest Mitchell's bid, and public interest does not support any basis for rejecting Mitchell's bid.

GOVERNING LEGAL STANDARD

It is well established that a bid which substantially conforms to a call for bids may be accepted, although it is not strictly responsive, if the variance is inconsequential. (*Konica Business Machs. U.S.A., Inc. v. Regents of Univ. of Cal.* (1988) 206 Cal.App.3d 449, 454.) To be considered inconsequential, a deviation must neither give the bidder an unfair competitive advantage nor otherwise defeat the goals of insuring economy and preventing corruption in the public contracting process. (*Ghilotti Construction Co. v. City of Richmond* (1996) 45 Cal.App.4th 897, 900.) The test for measuring whether a deviation in a bid is sufficiently material to destroy its competitive character is whether the variation affects the amount of the bid by giving the bidder an advantage or benefit not enjoyed by the other bidders. Accordingly, a public entity may waive inconsequential deviations from contract specifications in a public contract bid. (*Id.* at 906.)

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For example, in *Ghilotti*, a city council properly waived an irregularity in the bid as inconsequential. (*Id.* at 907.) *Ghilotti* involved a public contract for a road construction project. The contract specifications limited subcontracting to 50 percent of the total bid. (*Id.* at 900-901.) The contract was awarded to the lowest bidder, GBCI, but GBCI's bid showed that it was subcontracting 55.44 percent of the total contract price. (*Id.* at 901.) However, the deviation did not disqualify GBCI. The margin of noncompliance, approximately 5.5 percent, was determined insubstantial because GBCI showed its bid could be brought into compliance with only slight alterations and without affecting the amount of the bid. (*Id.* at 907.)

The bid in *Ghilotti* was in stark contrast to the bid in *Valley Crest*. (*Valley Crest Landscape, Inc. v. City Council* (1996) 41 Cal.App.4th 1432.) *Valley Crest* also involved a contract specification that limited subcontracted work to 50 percent. In that case, the lowest bid indicated that 83 percent of the work would be subcontracted. The bid was determined nonresponsive and could not be accepted by waiving the irregularity. (*Ghilotti*, 45 Cal.App.4th at 909 [citing *Valley Crest*, 41 Cal.App.4th 1432].) Although both bids deviated from the contract specifications, *Ghilotti* noted a significant factual difference between GBCI's bid and the bid in *Valley Crest*. The bid in *Valley Crest* exceeded the 50 percent limitation by 33 percent, whereas GBCI's bid exceeded the 50 percent limitation by 5.5 percent. On the face of the bids, it was more difficult to consider the large discrepancy in *Valley Crest* an inconsequential irregularity. (*Id.* at 911.)

A public agency, however, has broad discretion to disregard minor or insubstantial variations from bid specifications to achieve the goals of the competitive bidding process. (*Taylor Bus Service, Inc. v. San Diego Bd. of Educ.* (1987) 195 Cal.App.3d 1331, 1342.) The purpose of the competitive bidding process is to guard against the waste of public funds, to secure the best work or supplies at the lowest price practicable, and to obtain the best economic result for the public. (*Associated Builders & Contractors, Inc. v. San Francisco Airports Com.* (1999) 21 Cal.4th 352, 365.) Competitive bidding provisions should be construed and administered to accomplish these purposes fairly and reasonably with sole reference to the public interest. (*Id.*) The lowest responsible bidder must be selected without consideration of relative superiority vis-a-vis other bidders. (*Id.* at 366.)

Although the bid in *Ghilotti* deviated from the specifications, acceptance of that bid was not against public policy. (*Ghilotti*, 45 Cal.App.4th at 902.) There, the next low bid was at least $90,000 higher because it had complied with the specifications, but the city council observed that the $90,000 difference was insufficient to make up the gap between the bids. (*Id.*) The award to the lowest bidder, even though the bid deviated by a margin of 5.5 percent from the contract specification limiting subcontracting to 50 percent of the total bid, did not violate public policy because there was no evidence of favoritism towards the low bidder, corruption, fraud, extravagance, or uncompetitive bidding practices. (*Id.* at 907-908.)

RESPONSE TO GARNEY'S SPECIFIC CONTENTIONS

1. Alleged "Modified" Proposal Forms

Garney asserts Mitchell "modified" the bid forms by including the bidder name and DIR number in the Bidder's Bond. This is not a disqualifying defect.

First, Garney's use of the word "modified" is misplaced. The forms are intended to be completed and executed. Mitchell's entries populate the required fields to submit a responsive bid. The bid amount is fixed on the bid schedule. There is no allegation, and none could be, that Mitchell changed or altered any substantive bid terms.

Indeed, identifying relevant information on the bid forms is not a material alteration and does not affect the responsiveness of the bid. The forms are plainly issued on behalf of Mitchell Engineering. Adding or reflecting its identifying information (including bidder name and DIR number) is not a material alteration. Nothing about the insertion of identifying information confers a competitive advantage or undermines bid integrity. At most, Garney's allegation describes a clerical irregularity that EBMUD may waive.

Moreover, the instruction Garney cites proves the point. It requires that "blank spaces [be] properly filled in" and that the "phraseology shall not be changed." Mitchell did not change the phraseology of any EBMUD's form. Mitchell completed identifying blanks and fields so the EBMUD could readily confirm the bidder's identity and DIR registration, and so the bid could be evaluated as submitted. Mitchell's entries do not alter any mandatory contractual language. They therefore do not implicate the competitive bidding concerns that animate bid responsiveness rules. (*Konica*, 206 Cal.App.3d at 454; *Ghilotti*, 45 Cal.App.4th at 900.)

Second, even assuming arguendo that inserting the bidder name and DIR number could be characterized as an "addition," it is plainly inconsequential under the governing test. The test is whether the variation affects the amount of the bid by giving the bidder an advantage or benefit not enjoyed by other bidders. (*Ghilotti*, 45 Cal.App.4th at 900.) Garney does not and cannot contend that Mitchell gained any post opening flexibility, altered bid price, conditioned performance, or obtained the ability to withdraw or rewrite its bid after opening. The bid price is fixed, and the EBMUD's remedies are fully preserved. Nothing about the identifying entries gives Mitchell any unfair competitive advantage or defeats the goals of economy and integrity in public contracting. (*Id.*; *Konica*, 206 Cal.App.3d at 454.)

Third, Garney's string citations to various caselaw do not change the outcome because the cases cited do not address the materiality inquiry on these facts. The cases Garney cites stand for several uncontroversial rules that demonstrate the differences between bid nonresponsiveness and bidder nonresponsibility. (*See MCM Const., Inc. v. City & County of San Francisco* (1998) 66 Cal.App.4th 359, 368, *Taylor Bus*, *supra*, 195 Cal.App.3d at 1341-1342; *Great West Contractors, Inc. v. Irvine Unified School Dist.* (2010) 187 Cal.App.4th 1425, 1447-1451.) These cases are inapposite here.

These authorities do *not* hold that the insertion of bidder identifying information, without any change to bid price or contractual terms, is a nonwaivable defect. Nor do they override the settled rule that agencies have broad discretion to waive minor or insubstantial irregularities to protect the public and obtain the best economic result. (*Id.*) Here, the alleged "addition" neither affects any substance of the bid nor confers an advantage. To the extent it may be deemed a

"deviation" at all, it is at most immaterial and waivable.

Accordingly, Garney's contention No. 1 fails. The bid forms were not substantively modified. The identified entries are, at most, an immaterial and inconsequential deviation that does not affect bid price and does not provide any competitive advantage, and EBMUD may waive it in the public interest.

2. Alleged Defect in Corporate Officer Information and Signatory Titles

Garney next contends Mitchell's bid is nonresponsive because Mitchell did not list the "names and titles of all officers" on the Proposal form and because the signatory used the title "Officer," which Garney characterizes as improper, notwithstanding that elsewhere in Mitchell's submission (on its Bidder's Bond), the same signatory is noted as "Corporate Secretary." This contention elevates form over substance and fails under the governing materiality test.

First, the governing standard is whether the alleged deviation gives the bidder an unfair competitive advantage or otherwise defeats the goals of ensuring economy and preventing corruption in the public contracting process. (*Ghilotti*, 45 Cal.App.4th 897, 900.) If it does not, the deviation is inconsequential and may be waived. (*Id.* at 906.) Garney does not, and cannot, contend that the manner in which Mitchell described an authorized signatory's title, whether as "Officer" or "Corporate Secretary," gives Mitchell any unfair competitive advantage or otherwise defeats the goals of insuring economy and preventing corruption. The description of a title does not alter the bid amount, does not change the scope of work, and does not provide Mitchell any post-opening option not equally available to other bidders. It is, at most, an inconsequential irregularity that EBMUD may waive.

Second, the purpose of requiring an executed proposal is to ensure the bidder is bound. Mitchell's bid package contains executed signature blocks and certifications that bind Mitchell to perform the work for the bid price if awarded. It is undisputed that a corporate Secretary is an officer of a corporation and has authority to bind the entity. There is no suggestion Mitchell can avoid the bid, withdraw it without consequence, or later disclaim authority. Where the bid is executed and enforceable, a claimed deficiency in listing officers, or a quibble over title nomenclature, does not implicate the competitive bidding concerns of economy and integrity. (*Associated Builders & Contractors*, 21 Cal.4th at 365-366.)

Third, the "Proposal" form has a section stating "Nature of firm (corporation, partnership, etc.) and names of individual members of the firm, or names and titles of officers of the firm, or names and titles of officers of the corporation." Mitchell completed this section by noting "California Corporation." This information responds to the first part of the request (i.e., "Nature of firm (corporation, partnership, etc.)." Right above this section, Kathleen Streblow is identified as an officer of Mitchell. The form does *not* request "all" officers of the corporation. Mitchell identified an officer of the company on this form. Even if the request was for "all" officers, Curtis Mitchell is identified as "President" of Mitchell on the Bidder's Bond form (he is also identified as the "President" on Form P-025). Thus, Mitchell's bid – read as a package – adequately provides the requested information and identifies the requisite officers.

Fourth, to the extent EBMUD desires administrative confirmation of signatory authority, EBMUD may request a prompt clarification that does not alter the bid or affect competition. That type of confirmation simply memorializes what the bid already reflects, namely that Mitchell is committed and bound to its bid. Permitting such clarification is consistent with the agency's broad discretion to disregard minor irregularities to secure the best economic result for the public.

Accordingly, Garney's Contention No. 2 fails. The alleged omission of corporate officer names and title criticism do not affect bid price, do not confer any competitive advantage, and do not defeat the goals of the competitive bidding process. EBMUD may properly treat this as an immaterial, waivable irregularity.

3. Alleged "Inconsistent" Officer Titles

Garney next contends that Kathleen Streblow's use of the title "Officer" in certain locations and "Corporate Secretary" on the Bidder's Bond renders the bid nonresponsive. This argument again ignores the governing materiality standard. The relevant question is whether the alleged inconsistency gives Mitchell an unfair competitive advantage or otherwise defeats the goals of insuring economy and preventing corruption in the public contracting process. (*Ghilotti*, 45 Cal.App.4th at 900.) It plainly does not. The bid was executed by an authorized corporate representative, the Bidder's Bond was executed by the principal and surety, and nothing about the variation in title creates ambiguity in the offer, affects price, or provides Mitchell any post opening discretion.

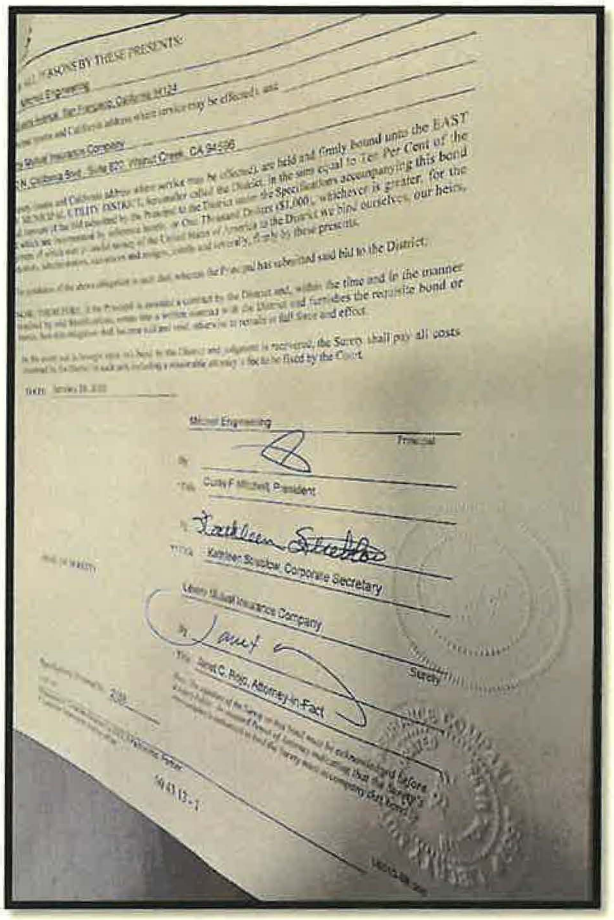
Nor does Corporations Code section 5213 transform a title shorthand into a material defect. The statute addresses corporate governance, not bid responsiveness. EBMUD's concern should be whether the bid is binding and enforceable. Here, it is because it was signed by an authorized person at Mitchell. Any variation in how the signatory's corporate capacity was labeled is, at most, a clerical inconsistency that does not impact enforceability or competitive standing and may therefore be waived in the public interest. (*Id.* at 906; *Taylor Bus*, 195 Cal.App.3d at 1342.)

4. Alleged Absence of Surety "Corporate Seal"

Garney next contends Mitchell's bid is nonresponsive because the surety's corporate seal was not affixed to the Bidder's Bond. This argument again misconstrues the materiality inquiry explained in the sections above. (*See Ghilotti*, 45 Cal.App.4th at 900.)

The Bidder's Bond was executed by Mitchell as principal and by an admitted surety authorized to transact business in California. The bond identifies the project and penal sum and is accompanied by the surety's power of attorney. The essential purpose of the bid bond is to bind the surety and protect EBMUD in the event the bidder fails to execute the contract and furnish required bonds. That purpose is fully satisfied here. Garney does not contend the surety is not bound, that the bond amount is incorrect, or that Mitchell gains any post opening option by virtue of the alleged absence of a stamped seal. At most, the issue concerns form, not substance.

Moreover, had Garney reviewed the original bid documents submitted by Mitchell, it would have seen the embossed corporate seal. Embossed seals frequently do not reproduce in electronic scans. The photo below, of the original document, shows the embossed seal. The original document is available for review by EBMUD and Garney if necessary.



Garney is relying on a scanned copy when it should have reviewed the original document. In any event, even assuming arguendo that a visible seal was absent, that fact would not affect enforceability where the bond is otherwise properly executed by the surety's authorized attorney in fact. The alleged defect concerns form, not substance.

Courts distinguish between defects that impair enforceability and those that are merely technical. A missing embossed or stamped seal, where the bond is otherwise properly executed and enforceable, does not confer a competitive advantage on the bidder and does not undermine the integrity of the bidding process. As such, it is, at most, an inconsequential irregularity EBMUD may waive or otherwise may request submission of a replacement copy with a visual seal.

5. Alleged Failure to Fill "Name of Bidder/Proposer" on Subcontractor Form

Garney next contends Mitchell's bid is nonresponsive because the "Name of Bidder/Proposer" line on the Designation of Subcontractors (P-046) form was not filled in. This is plainly incorrect, or an immaterial clerical omission.

Mitchell is identified throughout the bid package, including on the Proposal and Bid Schedule. The subcontractor designation form was submitted as part of Mitchell's sealed bid and lists the subcontractors and amounts. There is no ambiguity as to whose bid the form accompanies, and the omission does not affect enforceability, confers no competitive advantage, and does not defeat the purposes of competitive bidding. Moreover, "Mitchell Engineering" and its DIR number is clearly noted on the right side of the Form P-046. Accordingly, "Name of Bidder/Proposer" is adequately provided on this form. If this information is not at the exact right location, it is, at most, an inconsequential irregularity EBMUD may waive.

6. Employment Data and Certification (P-025) MSA Field

Garney lastly contends Mitchell's bid is nonresponsive because the Employment Data and Certification (P-025) form did not identify the metropolitan statistical area (MSA) and instead contains a signature in that space. This argument again confuses an administrative reporting detail with a material bid requirement.

The P-025 form concerns workforce reporting information used for EBMUD's evaluation purposes, not a term that alters the bidder's contractual commitment. Under the governing standard, a deviation is material only if it gives the bidder an unfair competitive advantage or otherwise defeats the goals of economy and integrity in the public contracting process. (*Ghilotti*, 45 Cal.App.4th at 900.) All of the information requested in Form P-025 has been provided by Mitchell. Additionally, in Section B of Form P-025 (page 2 of 4), Mitchel annotated "See Attached." Then, attached to Section B, is Mitchell's comprehensive "US Equal Employment Opportunity Commission" form which provides full disclosure regarding Mitchell's employment data. Garney makes no argument that this information is incomplete or inadequate. Indeed, it is not. In fact, Garney attached the very same form to its bid in response to Form P-025. It is disingenuous for Garney to assert Mitchell's bid was incomplete when Garney itself provided the very same form in its bid. Mitchell has fully provided the information requested by Form P-025, and Garney's last alleged deficiency has no merit.

CONCLUSION

Garney's requested relief is to reject Mitchell's low bid and award to the "next lowest responsible bidder." That relief is extraordinary and contrary to the public interest absent a truly material defect. Here, none of Garney's contentions implicates bid price, scope, enforceability, unequal competitive advantage, or the ability of Mitchell to withdraw or alter its bid after opening. Likewise, none of the alleged deficiencies identified by Garney justify EBMUD expending an additional $422,012 of public funds on this Project. This expenditure is not in the interest of EBMUD or the public at large.

Granting the protest would elevate minor administrative issues over the settled principles governing public contracting and the statutory objective of securing the best economic result for the public. Mitchell respectfully requests that EBMUD deny Garney's bid protest in its entirety and confirm Mitchell as the lowest responsive and responsible bidder.

Respectfully,

Curtis F. Mitchell
President & CEO

Certificate of Corporate Resolution

Officers' Resolution
Mitchell Engineering
1395 Evans Avenue
San Francisco, CA 94124

Officers Curtis Mitchell or Kathleen Streblow is authorized to sign contract documents on behalf of the Corporation and perform such acts as may be necessary or desirable to give effect to this resolution.

This resolution may be executed in counterparts. Facsimile or scanned signatures are binding and are considered to be original signatures.

In witness whereof, I have duly executed this Certificate of Corporate Resolution this 7th Day of December 2017.

Kathleen Streblow, Corporate Secretary

I, Curtis Mitchell, President of the Corporation, do hereby certify that Kathleen Streblow is duly elected Secretary of the Corporation. I also certify that any signatures set out above are the correct signatures of those persons. I further certify that I have executed this resolution for the purpose stated above and on behalf of the Corporation.

Curtis Mitchell, President

Mitchell Engineering
1395 Evans Avenue
San Francisco, CA 94124

Officers Curtis Mitchell or Kathleen Streblow is authorized to sign contract documents on behalf of the Corporation and perform such acts as may be necessary or desirable to give effect to this resolution.

This resolution may be executed in counterparts. Facsimile or scanned signatures are binding and are considered to be original signatures.

In witness whereof, I have duly executed this Certificate of Corporate Resolution this 7th Day of December 2017.

Kathleen Streblow, Corporate Secretary

I, Curtis Mitchell, President of the Corporation, do hereby certify that Kathleen Streblow is duly elected Secretary of the Corporation. I also certify that any signatures set out above are the correct signatures of those persons. I further certify that I have executed this resolution for the purpose stated above and on behalf of the Corporation.

Curtis Mitchell, President

Enclose all proposal forms, except Contract Equity Participation (Form P-040), Good Faith Outreach Efforts Documentation (Form P-041), Contract Equity Program Guidelines Certification (Form P-042), and 00 45 13 – Bidder's Qualifications and References (Form E-061), ***properly executed****, in a sealed envelope."*

The documents provided by Mitchell Engineering have all of the pages provided by the District, except for the BIDDER'S BOND (00 43 13-1) page, modified with the company name and DIR number resulting in forms with both additions and improper execution.

The Instructions to Bidders (Section 00 21 13) prohibits altering District-issued forms; **material** deviations from mandatory form language render a bid **non-responsive**, a defect the District may not waive. *See Doc. 00 21 13, Art. 4; MCM, 66 Cal.App.4th at 368; Taylor Bus, 195 Cal.App.3d at 1341–1342; Great West, 187 Cal.App.4th at 1447–1451.*

2. Section 00 21 13-5 Article 7. PROPOSAL (FORM E-058) states:
"The full name, business address, zip code, and business telephone number with area code of the individual, partnership, joint venture, or corporation submitting the proposal shall be typewritten or legibly printed on the proposal Form E-058. Provide complete information on the Bidder's California Contractor's License in the spaces provided. The Bidder shall sign the proposal with its usual signature and complete information on California Contractor's license.

An individual submitting a proposal or a partner signing for a partnership shall sign in the presence of a Notary Public and the notarial acknowledgment shall be attached to the proposal.

A partner shall sign for a partnership and the names and addresses of all partners shall be given.

An officer shall sign for a corporation ***and the names and titles of all officers of the corporation shall be given.*** *A signature other than a corporate officer's will be accepted if an authenticated power of attorney is attached."*

This is further reinforced on the PROPOSAL form itself which states:

"Nature of firm (corporation, partnership, etc.) ***and names of individual members of the firm, or names and titles of officers of the firm, or names and titles of officers of the corporation.****"*

Mitchell's documents only include the words California Corporation. The names and titles of officers are not included.

Allowing omissions of this nature set the wrong precedent for the integrity of your bid documents for this bid and future bid submissions. The instructions on the bid form and the specifications were clear, as evidenced by all six of the other bidders completing this section correctly, highlighting the deficiency of the bid submitted by Mitchell Engineering. This information is furthermore used throughout the document to validate all the required signatures and to provide a complete, responsive, and responsible bid.

Article 7 requires a corporate signer and a listing of **all corporate officers and titles**; Mitchell's failure to supply this **mandatory** information on the face of the Proposal is a **material** bid defect and therefore **non-responsive**. *MCM, 66 Cal.App.4th at 368; Taylor Bus, 195 Cal.App.3d at 1341–1342; Great West, 187 Cal.App.4th at 1447–1451; Doc. 00 21 13, Art. 7; Proposal (E-058).*

3. Item 2. Is further complicated by the various signatures and titles provided throughout Mitchell Engineering's bid document. Kathleen Streblow signed in various locations throughout the bid documents with a title stated as officer which is not a recognized corporate title.

   Under California Corporations Code 5213 corporations must have a **chair of the board (or president), secretary, and treasurer/CFO**, with flexibility for other titles defined in bylaws. Key roles include CEO, COO, and CFO, while entities must register unique names via the CA Secretary of State, often using Inc., Corp., or LLC.

   Only on bid form 00 43 13 – Bidder's Bond, is Kathleen Streblow shown with the title of Corporate Secretary. In all other signed locations, the title of Officer is given. These inconsistencies represent an incomplete and non-responsive bid.

   The Instructions to Bidders (Section 00 21 13 and bid form 00 43 13) demands execution by a duly identified corporate **officer** (or other signatory with authenticated POA). Mitchell's **inconsistent officer titles** across the bid constitutes

a **material execution defect** that the District cannot waive. *Great West*, 187 Cal.App.4th at 1447–1451; Doc. 00 21 13, Art. 7; compare E-058 and 00 43 13 (Bidder's Bond).

4. Section 00 21 13-5 Article 8. BID SECURITY subsection B. Surety Bond states:

   "The surety bond shall be properly executed by the Bidder and by a sufficient, admitted surety insurer (as listed on website https://interactive.web.insurance.ca.gov/companyprofile/companyprofile) admitted to transact such business in California by the California Department of Insurance, ***using 00 43 13 – Bidder's Bond (Form E-103) contained in this Specification. The corporate seal of the surety company shall be affixed to the bond."***

   This is further reinforced on the BIDDER'S BOND form 00 43 13 with a designated area on the form noted by (SEAL OF SURETY). The surety seal is not present on form 00 43 13 submitted by Mitchell resulting in an incomplete and non-responsive bid.

   Because the Instructions to Bidders mandates that the **surety's corporate seal be affixed** and the bond be **properly executed**, Mitchell's bond is **non-responsive** if the seal is missing or execution is otherwise defective; such defects are **material** and **not waivable**. Doc. 00 21 13, Art. 8(B); *Great West*, 187 Cal.App.4th at 1447–1451.

5. Section 00 21 13-2 Article 4. PROPOSAL FORMS states:
   "The proposal shall be made on the forms provided, ***with the blank spaces properly filled in.****"*

   The DESIGNATION OF SUBCONTRACTORS (P-046) form has a space provided to fill in the Name of Bidder/Proposer. Mitchell failed to fill this space, resulting in an incomplete and non-responsive bid.

6. Section 00 21 13-2 Article 4. PROPOSAL FORMS states:
   "The proposal shall be made on the forms provided, ***with the blank spaces properly filled in.****"*

   The EMPLOYMENT DATA AND CERIFICATION INSTRUCTIONS (P-025) form, SECTION B, item B1a states: *"Identify the metropolitan statistical area (MSA) from which your firm's total permanent workforce is drawn"*

GARNEY

17510 Bethany Rd, Tracy, CA 95391
925-800-1848 | www.garney.com

Mitchell did not provide this information, and instead placed a signature in this space, resulting in an incomplete and non-responsive bid.

Article 9 and the Bidder's Checklist require the **prime's P-025** at bid opening; Mitchell's **incomplete** P-025 (e.g., missing market area/county information used for District evaluation) is a **material** failure to comply with a mandatory bid-time requirement and therefore **non-responsive**. *MCM*, 66 Cal.App.4th at 368; *Taylor Bus*, 195 Cal.App.3d at 1341–1342; *Great West*, 187 Cal.App.4th at 1447–1451; Doc. 00 21 13, Art. 9; Checklist.

Included with this letter is a copy of Specifications Section 00 21 13 and a marked-up version of the bid documents submitted by Mitchell Engineering with reference to each of the six items detailed above.

Under established public contracting principles, EBMUD is obligated to award contracts only to the lowest **responsive and responsible** bidder. Acceptance of a bid that does not fully comply with bid requirements undermines the integrity of the competitive bidding process and disadvantages compliant bidders who submitted complete and responsive proposals in good faith.

Accordingly, we respectfully request that EBMUD conduct a thorough review of the apparent low bidder's submission, deem the bid non-responsive, reject Mitchell's bid, and award the contract to the lowest responsive and responsible bidder Garney Pacific, Inc. We further request that EBMUD refrain from awarding the contract until this protest has been fully reviewed and resolved. Last, Garney respectfully requests that EBMUD take any other corrective action deemed appropriate under EBMUD's procurement rules.

Garney reserves all rights to supplement this protest or appeal any adverse decision in accordance with EBMUD's procedures and California law.

Please confirm receipt of this protest and advise of any additional information required for your review.

Thank you for your attention to this matter.

Sincerely,

Matthew Roberts, Chief Estimator
Cell: 209-679-5819

GARNEY

17510 Bethany Rd, Tracy, CA 95391
925-800-1848 | www.garney.com

MITCHELL ENGINEERING MARKED-UP BID DOCUMENTS

Mitchell Engineering
DIR # 1000000359

Item 1. modified proposal forms

EBMUD

PROPOSAL

SPEC 2188 - SAN LEANDRO CHANNEL CROSSING PIPELINE

DATE 02-04-2026

TO THE EAST BAY MUNICIPAL UTILITY DISTRICT, OAKLAND, CALIFORNIA:

Pursuant to the foregoing notice to contractors, the undersigned bidder herewith submits a proposal on the bidding form or forms attached hereto and made a part hereof, and binds itself on award by the East Bay Municipal Utility District under this proposal to execute in accordance with such award a contract, of which this proposal and the said notice to contractors, instructions to bidders, general conditions, specifications, and drawings shall be a part, and to furnish the bond or bonds and insurance required by the specifications. The notice to contractors, instructions to bidders, general conditions, designation of subcontractors form, contract equity participation form, specifications, and drawings are made a part of this proposal and all provisions thereof are hereby accepted. The undersigned swears and affirms under penalty of perjury that the information provided on the bidding form or forms is true and correct.

The bidder further agrees that, in case of its default in executing the required contract and the required bond or bonds, or furnishing the required insurance, the money payable under the bid bond accompanying this proposal shall be applied by the District towards payment of the damage to the District on account of such default, as provided in the specifications.

Item 3. Officer is not a recognized title. See form 00 43 13 for inconsistent title.

~~(Affix Notarial Acknowledgment of Signature – if partnership or proprietorship)~~

See Attached

FIRM Mitchell Engineering

BY (Signature) [signature]

TITLE Kathleen Streblow, Officer

ADDRESS 1395 Evans Avenue

San Francisco, CA ZIP 94124

PHONE 415-227-1040

Nature of firm (corporation, partnership, etc.) and names of individual members of the firm, or names and titles of officers of the firm, or names and titles of officers of the corporation

California Corporation

Item 2. names and titles of all officers of the corporation shall be given. Incomplete bid form

Corporation organized under the laws of the State of

California

Contractor's License No. State of California 754676

A C36 C10 B

Class HAZ C31 License Expiration Date 09-30-2026

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Francisco

On 02/04/2026 before me, Thelma L. Welch-Welker, Notary Public,
Date *Here Insert Name and Title of the Officer*

personally appeared Kathleen Streblow
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

THELMA L. WELCH-WELKER
Notary Public - California
San Francisco County
Commission # 2509649
My Comm. Expires Feb 11, 2029

Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
Corporate Officer — Title(s): _____
Partner — Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other: _____
Signer Is Representing: _____

Signer's Name: _____
Corporate Officer — Title(s): _____
Partner — Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other: _____
Signer Is Representing: _____

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Mitchell Engineering
DIR # 1000000359

Item 1. modified proposal forms

EBMUD

DOCUMENT 00 41 01
Bid Form

SPECIFICATION 2188

SAN LEANDRO CHANNEL CROSSING PIPELINE

NAME OF BIDDER Mitchell Engineering

ITEM	DESCRIPTION	ITEM TOTAL (in figures)
1	Furnish and install approximately 2,100 linear feet of 24-inch mortar lined and coated steel (ML&CS) pipeline and 1,500 linear feet of mortar lined and plastic coated steel (ML&PCS) including appurtenances and fittings; furnish and install approximately 450 linear feet of steel conductor casing; furnish and install 2,100 linear feet of 30-inch HDPE pipe by horizontal directional drilling; provide required traffic control; provide final paving and site restoration; abandon existing pipelines; support pipeline connection work by District and perform related required work as shown on the drawings and as specified, except work included in Item 2, for the lump sum of . . .	$18,500,000
2	Allowances (See Section 01 21 00)	$250,000
TOTAL AMOUNT BID FOR ALL ITEMS (1 through 2)		$18,750,000

The bidder shall bid on all items.

The price bid shall include all State, Federal, and other taxes applicable to the project, and shall be a firm offer for a period of ONE HUNDRED TWENTY (120) days after the date of bid opening.

Award of Contract will be based on the "TOTAL AMOUNT BID FOR ALL ITEMS (1 through 2)" above. In the event of any discrepancy, the award shall be based on Document 00 21 13 – Instructions to Bidders, Article 5.A.

THE BID FORM CONTINUES ON THE FOLLOWING PAGE.

Mitchell Engineering
DIR # 1000000359

Item 1. modified proposal forms

(continued from previous page)

BID DISCOUNT – To be eligible for the SBE/DVBE discount, bidders must check the Small Business Enterprise and/or Disabled Veteran Business Enterprise box below:

The Bidder is a:

☒ **Small Business Enterprise and/or Disabled Veteran Business Enterprise,** as described in the Contract Equity Program and Equal Employment Opportunity Guidelines (Document 00 43 39). Non-Applicable

The District reserves the right to request support documentation, such as tax records, articles of incorporation and board minutes to verify composition of ownership and business size.

ADDENDA ACKNOWLEDGEMENT – Bidder shall check the project website for inclusion of addenda, if any, into this project and shall acknowledge the addenda, below.

ADDENDA - Receipt of the following addenda is hereby acknowledged:

Addendum Number	Date
Addendum 1 (One)	01-29-2026

Mitchell Engineering
DIR # 1000000359

Item 1. modified proposal forms

EBMUD

DECLARATION OF NONCOLLUSION

The undersigned declares, under penalty of perjury under the laws of the State of California, that the bid submitted to the East Bay Municipal Utility District for

SPEC 2188 - SAN LEANDRO CHANNEL CROSSING PIPELINE

is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price. or of that of any other bidder; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

Firm: Mitchell Engineering

By: Kathleen Streblow Date: 02-04-2026
(Signature of Bidder)

Title: Officer

Signed at: San Francisco, County of San Francisco County, State of: California

Item 3. Officer is not a recognized title. See form 00 43 13 for inconsistent title.

Mitchell Engineering
DIR # 1000000359

Item 1. modified proposal forms

EBMUD

DECLARATION OF ELIGIBILITY TO WORK ON PUBLIC WORKS PROJECTS

The undersigned hereby certifies under penalty of perjury under the laws of the State of California that in connection with bidding on:

SPEC 2188 - SAN LEANDRO CHANNEL CROSSING PIPELINE

The bidder is eligible to bid on public works projects in the State of California;

The bidder is not barred from bidding on or being awarded a contract for public works pursuant to California Labor Code Sections 1725.5, 1777.1 or 1777.7;

The bidder has obtained from each and every sub-contractor it intends to employ on this project, a statement of eligibility to work on public works projects in the State of California indicating that the subcontractor is not barred from performing work on a public works project pursuant to California Labor Code Sections 1725.5, 1777.1 or 1777.7;

If at any time during the course of performing work for East Bay Municipal Utility District, the contractor (formerly known as the bidder) becomes, or any of its sub-contractors become, ineligible to work on public works projects in the State of California, the contractor will immediately notify East Bay Municipal Utility District of this fact in writing.

Firm: Mitchell Engineering

By: Kathleen Streblow Date: 02-04-2026
(Signature of Bidder)

Title: Officer

Signed at: San Francisco, County of San Francisco County, State of: California

Item 3. Officer is not a recognized title. See form 00 43 13 for inconsistent title.

EBMUD

BIDDER'S BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That Mitchell Engineering

1395 Evans Avenue San Francisco California 94124

as Principal (name and California address where service may be effected), and

Liberty Mutual Insurance Company

1990 N. California Blvd., Suite 620 Walnut Creek, CA 94596

as Surety (name and California address where service may be effected), are held and firmly bound unto the EAST BAY MUNICIPAL UTILITY DISTRICT, hereinafter called the District, in the sum equal to Ten Per Cent of the Total Amount of the Bid submitted by the Principal to the District under the Specifications accompanying this bond and which are incorporated by reference herein, or One Thousand Dollars ($1,000), whichever is greater, for the payment of which sum in lawful money of the United States of America to the District we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of the above obligation is such that, whereas the Principal has submitted said bid to the District;

NOW, THEREFORE, if the Principal is awarded a contract by the District and, within the time and in the manner required by said Specifications, enters into a written contract with the District and furnishes the requisite bond or bonds, then this obligation shall become null and void, otherwise to remain in full force and effect.

In the event suit is brought upon this bond by the District and judgment is recovered, the Surety shall pay all costs incurred by the District in such suit, including a reasonable attorney's fee to be fixed by the Court.

DATE: January 28, 2026

Item 3. Officer is not a recognized title. This is the only location where the Corporate Secretary title is used, vs. Officer for Kathleen Streblow

Mitchell Engineering
Principal

By

*Title Curtis F Mitchell, President

By

**Title Kathleen Streblow, Corporate Secretary

(SEAL OF SURETY)

Liberty Mutual Insurance Company
Surety

By

Title Janet C. Rojo, Attorney-in-Fact

Note: The signature of the Surety on this bond must be acknowledged before a Notary Public. An executed Power of Attorney indicating that the Surety's representative is authorized to bind the Surety must accompany this bond.

Specifications / Proposal No. 2188

Item 4. Surety Seal not provided

E-103 • 3/07

UE010-88.doc

*if corporation, Corporate President or CEO; if Partnership, Partner.
** Corporate Secretary or financial officer

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Francisco)

On 01/28/2026 before me, Thelma L. Welch-Welker, Notary Public
Date *Here Insert Name and Title of the Officer*

personally appeared Curtis F Mitchell + Kathleen Streblow
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

THELMA L. WELCH-WELKER
Notary Public - California
San Francisco County
Commission # 2509649
My Comm. Expires Feb 11, 2029

Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
Corporate Officer — Title(s): _____
Partner — Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other: _____
Signer Is Representing: _____

Signer's Name: _____
Corporate Officer — Title(s): _____
Partner — Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other: _____
Signer Is Representing: _____

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ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Francisco ;

On January 28, 2026 before me, K. Zerounian, Notary Public
(insert name and title of the officer)

personally appeared Janet C. Rojo
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

K. ZEROUNIAN
Notary Public - California
San Francisco County
Commission # 2522525
My Comm. Expires Jul 5, 2029

Signature _____ **(Seal)**

POWER OF ATTORNEY

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8214533-024125

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Betty L. Tolentino; Brian Cooper; Brittany Kavan; Courtney Chew; Forrest Chamberlain; Harold Foy; Janet C. Rojo; Julia Ortega; K. Zerounian; Kevin Re; M. Moody; Maria D. Reynoso; Maureen O'Connell; Misty R. Hemje; Robert P. Wrixon; Salina Ko; Shawndrae N. Johnston; Susan Hecker; Thuyduong Le; Tina K. Nierenberg; Virginia L. Black

all of the city of Walnut Creek state of CA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 31st day of July, 2025

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: _____
Nathan J. Zangerle, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 31st day of July 2025 before me personally appeared Nathan J. Zangerle, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes ~~therein contained by~~ signing on ~~behalf of the corporations~~ by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.

Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commissionexpires March 28, 2029
Commissionnumber 1126044
Member, Pennsylvania Association of Notaries

By: _____
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS: Section 12. Power of Attorney.
Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorneyin-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts: Section 5. Surety Bonds and Undertakings.
Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Nathan J. Zangerle, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 28th day of January, 2026

By: _____
Renee C. Llewellyn, Assistant Secretary

LMS-12873 LMIC OCIC WAIC Multi Co 02/24

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com

EBMUD

DESIGNATION OF SUBCONTRACTORS (P-046)

Name of Bidder/Proposer

Item 5. Form incomplete

In compliance with the provisions of the Subletting and Subcontracting Fair Practices Act (Division 2, Part 1, Chapter 4 of the Public Contract Code of the State of California, and any amendments thereof), each bidder shall set forth below:

1. The name, the location of the place of business, and the California Contractor license number of each Subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the work or improvement, or a Subcontractor licensed by the State of California who, under subcontract to the prime Contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of one percent of the Contractor's total bid. List all Subcontractors meeting these criteria, including sole-source Subcontractors
2. The portion and estimated dollar amount of the work that will be done by each Subcontractor listed below. The Contractor shall list only one Subcontractor for each portion as is defined by the Contractor in its bid
3. The California State Department Industrial Relations (DIR) registration number of each subcontrator

Item 1. modified proposal forms

All Contractors bidding on a public works project and all Subcontractors of any tier shall be registered with the State Department of Industrial Relations pursuant to Section 1725.5 of the Labor Code.

Please type or legibly print (attach additional sheets as necessary)

SUBCONTRACTOR'S COMPANY NAME CONTACT NAME / ADDRESS / PHONE NO.	CALIFORNIA LICENSE NUMBER and DIR REGISTRATION NUMBER	DESCRIPTION OF WORK TO BE PERFORMED	ESTIMATED $ AMOUNT
The HDD Company Jessica Nelson/3117 N Cessna Avenue Casa Grande, Arizona 85122/ (530)676-5705	CA Contractors License Number: **858987** DIR Number: **1000009344**	Horizontal Directional Drilling & Casing Installation	$4,577,441
Thomas J Welding Thomas Decoste/19625 S. Creek Rd. Los Banos, CA 93635 / (209) 495-9945	CA Contractors License Number: **829128** DIR Number: **1000027677**	Pipeline Welding	$200,000

Mitchell Engineering DIR # 1000000359

EBMUD

DESIGNATION OF SUBCONTRACTORS (P-046)

SUBCONTRACTOR'S COMPANY NAME CONTACT NAME/ ADDRESS/ PHONE NO.	CALIFORNIA LICENSE NUMBER	DESCRIPTION OF WORK TO BE PERFORMED	ESTIMATED $ AMOUNT

Item 1. modified proposal forms

Mitchell Engineering
DIR # 1000000359

Item 1. modified proposal forms

Mitchell Engineering
DIR # 1000000359

Designation of Subcontractors – From Public Contract Code Section 4105 - 4110

4105.

4106.

4107.

4107.2

4107.5.

4107.7.

4108.

4109.

4110.

Item 1. modified proposal forms

Mitchell Engineering

EBMUD

EMPLOYMENT DATA AND CERTIFICATION INSTRUCTIONS (P-025)

COMPLETION OF THIS FORM IS REQUIRED FOR ALL BIDS AND PROPOSALS. AN IMPROPER OR INCOMPLETE FORM MAY RESULT IN REJECTION OF YOUR BID OR PROPOSAL OR TERMINATION OF YOUR CONTRACT

The East Bay Municipal Utility District REQUIRES the completion of this form when submitting any formal bid in response to a Notice to Contractors (NTC), Request for Statement of Qualifications (RSOQ), Request for Quotation (RFQ), or Request for Proposal (RFP) for materials, equipment, construction or professional or general services. Bidder/Proposer who fails to complete all applicable sections of this form may be denied contracts with the District.

Note: If you have difficulty completing this form or need clarification of the instructions, contact the Contract Equity Office at 510-287-0114.

SECTION A

FIRM NAME
Mitchell Engineering

[X] PRIME

PARENT COMPANY
Mitchell Engineering, Kathleen Streblow Officer, Cameron McGowan, Chief Estimator

[ ] SUBCONTRACTOR/TRUCKER/SUPPLIER
Submit a separate P-25 form for each subcontractor/trucker/supplier doing work for $80,000 or more.

STREET ADDRESS, CITY, STATE, ZIP
1395 Evans Avenue, San Francisco, CA. 94124

MAILING ADDRESS, CITY, STATE, ZIP
Same As Above

PHONE NUMBER | FAX NUMBER | WEBSITE | EMAIL
415/227-1040 415/227-1046 www.mitchell-engineering.com kstreblow@mitchell-engineering.com
Cameron's Cell #415-218-8680 emcgowan@mitchell-engineering.com

A1. TYPE OF ORGANIZATION

[ ] INDIVIDUAL — Curtis Mitchell, President

[X] — California

Curtis Mitchell,	President,	Self & Shareholder	51
Michael Silva	Shareholder	Self, Shareholder	49

[ ] JOINT VENTURE

[ ] PARTNERSHIP

A2. COMPOSITION OF OWNERSHIP

Indicate the percent of ethnic and gender ownership below

	Non Hispanic Origin			Asian				Other		
	Black (not of Hispanic Origin)		Caucasian (not of Hispanic Origin)	Asian Indian	Black (not of Hispanic Origin)	Hispanic	Far East / Southeast Asian	Native American	Other (Specify)	Not to be Reported
MALE	51%		49%							
FEMALE										
TOTAL										

Mitchell Engineering
DIR #: 1000000359

Item 1. modified proposal forms

SPEC 2108 SAN LEANDRO CHANNEL CROSSING PIPELINE

SECTION B

B1. EMPLOYMENT DATA

SEE ATTACHED

JOB CATEGORIES	RACE/ETHNICITY (number of employees)								Total A–N
	Hispanic or Latino	Not Hispanic or Latino							
		Male				Female			
Firm's Total									
Bay Area* Total									

B1a

B1c

Kathleen Streblow

Officer

415-227-1040

Item 6. Form Incomplete, no county information provided.

Item 3. Officer is not a recognized title. See form 00 43 13 for inconsistent title.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)
2024 EMPLOYER INFORMATION REPORT (EEO-1 COMPONENT 1)

EEOC Standard Form 100 (SF 100)
Revised 08/2023
OMB Control Number 3046-0049
Expiration Date: 11/30/2026

SECTION A – TYPE OF REPORT
SINGLE-ESTABLISHMENT FILER REPORT

SECTION B – EMPLOYER IDENTIFICATION

OFS COMPANY ID	EMPLOYER NAME
AU76681	MITCHELL ENGINEERING

ADDRESS	CITY/TOWN	STATE	ZIP CODE
1395 Evans Avenue	SAN FRANCISCO	CA	94124

SECTION C – HEADQUARTERS OR ESTABLISHMENT-LEVEL IDENTIFICATION (if applicable)

HQ ESTABLISHMENT-LEVEL UNIT ID	HEADQUARTERS OR ESTABLISHMENT-LEVEL NAME

HEADQUARTERS OR ESTABLISHMENT-LEVEL ADDRESS	CITY/TOWN	STATE	ZIP CODE

SECTION D – EMPLOYER IDENTIFICATION NUMBER (EIN)
943297050

SECTION E – EMPLOYER FILING ELIGIBILITY
☒ YES (Employer Is Eligible to File) ☐ NO (Employer Is Not Eligible to File) ☐ EMPLOYER NO LONGER IN BUSINESS

SECTION F – FEDERAL CONTRACTOR DESIGNATION (if applicable)
Unique Entity ID (UEI): UNAVAILABLE

☒ YES (Single-Establishment Employer is Federal Contractor) ☐ YES (Multi-Establishment Employer is Federal Contractor)

☐ YES (Headquarters is Federal Contractor) ☐ YES (Non-Headquarters Establishment is Federal Contractor)

☐ YES (One or More Non-Headquarters Establishments is Federal Contractor)

SECTION G – NAICS INFORMATION
237990 Other Heavy and Civil Engineering Construction

SECTION H – WORKFORCE DEMOGRAPHIC DATA

JOB CATEGORIES	Race/Ethnicity														Row Total
	Hispanic or Latino		Not Hispanic or Latino												
			Male						Female						
	Male	Female	White	Black or African American	Asian	Native Hawaiian or Other Pacific Islander	American Indian or Alaska Native	Two or More Races	White	Black or African American	Asian	Native Hawaiian or Other Pacific Islander	American Indian or Alaska Native	Two or More Races	
Executive/Senior Level Officials and Managers															
First/Mid-Level Officials and Managers															
Professionals															
Technicians															
Sales Workers															
Administrative Support Workers															
Craft Workers															
Operatives															
Laborers and Helpers															
Service Workers															
CURRENT 2024 REPORTING YEAR TOTAL															
PRIOR 2023 REPORTING YEAR TOTAL															

SECTION I – WORKFORCE SNAPSHOT PERIOD
11/4/2024 - 11/10/2024

SECTION J – HEADQUARTERS OR ESTABLISHMENT-LEVEL COMMENTS (optional)
Not Applicable

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)
2024 EMPLOYER INFORMATION REPORT (EEO-1 COMPONENT 1)

EEOC Standard Form 100 (SF 100)
Revised 08.2023
OMB Control Number 3046-0019
Expiration Date 11/30/2026

SECTION K – OFFICIAL CERTIFICATION OF SUBMISSION

EMPLOYER IDENTIFICATION

OFS COMPANY ID	EMPLOYER NAME			
AU76681	MITCHELL ENGINEERING			
ADDRESS		CITY/TOWN	STATE	ZIP CODE
1395 Evans Avenue		SAN FRANCISCO	CA	94124

CERTIFICATION COMMENTS (optional)

No Certification Comments Provided

CERTIFICATION STATEMENT

"I certify that the information, including any workforce demographic data, provided in this report is correct and true to the best of my knowledge and was prepared in conformity with the directions set forth in the form and accompanying instructions.

Knowingly and willfully false statements on this report are punishable by law, US Code, Title 18, Section 1001.

DATE OF CERTIFICATION

5/22/2025 9:40 AM [EST]

Next submission to take place in May 2026

EMPLOYER'S CERTIFYING OFFICIAL

Name of Employer's Certifying Official	Title of Certifying Official
THELMA WELCH	ACCOUNTING MANAGER
Email Address of Certifying Official	Telephone Number of Certifying Official
twelch@mitchell-engineering.com	415 227 1040

PRIMARY POINT OF CONTACT (POC) FOR EEO-1 COMPONENT 1 REPORTING

Name of Primary POC	Title and Employer of Primary POC
THELMA WELCH	ACCOUNTING MANAGER MITCHELL ENGINEERING
Email Address of Primary POC	Telephone Number of Primary POC
twelch@mitchell-engineering.com	415 227 1040

 Mitchell Engineering DIR # 1000000359

Item 1. modified proposal forms

SECTION C

CERTIFICATION OF FIRM'S OWNERSHIP AND COMPLIANCE WITH EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS REGARDING EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION REPORTING AND COMPLIANCE PROGRAMS INCLUDING HAVING A DISTRICT APPROVED PROCESS FOR RESPONDING TO COMPLAINTS OF DISCRIMINATION, HARASSMENT, AND RETALIATION

The undersigned has been (is) authorized to execute this certificate on behalf of Mitchell Engineering

and swears under penalty of perjury that the foregoing statements are true and correct and that they include all material information necessary to identify and explain the operations of this firm as well as the ownership thereof. Any material misrepresentation will be grounds for terminating any purchase orders or contracts which may be or were awarded and for initiating actions under Federal or State laws concerning false statements. The District reserves the right to request support documentation, such as tax records, articles of incorporation and board minutes to verify composition of ownership.

The undersigned does further certify that the firm named above complies with the following non-discrimination clauses:

There shall be no discrimination against any person, or groups of persons, per Government Code Section 12940, Labor Code Section 1735, or any other applicable law or regulation, in the performance of this contract.

There shall be no discrimination in the performance of this contract, against any person, or group of persons, on account of race, color, religion, religious creed, national origin, ancestry, gender including gender identity or expression, age, marital or domestic partnership status, mental disability, physical disability (including HIV and AIDS), medical condition (including genetic characteristics or cancer), genetic information, sexual orientation, or military and veteran status. The Contractor shall not establish or permit any such practice(s) of discrimination with reference to the contract. Contractors determined to be in violation of this section will be deemed to be in material breach of the contract.

Contractor and its subcontractors shall abide by the requirements of 41 CFR §§ 60-1.4(a), 60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity, or national origin in the performance of this contract. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, national origin, protected veteran status or disability.

The Contractor shall include the nondiscrimination and compliance provisions of these clauses in all subcontracts.

City of San Francisco, County of San Francico, State of California

February 4, 2026

Item 3. Officer is not a recognized title. See form 00 43 13 for inconsistent title.

Kathleen Streblow, Officer

Kathleen Streblow

415/227-1040

P-025 SUPPLEMENT

Instructions to Determine Your Statistical Areas (SA): If you operate a business solely or predominantly within one of the SA's listed below, use that location. If you have multiple facilities within a single state, use a State SA. If you have multiple facilities throughout the United States, use Total United States percentage. If you have any questions, call 510.287.0114.

CA STATISTICAL AREAS	WM%	WW%	EM%	CA STATISTICAL AREAS	WM%	WW%	EM%

CA COUNTIES	WM%	WW%	EM%	CA COUNTIES	WM%	WW%	EM%

STATES	WM%	WW%	EM%	STATES	WM%	WW%	EM%

WM WW EM

GARNEY

17510 Bethany Rd, Tracy, CA 95391
925-800-1848 | www.garney.com

COPY OF SPECIFICATION SECTION 00 21 13

DOCUMENT 00 21 13

INSTRUCTIONS TO BIDDERS

1. QUESTIONS PRIOR TO OPENING BIDS

Questions regarding documents, discrepancies, omissions, or intent of specifications or drawings shall be communicated to the Engineer in writing at least ten days prior to opening of bids, to provide time for issuing and forwarding an addendum, should the District consider an addendum necessary. The District will not be responsible for oral interpretation of the specifications and drawings.

2. DRAWINGS

The project drawings have been reduced to approximately one-half scale. Some standard and reference drawings may have been reduced also. Prior to bidding, prospective bidders may secure full-size prints of project and reference drawings by any of the following methods:

A. Download the project drawing files from the District's website (http://www.ebmud.com/current-construction-bids) and then print the drawing file at full-size on a large format printer or plotter. Alternatively, the electronic drawing files can be printed at many copying stores or blue print shops.

B. Request drawings through the District's Engineering Records Unit, (510) 287-0425, at a charge of $1.50 per 22-inch x 34-inch sheet. Five work days shall be allowed for processing of these drawing requests, which will then be sent via US Mail or may be picked-up in person (call for appointment).

C. Unlocked project drawing files in pdf format are available for download at http://www.ebmud.com/current-construction-bids. These files are provided for the convenience of bidders. The District does not vouch for the accuracy or correctness of these files or any of their contents. The unlocked pdf drawing files are not considered part of the Contract Documents. Bidders assume all risks associated with the use of these files.

3. SUBMITTALS PRIOR TO BID OPENING

Pursuant to Section 3400 of the Public Contract Code, where a material, product, thing, or service has been designated by specific brand or trade name, and where such designation is not followed by the words, "no substitutions," bidders may propose to substitute the designated material, product, thing or service with another of equal quality and which possesses the required characteristics for the purpose intended. It is not the intent of the prequalification process for bidders to submit all of their proposed "or equal" products during the bid period; however, any proposed substitution of a designated material,

product, thing or service which if rejected, would affect the bidder's bid amount, shall be submitted for District consideration during the bid period.

The bidder shall comply with the following:

A. Proposals for "or equal" substitutions, requested during the bidding period, shall be furnished in writing to:

Submittal Request for Substitution, Specification No. 2188.
Purchasing Division (MS #102)
East Bay Municipal Utility District
P.O. Box 24055
Oakland, CA 94623-1055

Proposals shall be received by the District no later than 26 calendar days prior to the date of initial bid opening. Proposals shall be identified as described in Section 01 33 00 – Submittal Procedures and submitted in the quantities specified.

B. Substitution proposals shall be accompanied by complete technical and descriptive data necessary to determine equality of the material, product, thing, or service. Samples shall be provided when requested. The burden of proof as to availability, comparative quality, suitability, and performance of the proposed substitution shall be upon the bidder. The bidder will not be reimbursed for any work or costs necessary for making the substitution workable. Proposals will be evaluated and deemed accepted, rejected, or incomplete by the District; the District will be the sole judge as to such matters. If the substitution is accepted, bidders will be notified by addenda.

C. If a proposal for an "or equal" substitution is deemed incomplete by the District, the substitution may not be accepted prior to bid opening, but may be revised and resubmitted after the Notice to Proceed as a submittal pursuant to Section 01 33 00 – Submittal Procedures.

4. PROPOSAL FORMS – SUBMITTAL

The proposal shall be made on the forms provided, with the blank spaces properly filled in. The phraseology shall not be changed, and no additions shall be made to the items mentioned therein. Unauthorized conditions, limitations, or provisos attached to a proposal will render it non-responsive and may cause its rejection.

The proposal shall not include any confidential or proprietary information. Proposals submitted in response to this solicitation may be subject to public disclosure. The District shall not be liable in any way for disclosure of any such records.

Enclose all proposal forms, except Contract Equity Participation (Form P-040), Good Faith Outreach Efforts Documentation (Form P-041), Contract Equity Program Guidelines Certification (Form P-042), and 00 45 13 – Bidder's Qualifications and References (Form

E-061), properly executed, in a sealed envelope. Type or write on the envelope "Proposal for" followed by the title and specification number and the date and time of bid opening as they appear on the cover of this Specification book, and the bidder's name and address. The envelope may be mailed, hand delivered, or delivered by courier or package delivery service.

Mailed proposals shall be addressed as follows:

Specification No. 2188
Purchasing Division
East Bay Municipal Utility District
P.O. Box 24055
Oakland, CA 94623-1055

Proposals that are hand delivered or delivered by courier or package delivery service shall be presented to:

Specification No. 2188
Purchasing Division (MS #102)
East Bay Municipal Utility District
375 11th Street
Oakland, CA 94607

Proposals received after proposal opening time as stated on the cover of this Specification book(s) or at any place other than the office of the Purchasing Division will not be considered. Prior to the stated proposal opening time, the proposal may be withdrawn without prejudice to the Bidder by submitting a written request for its withdrawal to the Manager of Purchasing.

A "Bidder's Checklist" is included at the end of these instructions to aid Bidders in providing all necessary information with their bid.

5. 00 41 01 – BID FORM

A. The Bidder shall include in its bid price(s) any and all expense or costs that may be necessary to complete the project in accordance with the requirements of the contract. The Contractor's bid shall include sufficient job-site overhead, home office overhead, and all other types of overhead for the full contract duration.

The Bidder shall state for each item on the bid form, in clearly legible figures, the unit price and item total, as the case may be, for which the Bidder proposes to supply labor, materials, and equipment and to perform the work required by this Specification. Alteration of a price by erasure or interlineation shall be explained or noted in the proposal over the signature of the Bidder.

For any Unit Price item, the amount set forth as the Item Total shall be the product of

the Estimated Quantity multiplied by the Unit Price bid. In the event of a discrepancy between the Item Total and the actual product, the actual product shall prevail; however, if the Unit Price is ambiguous, unintelligible, omitted, or is the same amount as the entry for the Item Total, then the Item Total shall prevail and shall be divided by the Estimated Quantity for the item and the price thus obtained shall be the Unit Price.

In the event of a discrepancy between the actual sum of the Item Totals and the Total Amount Bid for All Items, the actual sum of the Item Totals will be the basis of the award.

B. SMALL BUSINESS AND DISABLED VETERAN BUSINESS (SB/DVB) DISCOUNT – Bidders who are Small Businesses (SBs) or Disabled Veteran Businesses (DVBs), as described in the Contract Equity Program And Equal Employment Opportunity Guidelines, will be granted a bid discount resulting in an effective SB/DVB bid. The effective SB/DVB bid will be used solely for comparison of the bids submitted by small businesses/disabled veteran businesses against those submitted by non-small businesses/non-disabled veteran businesses. The Effective SB/DVB Bid is calculated as follows:

- Effective SB/DVB Bid = (SB bid amount or DVB bid amount) - discount amount
- discount amount (not to exceed $150,000) = 7% of the apparent lowest, responsive, and responsible bid

To be eligible for the SB/DVB discount, bidders shall check the Small Business and/or Disabled Veteran Business box on the bid form. Bidders with both Small Business and Disabled Veteran Business status will receive only one 7% discount. Upon request, the bidder shall submit the support documentation to the District within 2 Work Days of bid opening time at 2:00 p.m.

C. ADDENDA – Bidder shall acknowledge addenda on the Bid Form. Failure of the bidder to acknowledge addenda may deem the bidder's bid non-responsive. Addenda, if any, will be issued to the Bidders via electronic mail not later than 72 hours before bid opening. Addenda will also be posted to the project website (http://www.ebmud.com/current-construction-bids) where the contract specifications and drawings are posted. The District will make its best effort to transmit the addenda to the Bidder, and will not be responsible if the contractor fails to acknowledge the addenda. Prior to the bid opening, the Bidder shall regularly view the project website to access any addenda.

6. PREQUALIFICATION FOR HORIZONTAL DIRECTIONAL DRILLING AND CONDUCTOR CASING INSTALLATION CONTRACTORS

The District has developed a list of pre-qualified horizontal directional drilling and conductor casing installation contractors/subcontractors through the "Request for Prequalification of Horizontal Directional Drilling Contractors and Conductor Casing

Installation Contractors for Spec 2188 San Leandro Channel Crossing Pipeline". The contractor/subcontractor of any tier performing horizontal directional drilling or conductor casing installation work for this contract is required to be on the District's pre-qualified horizontal directional drilling or conductor casing installation contractor/subcontractor list. Any bid received that uses an horizontal directional drilling or conductor casing installation contractor/subcontractor that is not on the prequalified contractors list will be considered non-responsive. The list of pre-qualified horizontal directional drilling or conductor casing installation contractors/subcontractors is provided in Appendix E.

7. PROPOSAL (FORM E-058)

The full name, business address, zip code, and business telephone number with area code of the individual, partnership, joint venture, or corporation submitting the proposal shall be typewritten or legibly printed on the proposal Form E-058. Provide complete information on the Bidder's California Contractor's License in the spaces provided. The Bidder shall sign the proposal with its usual signature and complete information on California Contractor's license.

An individual submitting a proposal or a partner signing for a partnership shall sign in the presence of a Notary Public and the notarial acknowledgment shall be attached to the proposal.

A partner shall sign for a partnership and the names and addresses of all partners shall be given.

An officer shall sign for a corporation and the names and titles of all officers of the corporation shall be given. A signature other than a corporate officer's will be accepted if an authenticated power of attorney is attached.

8. BID SECURITY

Each Bidder shall submit with its proposal a bid security for not less than 10 percent of the total amount bid. The bid security shall be one of the following:

A. Certified Check or Cashier's Check - Check shall be made payable to the order of East Bay Municipal Utility District. The District will return checks, a) to unsuccessful bidders as soon as practicable after opening of the bids and b) to the successful bidders upon execution of contractual documents and bonds.

B. Surety Bond –The surety bond shall be properly executed by the Bidder and by a sufficient, admitted surety insurer (as listed on website https://interactive.web.insurance.ca.gov/companyprofile/companyprofile) admitted to transact such business in California by the California Department of Insurance, using 00 43 13 – Bidder's Bond (Form E-103) contained in this Specification. The corporate seal of the surety company shall be affixed to the bond. The signature of the surety on the bond shall be acknowledged before a Notary Public. The notarial

acknowledgement and an executed power of attorney, indicating that the surety's representative is authorized to bind the surety, shall accompany the bond. Any alteration of said form of bidder's bond, or imperfection in the execution thereof, as herein required, will render it informal and may, at the option of the District, result in the rejection of the proposal under which the bidder's bond is submitted. A Bidder submitting a bid bond may be required before the award of contract to furnish evidence that the persons signing such bond on behalf of the Bidder and the corporate surety are fully authorized to do so.

The bid security shall be a guarantee that the Bidder, if awarded the contract, will execute the required contract and bonds as provided in these Instructions to Bidders within fifteen days after such contract and bonds have been received by the Bidder or such additional time as may be allowed by the District. If the Bidder fails, is legally unable to, or refuses to execute the required contract and bonds within said time, the money and proceeds from bid security shall be applied toward payment of the damage to the District on account of the delay in the execution of the contract and bonds and the performance of the work thereunder, and the necessity of accepting a higher or less desirable proposal, resulting from such failure or refusal to execute the contract and bonds as required. The amount of bid security shall not constitute a limitation upon the right of the District to recover the full amount of such damage.

9. CONTRACT EQUITY PROGRAM AND EQUAL EMPLOYMENT OPPORTUNITY GUIDELINES

Attention is directed to the articles in the document "Contract Equity Program and Equal Employment Opportunity Guidelines" outlining the business enterprise contracting objectives and requirements, and the equal employment opportunity requirements.

The Bidder shall include with its bid the completed Employment Data and Certification (Form P-025) as required by specification Document 00 43 39 – Contract Equity Program and Equal Employment Opportunity Guidelines.

The apparent low and second low Bidders shall submit the Contract Equity Participation (Form P-040) within 2 Work Days of bid opening time at 2:00 p.m. Any subsequent entries to the Form P-040 shall be identified and submitted with a Form P-025 as required in Article 10 below. All subcontractors included on the Designation of Subcontractors (Form P-046) shall also be listed on the Contract Equity Participation (Form P-040).

The apparent low Bidder shall submit the Good Faith Outreach Efforts Documentation (Form P-041) within 2 Work Days of bid opening time at 2:00 p.m., if Form P-040 Contract Equity Participation indicates that the Contracting Objectives will not be met. It is suggested that even if the Contracting Objectives appear to be met on Form P-040, this form still needs to be completed in case the Contracting Objectives are determined by District evaluation to have not been met.

The apparent low and second low Bidders shall submit Contract Equity Program Guidelines Certification (Form P-042) within 2 Work Days of bid opening time at 2:00 p.m.

Other Bidders shall complete and submit Forms P-040, P-041, and P-042 upon request if they are being considered for award of contract. Additional copies of Forms P-040, P-041, and P-042 may be obtained from the Contract Equity Office or from the Specifications and Engineering Support Section.

In the evaluation of compliance with its Contract Equity Participation, the District reserves the right to waive technical defects as the interests of the District may require.

10. EMPLOYMENT DATA AND CERTIFICATION (FORM P-025) FOR SUBCONTRACTORS AND SUPPLIERS

The Employment Data and Certification forms for subcontractors are not required to be submitted with the bid proposal.

The apparent low Bidder shall, within 2 Work Days of bid opening time at 2:00 p.m., submit completed Employment Data and Certification forms for:

A. All subcontractors and truckers, known at this time, that will perform work or provide services in an amount equal to or greater than $80,000.

B. All suppliers, known at this time, that will provide goods and/or services in an amount equal to or greater than $80,000.

The District may request completed Employment Data and Certification forms for subcontractors, truckers, and suppliers from any other Bidder that is being considered for award of contract. Such Bidders shall, within 48 hours after request by the District, submit completed Employment Data and Certification forms for:

A. All subcontractors and truckers that will perform work or provide services in an amount equal to or greater than $80,000.

B. All suppliers that will provide goods and/or services in an amount equal to or greater than $80,000.

P-025 forms for subcontractors, truckers, and suppliers that are not known at the time of the initial submission of the Form P-040 shall be submitted as soon as they are known.

11. DESIGNATION OF SUBCONTRACTORS (FORM P-046)

Bidders shall submit the Designation of Subcontractors (Form P-046) with the bid.

A. Specify the name, the location of the place of business, and the California contractor

license number of each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the Contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of one percent of the Contractor's total bid.

B. Clearly state that portion of the work to be done by each subcontractor listed, by type and by estimated dollar amount. Designated subcontractors cannot be substituted after bid opening except as provided in Section 1725.5 of the Labor Code and Section 4107 of the Public Contract Code.

The Bidder's attention is called to the District's additional restrictions on subcontractor substitution as stated in Contract Equity Program and Equal Employment Opportunity Guidelines Part III.B – Subcontractor Substitution or Replacement.

12. BIDDER'S QUALIFICATIONS AND REFERENCES (FORM E061) and SUPPLEMENTARY BIDDER'S QUALIFICATIONS AND REFERENCES (FORM E061S)

Complete all information required, on all pages of the forms. If no information is to be filled in a blank space, then write "none."

Sign the forms. The bidder signing the Bidder's Qualifications and References Form E-061 and the Supplementary Bidder's Qualifications and References (Form E-061S) shall meet all requirements for signing the proposal Form E-058.

The apparent low Bidder shall complete and submit Bidders Qualifications and References (Form E-061) and the Supplementary Bidder's Qualifications and References (Form E-061S) within 2 Work Days of bid opening time at 2:00 p.m.

13. NOT USED

14. ESCROW BID DOCUMENTS AND BID DOCUMENTATION CERTIFICATION

Within 5 Work Days of the bid opening, the apparent low bidder shall make arrangement with the District for submitting a set of Escrow Bid Documents to the District as described in Document 00 45 10 – Escrow Bid Documents. The second and third low bidders shall be prepared to submit Escrow Bid Documents within 5 Work Days of a request by the District. The Escrow Bid Documents shall be accompanied by a completed Document 00 45 11 – Bid Documentation Certification. See Document 00 45 10 – Escrow Bid Documents for more information.

15. DECLARATION OF NONCOLLUSION

Execute and submit with the proposal the Declaration of Noncollusion.

Sign the form. The Bidder signing the Declaration of Noncollusion shall meet all requirements for signing the proposal Form E-058.

16. DECLARATION OF ELIGIBILITY TO WORK ON PUBLIC WORKS PROJECTS (FORM E-102)

This contract is a public work and shall be performed as a public work as defined by Section 1771 of the California Labor Code. Execute and submit with the proposal the Declaration of Eligibility to Work on Public Works Projects.

Sign the form. The Bidder signing the Declaration of Eligibility to Work on Public Works Projects shall meet all requirements for signing the proposal Form E-058.

17. IRAN CONTRACTING ACT CERTIFICATION

Sign the form. The Bidder signing the Iran Contracting Act Certification shall meet all requirements for signing the proposal Form E-058.

The apparent low and second low Bidders shall complete and submit the Iran Contracting Act Certification to the Specifications and Engineering Support Section within 2 Work Days of bid opening time at 2:00 p.m.

18. NOT USED

19. NOT USED

20. EXAMINATION OF DRAWINGS, SPECIFICATIONS, AND SITE OF WORK

The Bidder shall carefully examine the site of the Work contemplated and the proposal, drawings, and specifications therefor. The submission of a Bid will be conclusive evidence that the Bidder has investigated and is satisfied as to the conditions to be encountered, as to the character, quality, and quantities of the Work to be performed and materials to be furnished, the difficulties to be encountered, and to the requirements of the proposal, drawings, specifications, and other Contract Documents.

The Bidder is required to ascertain the locations of the existing utility services, and other underground facilities, and to provide for carrying out its operations so as to cause the minimum possible inconvenience to the occupants of property along any streets affected. All work and costs involved in the safeguarding of the property of others shall be at the expense of the Bidder to whom the Contract may be awarded.

The Bidder hereby certifies that it has examined the local conditions, has read each and every clause of the specifications, and that it has included all costs necessary to complete the specified work in its bid prices, and the Bidder agrees that if it is awarded the contract it will make no claim against the District based upon ignorance of local conditions or

misunderstanding of any of the provisions of the Contract Documents. Should the conditions turn out otherwise than anticipated by the Bidder, the Bidder agrees to assume all risks incident thereto.

21. OUT OF COUNTRY INSPECTION AND WITNESSING

The Contractor and its subcontractors shall not perform any portion of the Work, fabrication, or supply, that, per the contract documents, requires inspection or witnessing by the District or its agents, in a location that has been determined to be potentially unsafe by the U.S. Department of State (see their website https://travel.state.gov/content/passports/en/alertswarnings.html for "Travel Warnings" to countries and regions); see Section 01 45 27 for additional requirements and restrictions. If the Contractor has any questions, seek clarification from the District in advance of bid opening as per Article 1.

22. EXPERIENCE

Bidders, upon request, shall present satisfactory evidence that they have been regularly engaged in furnishing such material and equipment and constructing such work as they propose to furnish or construct and that they are fully prepared with necessary capital, equipment, and material to begin work promptly and to conduct it as required by this Specification.

23. LICENSES AND REGISTRATIONS REQUIRED

Bidders and all listed subcontractors shall be properly licensed by the Contractors' State License Board to perform the work of this contract. Pursuant to Section 7028.15 of the Business and Professions Code of the State of California, bids submitted by Bidders that are not properly licensed will be considered nonresponsive and will be rejected. At the time of bid, all listed subcontractors shall be properly licensed, or the bid will be considered nonresponsive and will be rejected.

Bidders and all subcontractors of any tier shall be properly registered with the State Department of Industrial Relations at the time of bid opening pursuant to Section 1725.5 of the Labor Code. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. If awarded a contract, the Contractor and its subcontractors of any tier, shall maintain active registration with the Department of Industrial Relations for the duration of the Project.

The Contractor shall at the time of bid and for the duration of the contract possess such state and local licenses as are required by law, and shall, at any time during the period of the contract, furnish satisfactory proof to the Engineer upon request that such licenses are in effect.

24. PRICES AND PAYMENTS

Approximate quantities listed in the Notice to Contractors and quantities listed for unit-price items on the bid form are rough estimates given for comparing bids, and no claim shall be made against the District for excess or deficiency therein, actual or relative. Payment at the prices agreed upon will be in full for the completed work and will cover materials, supplies, labor, tools, equipment, and all other expenditures incident to a satisfactory compliance with the contract, unless otherwise specifically provided.

25. MODIFYING BID

Any Bidder may modify its bid by written communication, provided such communication is received by the Manager of Purchasing prior to the bid opening time. The modification shall have the original signature of the same individual who signed the bid proposal. The communication shall not reveal the bid price but shall state the addition or subtraction or other modification to the Bid Form so that the final prices or terms will not be known by the District until the sealed bid is opened. Bid modifications by facsimile transmission or electronic mail will not be accepted.

26. BID OPENING

All proposals will be opened and declared publicly at the time and place stated in the Notice to Contractors. Bidders, their representatives, and other interested parties are invited to be present. Attendees shall comply with federal, state, and local public health orders in effect at the time of bid opening.

After the opening of bids, received proposals may be inspected until 3:00 p.m. A summary of the bid results and subcontractor breakdown will be posted to the project webpage within the next few days after bid opening.

After the day of bid opening, copies of submitted bids may be requested by parties with an interest in the contract via email at specs@ebmud.com.

27. BID PROTEST PRIOR TO AWARD

Any party with an interest in the contract has the right to protest.

A. Submitting a Protest – The protest shall be in writing, addressed to the Director of Engineering, and received by the District no later than 7 work days after the date of the bid opening. The protest document shall contain a detailed and complete statement as to the basis of the protest and shall include the name, address, and telephone number of the protestor or its authorized representative. All correspondence to the Director of Engineering shall be addressed as follows:

Director of Engineering and Construction
East Bay Municipal Utility District
P.O. Box 24055
Oakland, California 94623-1055

The protest document may also be hand-delivered during business hours to:

Specifications and Engineering Support Section (MS #503)
East Bay Municipal Utility District
375 11th Street
Oakland, CA 94607

Upon receipt of the protest, the District will send the protestor an acknowledgement of receipt and will promptly investigate the circumstances. The District will also transmit copies of the protest document and any attached documentation to all other interested parties which may be affected by the outcome of the protest. The Director will issue a written decision to the protestor.

B. Submitting an Appeal – If the decision of the Director is not satisfactory to the protestor, the protestor can submit an appeal in writing to the Board of Directors. The appeal shall name the Board of Directors as the recipient and be sent to the following address, or hand-delivered as described above:

Secretary of the District
East Bay Municipal Utility District
P.O. Box 24055
Oakland, California 94623-1055

Such an appeal shall set forth the grounds for the appeal and shall be received by the District no later than 5 work days after the day of receipt by the protestor of the Director's decision.

Documents submitted by facsimile transmission or electronic mail will not be considered. If any documents are mailed, the protestor shall allow sufficient time for postal transit to ensure that all mailings are received by the District within the specified time limits. The District may dismiss the protest if the protestor fails to submit the protest within the specified time.

C. In addition to filing a written appeal, the protester may address the Board of Directors at the public meeting at which the contract is being considered for award.

28. AWARD

The right is reserved to reject any or all proposals and to waive technical defects, as the interest of the District may require. Award of contract or rejection of bid proposals will usually be made by the District at the second Board meeting following the bid opening.

District Board meetings are normally scheduled on 2nd and 4th Tuesdays of the month.

29. EXECUTION OF CONTRACT

Special attention is directed to Document 00 51 00 – Execution of Contract which outlines the procedure and time constraints for the receipt and execution of contract.

In order to meet the specified time constraints, the Bidders are encouraged to arrange with their sureties and insurance companies for prompt execution on award.

The Bidder to whom award is made shall execute a written contract with the District and shall furnish good and approved bonds and insurance as specified within fifteen days after receiving the forms of contract and bonds for execution. If the Bidder to whom award is made fails to enter into the contract as herein provided and furnish the said bonds and insurance, this shall be just cause for the annulment of the award and the forfeiture of the Bidder's bond, and an award may, in the discretion of the Board of Directors of the District, be made to the Bidder whose proposal is next most acceptable in the opinion of the Board, and such Bidder shall fulfill every stipulation embraced herein as if it were the party to whom the first award was made.

A corporation, or a company, or partnership operating under a fictitious name, to which an award is made, will be required, before the contract is finally executed, to furnish evidence of its corporate existence and evidence that the persons signing the contract and bonds for the Contractor are duly authorized to do so.

30. CONTRACT

The Contract shall be on the form of contract of the District. The Notice to Contractors, Instructions to Bidders, Proposal, General Conditions, Specifications and addenda if any, and Drawings, contained in or by reference made part of this Specification will be deemed a part of the Contract.

31. EMERGENCY CONTRACT INTEREST FORM (OPTIONAL)

The District is soliciting contractor interest in providing emergency services in the event of a declared District emergency. If you are interested and available in performing emergency work at this time and in future years, please fill out the optional form linked below and submit it during bid or at any time. The decision to submit or to not submit an emergency contract interest form will have no effect nor in any way influence award or District response to a bid. A sample copy of the form is included at the end of this document after the Bidder's Checklist.

If you submit an interest form, you may be contacted during District-declared emergency to determine whether you are able to and interested in providing emergency services. You may be eligible for a separate contract award if warranted.

We invite prime contractors and any interested subcontractors to submit this form. Bidders who are not awarded the contract may still be considered for emergency work if they complete the form.

The District has established a Contract Equity Program (CEP) and may use any information from a completed Document 00 43 39 for emergency work. Further CEP information may be requested by the District prior to the start of any emergency work.

https://www.ebmud.com/business-center/emergency-contract-interest-form

EAST BAY
MUNICIPAL UTILITY DISTRICT

SERGE V. TERENTIEFF
DIRECTOR OF ENGINEERING AND CONSTRUCTION
(510) 287-1252
serge.terentieff@ebmud.com

VIA EMAIL

February 25, 2026

Mr. Matthew Roberts, Chief Estimator
Garney Pacific, Inc.
17510 W. Bethany Rd.
Tracy, CA 95391

Subject: Specification 2188 – San Leandro Channel Crossing Pipeline Bid Protest by Garney Pacific, Inc. (Garney)

Dear Mr. Roberts:

We have reviewed the points raised in your February 11, 2026 bid protest letter and the bid protest response letter from Mitchell Engineering (Mitchell) dated February 20, 2026 and have determined that there is no basis for deeming Mitchell's bid non-responsive. In the protest, Garney raised six points with respect to Mitchell's bid complying with the bidding documents requirements. You believe: 1) Mitchell's Bid Documents have been modified with the company name and DIR number, 2) Mitchell's Proposal form did not include names and titles of all officers of the corporation, 3) Mitchell's Bid Documents include signatures and titles by "Officer" instead of "Corporate Secretary", 4) Mitchell's Bidder's Bond is missing the corporate seal of the surety company, 5) Mitchell failed to fill in the space provided for the "Name of the Bidder/Proposer" on the Designation of Subcontractors, and 6) Mitchell's Employment Data and Certification did not identify the Metropolitan Statistical Area (MSA).

Our findings and conclusions in response to these points are as follows:

1) Mitchell's Bid Documents have been modified with the company name and DIR number.

   a. Adding Mitchell's company name and DIR number to various pages of the submitted bid documents cannot reasonably be construed as a material modification. This identifying information neither changes the phraseology of the original bid documents nor alters the bid terms.

   b. The identified modification is immaterial and waivable, as it neither affects the amount or terms of the bid nor gives Mitchell any advantage or benefit above other bidders.

2) Mitchell's Proposal form did not include names and titles of all officers of the corporation.

a. Various individuals and their associated titles are identified throughout Mitchell's bid documents. Mitchell's bid package, when viewed as whole, adequately identifies Curtis Mitchell as President, and Kathleen Streblow as Corporate Secretary.

b. The omission from Mitchell's proposal form is immaterial and waivable, as it neither affects the amount of the bid nor gives Mitchell any advantage or benefit above other bidders.

3) Mitchell's Bid Documents include signatures and titles by "Officer" instead of "Corporate Secretary".

a. Kathleen Streblow is listed and signs in various places throughout Mitchell's bid documents both as "Officer" and "Corporate Secretary". Mitchell, as part of its response, submitted a Certificate of Corporate Resolution, dated 7th of December 2017, with Mitchell's corporate seal, indicating that Kathleen Streblow, as Corporate Secretary, is duly authorized to sign contract documents on behalf of Mitchell.

b. The identified inconsistency in the titles is immaterial and waivable, as it neither affects the amount of the bid nor gives Mitchell an advantage or benefit above other bidders. A review of Mitchell's current corporate information on the California Secretary of State's website shows that Kathleen Streblow is listed as an officer of the corporation and is identified as holding the position of Secretary. It therefore follows that Kathleen Streblow is authorized to sign contract documents on behalf of Mitchell, and the bid documents signed with her name are binding.

4) Mitchell's Bidder's Bond is missing the corporate seal of the surety company.

a. The electronic scan of the original document transmitted to Garney pursuant to a public records request was unfortunately unable to capture the seals embossed on the actual document itself. A review of Mitchell's original Bidder's Bond submitted on bid day confirms the inclusion of the surety company's embossed corporate seal of surety and therefore the Bidder's Bond can be considered binding.

5) Mitchell failed to fill in the space provided for the "Name of the Bidder/Proposer" on the Designation of Subcontractors.

a. While Mitchell did not specifically fill in the identified space on the Designation of Subcontractors form for the "Name of the Bidder/Proposer", the bidder's name is however provided elsewhere on the page.

b. The discrepancy in the location of bidder's name on this page is immaterial and waivable, as it neither affects the amount of the bid nor gives Mitchell an advantage or benefit above other bidders.

6) Mitchell's Employment Data and Certification did not identify the MSA.

   a. Mitchell, as part of their completed Employment Data and Certification form response annotated, referenced, and attached a completed "US Equal Opportunity Commission Standard Form 100" as a supplemental page. The supplemental page indicates the type of report to be a "SINGLE-ESTABLISHMENT FILER REPORT" and lists "SAN FRANCISCO" under CITY/TOWN. The information supplied is sufficient to reasonably infer Mitchell's MSA.

   b. Even if the MSA was not explicitly provided, this irregularity is immaterial and waivable, as it neither affects the amount of the bid nor gives Mitchell an advantage or benefit above other bidders.

Based on these findings, the District has determined that Mitchell's bid meets the requirements of the contract documents and is therefore considered responsive. Garney's bid protest is hereby denied.

Should you wish to file an appeal of our determination, you have five work days from the receipt of this letter to set forth your grounds for appeal in accordance with Article 27 of the Instructions to Bidders.

Sincerely,

S. Terentieff

Serge V. Terentieff

SVT:EZB:MHL:ejc

EBMUD

BOARD ACTION

Agenda Number:	5.	Meeting Date:	March 10, 2026

TITLE **CONSULTING SERVICES FOR MICROSOFT PURVIEW DEPLOYMENT**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize the purchase of consulting services for the planning, training, and pilot deployment of Microsoft Purview software beginning on or after March 10, 2026 from Carahsoft Technology Corp. for a total amount not to exceed $134,715. This purchase will be made under State of California contracts available for use by local governments.

SUMMARY

Microsoft Purview is a set of coordinated data security solutions that is designed to help the District secure and manage its data by providing centralized visibility, classification, and governance. Microsoft Purview software uses data loss prevention (DLP) tools to automatically find and safeguard sensitive District information. It helps prevent accidental sharing with unauthorized individuals internal and external to the District, reducing the risk of data exposure.

DISCUSSION

As the District's volume of data continues to grow, consistent data governance is increasingly important. In January 2026, under Board Motion No. 009-26 the District purchased a Microsoft Enterprise Agreement that included the Purview software which is integrated with other Microsoft products to reduce the risk of data exposure through consistent data protection controls and DLP policies to secure data throughout its lifecycle. This purchase will provide consulting services to support deployment planning, development of training materials, and execution of a pilot deployment of Microsoft Purview software. The pilot will help ensure technical configurations and user readiness prior to an organization-wide rollout by District staff.

This project supports the District's Long Term Financial Stability Strategic Plan goal.

CONSULTANT SELECTION

Public Contract Code, Section 10298, allows agencies, such as EBMUD, to purchase directly through State of California contracts or through State-authorized participating agreements without pursuing separate competitive bidding. Carahsoft Technology Corp. holds State of California, Department of General Services, Participating Addendum (No. 7-17-70-40-05), which enables the District to procure their products and services at competitively negotiated rates and terms, ensuring favorable pricing and streamlined procurement.

Originating Department: Information Systems	**Department Director or Manager:** Orlando W. Leon	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: FY2026	**Budget Coding:** 11.255.1866.8877300.52310.000000		**Approved:**
Attachment(s): P-035; P-061			

Title:	Consulting Services for Microsoft Purview Deployment	Meeting Date:	March 10, 2026

SUSTAINABILITY

Economic

Funding for this purpose is available in the Fiscal Year 2026 adopted operating budget.

Social

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

ALTERNATIVES

Do not authorize this purchase. This alternative is not recommended because the purchase is necessary to facilitate the deployment of Microsoft Purview software.

Select a different consultant. This alternative is not recommended, as the consultant has been determined to be the most qualified and best-suited to meet the District's needs.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE	DATE:
Professional Services Agreement Consulting Services for Microsoft Purview Deployment	January 15, 2026

CONTRACTOR:		PERCENTAGE OF CONTRACT DOLLARS		
Carahsoft Technology Corp. Reston, VA	State Contract	**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**	**White Men**	**25%**	**100.0%**
	Ethnicity / **Gender**	**White Women**	**6%**	**0.0%**
$134,715 *	White / Men	**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: Carahsoft Technology Corp.	$134,715	White	X		100.0%						
SUBS: None											
TOTAL	$134,715				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	1,219	1,503	933	3,655
Percent of Total Employees:	33.4%	41.1%	25.5%	
MSA Labor Market %:	38.6%	34.0%	27.3%	
MSA Labor Market Location:	Virginia			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration: NA

*Total not to exceed: $134,715

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: **Consulting Services for Microsoft Purview Deployment**		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: 1/15/2026	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=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	**WM**	**Company Wide**	211	317	225	10	763	20.9%	27.3%
Carahsoft Technology Corp.		Manager/Prof	31	108	92	0	231	24.1%	
Madison Sumner		Technical/Sales	178	206	130	10	524	19.7%	
11493 Sunset Hills Rd., Suite 100		Clerical/Skilled	2	3	3	0	8	20.5%	
Reston, VA 20190		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
703-230-7574		AA Plan on File:	**NA**		Date of last contract with District:			**6/2/2025**	
		Co. Wide MSA:	**Virginia**		# Employees-Co. Wide:		**3,655**	Bay Area:	**0**

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)

EBMUD

BOARD ACTION

Agenda Number:	6.	Meeting Date:	March 10, 2026

TITLE **FLEET VEHICLE PURCHASES**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Authorize the purchase of light and medium-duty vehicles beginning on or after March 10, 2026 for five years for a total amount not to exceed $44,969,373. This purchase will be made under State of California contracts available for use by local governments.

SUMMARY

The District purchases new cars, vans, sport utility vehicles (SUVs) and trucks to replace vehicles in the existing fleet based on remaining estimated useful life of vehicles, condition and maintenance costs, and business needs. This authorization allows the District to take advantage of the favorable pricing in the California State contracts for District cars, vans, SUVs and trucks.

DISCUSSION

The District annually reviews fleet assets and replaces them when they meet specific criteria for age, mileage, engine hours and condition. The goal is to replace all fleet assets before reliability concerns and maintenance costs become too large. The District purchases zero-emission vehicles (ZEVs) and equipment in accordance with regulations established by the California Air Resources Board and the District's greenhouse gas reduction goal. In Fiscal Year (FY) 2026, the District expects to purchase 141 ZEVs. The 560 vehicles to be purchased under this authority would include 56 sedans, 106 SUVs, 51 vans, 213 utility trucks and 134 pickup trucks. The table below shows the number of vehicles and estimated replacement costs for FY 2026 through FY 2030.

Fiscal Year (FY)	Internal Combustion Vehicles	ZEVs	Estimated Replacement Cost
FY 2026	50	141	$16,437,019
FY 2027	42	85	$10,005,182
FY 2028	58	46	$6,255,355
FY 2029	20	37	$4,831,889
FY 2030	45	36	$7,439,928
TOTAL =	215	345	**$44,969,373**

Originating Department: Maintenance and Construction	**Department Director or Manager:** Crystal J. Yezman	**CEP Forms?** No	**Board Action Type:** Materials and Supplies
Funds Available: FY2026/2027; Award #7000022, Page 144; #7000023, Page 142	**Budget Coding:** 11.756.2014131/2014132.55410		**Approved:**
Attachment(s): N/A			

Title:	Fleet Vehicle Purchases	Meeting Date:	March 10, 2026

This item supports the District's Water Quality and Environmental Protection and Long-Term Infrastructure Investment Strategic Plan goals.

VENDOR SELECTION

Public Contract Code, Section 10298, allows agencies such as EBMUD to purchase directly through State of California contracts or through State-authorized participating agreements without pursuing separate competitive bidding. The favorable pricing the District receives through the State of California vehicle procurement contracts is due to the large volume of vehicles in the State's competitive effort and direct contract with manufacturers. The District can take advantage of the same rights and privileges as the State under the terms of the contracts. Additionally, the purchase of fleet vehicles and equipment through the State contracts shortens delivery time, and eliminates overhead costs related to internal bidding. The State contracts are bid annually; therefore, vendors and pricing change yearly. Prior to purchasing through the State contracts, the District will confirm that the purchase prices, specifications, terms, and conditions are more favorable than the District could obtain on its own through formal bidding of the vehicles or equipment.

SUSTAINABILITY

Economic

Funding for this purpose is available in the FY 2026/2027 adopted capital budget for Fleet & Equipment Replacement & Purchases; and Fleet & Equipment Additions.

Social

This type of work is not performed by District forces and consequently union notification was not required. Additionally, the State of California is a public entity and is exempt from the Contract Equity Program process.

Environmental

Staff will continue to follow California's fleet procurement restrictions by purchasing from original equipment manufacturers that recognize California's authority to set vehicle emissions standards and are aligned with California's commitment to reduce their fleet's emissions. As such, vehicles and equipment acquired under these contracts will offer improved vehicle emissions over existing fleet equipment.

ALTERNATIVES

Do not replace vehicles. This alternative is not recommended because the District incurs higher costs for operating and maintaining outdated cars, trucks, vans and SUVs beyond their useful life in addition to a loss of reliability and productivity.

Conduct a competitive process to obtain pricing and vendors. This alternative is not recommended because the District will likely spend an additional two to eight percent on vehicle and equipment purchases, incur the costs associated with individually bidding vehicles and equipment each time they are needed, and see an increased timeline from the date which the need is recognized to the time the vehicle or equipment is delivered.

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EBMUD

BOARD ACTION

Agenda Number:	7.	Meeting Date:	March 10, 2026

TITLE **SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM SERVER HARDWARE PURCHASE**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize the purchase of Supervisory Control and Data Acquisition (SCADA) system server hardware beginning on or after March 10, 2026 from Computacenter United States Inc. (Computacenter), for a total amount not to exceed $854,273. This purchase will be made under State of California contracts available for use by local governments.

SUMMARY

This purchase will upgrade servers and related hardware needed to support the Water System's SCADA system.

DISCUSSION

The District's SCADA system allows remote control and monitoring for over 300 District facilities including pumping plants, reservoirs, treatment plants, power generation, and other assets. The existing servers, installed in 2016, are not compatible with the pending SCADA software upgrades and are nearing the end of their useful life. The new hardware will ensure optimal performance, reliability, and security. Upgrading the hardware will ensure compatibility with the new SCADA system and provide a reliable, high-performance infrastructure. On March 11, 2025, the Board authorized the purchase of the new SCADA software under Motion No. 039-25.

The purchase contains modified indemnification clauses in select circumstances. The General Manager has reviewed this clause with input from Risk Management and the Office of General Counsel and recommends the Board authorize the purchase.

This item supports the District's Water Quality and Environmental Protection and Long-Term Infrastructure Investment Strategic Plan goals.

VENDOR SELECTION

Public Contract Code, Section 10298, allows agencies such as EBMUD to purchase directly through State of California contracts or through State-authorized participating agreements without pursuing separate competitive bidding. Although not required, a request for quotations was sent to three vendors that hold agreements with the State of California. Three quotations were received, and Computacenter submitted the lowest responsive quote. Computacenter holds a State of California, Department of General Services, Participating Addendum (No. 7-23-70-55-01), which enables the District to procure their products and services at competitively negotiated rates and terms. Additionally, Computacenter was the only vendor willing to honor their quotation until the Board approval date.

Originating Department: Water Operations	**Department Director or Manager:** Roberto C. Cortez	**CEP Forms?** Yes	**Board Action Type:** Materials and Supplies
Funds Available: FY2026/FY2027; Award #7000029; Page 70	**Budget Coding:** 11.739.2012632.55230		**Approved:**
Attachment(s): P-035; P-061			

Title:	Supervisory Control and Data Acquisition System Server Hardware Purchase	Meeting Date:	March 10, 2026

SUSTAINABILITY

Economic

Funding for this purpose is available in the Fiscal Year 2026 and 2027 adopted capital budget for Op/Net System Improvements.

Social

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

Environmental

Updating the SCADA system will ensure the District can continue to reliably monitor the water distribution system (including water quality) and control numerous water supply, distribution, and treatment system facilities.

ALTERNATIVES

Do not approve the purchase. This alternative is not recommended because the equipment is required to support the SCADA System Upgrade Project to ensure continued operational reliability and security of the SCADA system.

Rebid the purchase. This alternative is not recommended because the District utilized the State of California contract to purchase the equipment, ensuring the lowest available cost.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE	DATE:
Materials and Supplies Contract Supervisory Control and Data Acquisition System Server Hardware Purchase	February 18, 2026

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
Computacenter United States Inc. San Francisco, CA	State Contract		**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**0.0%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$854,273 *	-	-	**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: Computacenter United States Inc. ***SUBS:*** None	$854,273	Publicly Held Corporation							100.0%		
TOTAL	$854,273				0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	11	6	10	27
Percent of Total Employees:	40.7%	22.2%	37.0%	
MSA Labor Market %:	30.8%	25.1%	44.0%	
MSA Labor Market Location:	San Francisco			

COMMENTS

Contract Equity Participation: Zero Contract Equity participation. Firm is a publicly held corporation.
Contract Duration : NA

*Total not to exceed: $854,273

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: **Supervisory Control and Data Acquisition System Server Hardware Purchase**

Materials and Supplies Contract

DATE: 2/18/2026

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

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	**PHC**	**Company Wide**	1	2	6	0	9	33.3%	44.0%
Computacenter United States Inc.		Manager/Prof	1	0	1	0	2	16.7%	
Jamie Lee-Mars		Technical/Sales	0	1	3	0	4	33.3%	
2 Bryant St. Ste. 150		Clerical/Skilled	0	1	2	0	3	100.0%	
San Francisco, CA 94105		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	2	6	0	9	33.3%	39.9%
415-537-2411		AA Plan on File:	**NA**		Date of last contract with District:		**9/9/2025**		
		Co. Wide MSA:	**San Francisco**		# Employees-Co. Wide:		**27**	Bay Area:	**27**
P	**WM**	**Company Wide**	9	37	100	2	148	44.8%	39.9%
Dell Marketing, LP		Manager/Prof	6	16	69	1	92	56.1%	
Fernanda Lacourt		Technical/Sales	3	21	30	1	55	33.3%	
One Dell Way		Clerical/Skilled	0	0	1	0	1	100.0%	
Round Rock, TX 78682		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	9	37	100	2	148	0.0%	39.9%
800-456-3355		Co. Wide MSA:	**9 Bay Area Counties**		# Employees-Co. Wide:		**330**	Bay Area:	**330**
P	**EMW-A/PI**	**Company Wide**	355	508	328	8	1,199	34.8%	27.3%
SHI International Corp.		Manager/Prof	187	217	192	4	600	33.3%	
Nathan Ambrogio		Technical/Sales	114	232	82	1	429	32.2%	
300 Davidson Ave.		Clerical/Skilled	54	59	54	3	170	55.0%	
Somerset, NJ 08873		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
732-584-8229		Co. Wide MSA:	**USA**		# Employees-Co. Wide:		**3,445**	Bay Area:	**0**

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)

EBMUD

BOARD ACTION

Agenda Number:	8.	Meeting Date:	March 10, 2025

TITLE **AMEND AGREEMENT FOR DIGITAL ASSET MANAGEMENT SYSTEM**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

- Approve the assignment of the agreement originally authorized under the General Manager's authority from Merlin Compliance, Inc. to Canto for the Merlin digital asset management system subscription, support, storage, and related services.
- Authorize an amendment to the agreement originally authorized under the General Manager's authority with Merlin Compliance, Inc., now Canto, to increase the agreement amount by $76,686 to a total amount not to exceed $150,986 and extend the agreement term to March 21, 2029 for digital asset management system subscription, support, storage, and related services.

SUMMARY

The Merlin digital asset management (DAM) system provides a centralized, secure platform for storing, organizing, and sharing the District's digital photography, graphics, video, and other media assets. Since implementation, the system has made photos and other assets easier to access for employees and external contacts such as media, streamlined workflows, and addressed limitations of the District's former obsolete asset management tools.

This action would amend the existing agreement to increase the not-to-exceed amount and extend the term for three additional years to allow continued use of the system at current annual subscription rates and allow for growing storage needs, while maintaining the same scope of services and contractual terms.

This action also formally acknowledges the assignment of the agreement following the acquisition of Merlin Compliance, Inc. by Canto.

DISCUSSION

The Merlin system is the District's primary platform for managing digital media assets and supports a wide range of communication, documentation, and archival needs across departments. Continued use of the system is necessary to maintain access to existing assets, preserve historical records, and support efficient workflows.

In February 2023, under the General Manager's authority an agreement was authorized with Merlin Compliance, Inc. for implementation services and annual subscription fees for a digital asset management system for an amount not to exceed $74,300. The agreement provided for initial system configuration, migration of legacy digital assets, training, and ongoing subscription access and support. This amendment reflects the current legal name since the

Originating Department: Office of the GM - Communications	**Department Director or Manager:** Kelly A. Zito	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: FY 2026/2027	**Budget Coding:** 11.116.1937.8871100.52430		**Approved:**
Attachment(s): P-035; P-061			

Title:	Amend Agreement for Digital Asset Management	Meeting Date:	March 10, 2025

acquisition of Merlin Compliance, Inc. by Canto. This amendment extends the agreement terms for three years, updates the scope and payment to include additional storage of $500 per terabyte (TB), and increases the agreement amount by $76,686 for a total amount not to exceed $150,986.

The services provided under this agreement cannot be satisfactorily performed under the District civil service and therefore contracting out is proper.

The agreement contains a requirement that the District indemnify the consultant in select circumstances. The General Manager has previously reviewed this clause with input from Risk Management and the Office of General Counsel and recommends the Board authorize this agreement.

CONSULTANT SELECTION

In February 2023, Merlin Compliance, Inc. was originally selected through a competitive request for proposals process. Four consultants were responsive, and Merlin Compliance, Inc. was selected based on its pricing structure, technical and functional capabilities, experience with digital asset management systems, and ability to meet the District's project requirements. Services will continue under Canto, the successor entity. Continuity with the existing service provider is necessary to maintain system integrity, preserve historical data, and avoid disruption to District operations.

SUSTAINABILITY

Economic

The FY 2026 and FY 2027 adopted operating budgets include funding for two years of this multi-year agreement. Funding for the additional years will be considered as part of the associated budget development process.

The amendment reflects continued subscription pricing for access to the DAM system and additional storage over the extended term.

Social

The DAM system supports Districtwide communication, public information, and historical preservation efforts by ensuring secure and efficient access to digital assets.

Environmental

Continued use of a cloud-based digital asset management system reduces reliance on physical media and supports paperless workflows, contributing to reduced material consumption and waste.

ALTERNATIVE

Do not authorize the amendment and allow the agreement to expire. This alternative is not recommended because it would result in loss of access to the District's digital asset repository (photos and videos vital to communications), disrupt ongoing operations, and require replacement of a system that is already fully implemented and integrated into District workflows.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE	DATE:
Professional Services Agreement - Amendment Amend Agreement for Digital Asset Management System	February 25, 2026

CONTRACTOR:		PERCENTAGE OF CONTRACT DOLLARS		
Canto Atlanta, GA	Direct Award	**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**	**White Men**	**25%**	**100.0%**
	Ethnicity / **Gender**	**White Women**	**6%**	**0.0%**
$76,686 *	White / Men	**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: Canto	$76,686	White	X		100.0%						
SUBS: None											
TOTAL	$76,686				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	57	50	30	137
Percent of Total Employees:	41.6%	36.5%	21.9%	
MSA Labor Market %:	39.0%	33.7%	27.3%	
MSA Labor Market Location:	USA			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration: Amend agreement term for three additional years.
Note: Merlin Compliance, Inc. was the previous vendor. Canto aquired Merlin in 2023.

Total not to exceed: $150,986 = $74,300 (Original) + $76,686 (Amendment)

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: **Amend Agreement for Digital Asset Management System**

Professional Services Agreement - Amendment

DATE: 2/25/2026

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

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number		Number of Ethnic Minority Employees						
				B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM	Canto Clara Blickenstaff 3343 Peachtree Rd. NE, Suite 145-2447 Atlanta, GA 30326 415-495-6545	Company Wide	2	4	20	0	26	19.0%	27.3%
			Manager/Prof	2	2	20	0	24	24.0%	
			Technical/Sales	0	2	0	0	2	5.4%	
			Clerical/Skilled	0	0	0	0	0	0.0%	
			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	0	0	0	0	0	0.0%	39.9%
			AA Plan on File:	NA		Date of last contract with District:		NA		
			Co. Wide MSA:	USA		# Employees-Co. Wide:		137	Bay Area:	0
P	WM	Canto Matthew Keeling 625 Market Street San Francisco, CA 94105 415-495-6545	Company Wide	INFORMATION NOT PROVIDED						
			Manager/Prof							
			Technical/Sales							
			Clerical/Skilled							
			Semi/Unskilled							
			Bay Area							
			Co. Wide MSA:							
P	Foreign	MediaValet Evan Vanniekerk 990 Homer Street, 5th floor Vancouver, BC V6B 2W7	Company Wide	INFORMATION NOT PROVIDED						
			Manager/Prof							
			Technical/Sales							
			Clerical/Skilled							
			Semi/Unskilled							
			Bay Area							
			Co. Wide MSA:							
P	WM	Bynder Mario Castaneda 734 El Camino Real San Carlos, CA 94070 415-329-5068	Company Wide	INFORMATION NOT PROVIDED						
			Manager/Prof							
			Technical/Sales							
			Clerical/Skilled							
			Semi/Unskilled							
			Bay Area							
			Co. Wide MSA:							

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)

EBMUD

BOARD ACTION

Agenda Number:	9.	Meeting Date:	March 10, 2026

TITLE **AUTHORIZE CONTINUED EMPLOYMENT OF HANSON BRIDGETT, LLP, FOR SPECIALIZED LEGAL SERVICES**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize the Office of General Counsel (OGC) to continue the employment of the law firm of Hanson Bridgett, LLP, for specialized legal services related to construction, public contracts and procurement, intellectual property and technology matters, tax law, public pension law, labor and employment, and litigation matters in an additional amount not to exceed $125,000.

DISCUSSION

The firm of Hanson Bridgett, LLP, has been retained to assist OGC in matters related to construction, public contracts and procurement, intellectual property and technology matters, tax law, public pension law, labor and employment, and litigation matters. OGC is requesting authorization for additional funds for services described in a separate confidential attorney-client privileged memorandum to the Board.

SUSTAINABILITY

Economic

Funding for this item is included in the Fiscal Year 2026 adopted operating budget.

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Originating Department: Office of General Counsel	**Department Director or Manager:** Derek McDonald	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: Fiscal Year 2026	**Budget Coding:** 11.130.8851100.4008511.52310		**Approved:**
Attachment(s): P-035; P-061			

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE	DATE:
Professional Services Agreement Authorize Continued Employment of Hanson Bridgett, LLP, for Specialized Legal Services	February 19, 2026

CONTRACTOR:	BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		PERCENTAGE OF CONTRACT DOLLARS		
				Availability Group	Contracting Objectives	Participation
Hanson Bridgett, LLP San Francisco, CA		Ethnicity	Gender			
	$125,000 *	White	Men	White Men	25%	100.0%
				White Women	6%	0.0%
				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: Hanson Bridgett, LLP	$125,000	White	X		100.0%						
SUBS: None											
TOTAL	$125,000				100.0%	0.0%	0.0%	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:	60	96	130	286
Percent of Total Employees:	21.0%	33.6%	45.5%	
MSA Labor Market %:	28.0%	23.6%	48.4%	
MSA Labor Market Location:	California			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration: NA

*Total not to exceed: $125,000

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: **Authorize Continued Employment of Hanson Bridgett, LLP, for Specialized Legal Services**

Professional Services Agreement - Amendment

DATE: 2/19/2026

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

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number		Number of Ethnic Minority Employees B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM	Hanson Bridgett, LLP Jeremy Strauss 425 Market St, 26th Floor San Francisco, CA 94105 415-995-5194	**Company Wide**	30	41	48	1	120	42.0%	48.4%
			Manager/Prof	10	19	25	0	54	32.5%	
			Technical/Sales	3	3	1	0	7	63.6%	
			Clerical/Skilled	17	19	22	1	59	54.1%	
			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	26	19	40	0	85	44.5%	39.9%
			AA Plan on File:	**NA**		Date of last contract with District:			**6/14/2026**	
			Co. Wide MSA:	**California**		# Employees-Co. Wide:		**286**	Bay Area:	**191**

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)

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: March 10, 2026

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager CCC

FROM: Kathy Viatella, Manager of Legislative Affairs KV

SUBJECT: Legislative Report No. 01-26

The following issues are being referred to the Board of Directors for action, as appropriate, on March 10, 2026.

RECOMMENDED ACTION

Approve a position on the following bill: SB 1330 (Arreguín) Assault and battery: utility workers; and receive information on SB 1085 (Durazo) Water supply planning: California Environmental Quality Act determination.

STATE LEGISLATION		RECOMMENDED POSITION
SB 1330 (Arreguín)	**ASSAULT AND BATTERY: UTILITY WORKERS**	**SUPPORT AND AMEND**

Existing law defines an assault as an unlawful attempt, coupled with present ability, to commit a violent injury upon the person of another. Existing law defines a battery as any willful and unlawful use of force or violence upon the person of another. Under existing law, an assault or battery committed against specified professionals engaged in the performance of their duties, including peace officers, firefighters, and emergency medical personnel, is punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding $2,000, or by both that fine and imprisonment.

SB 1330 (Arreguín), as introduced on February 20, 2026, would add “utility worker” to the list of specified professionals mentioned above, thereby enhancing criminal penalties for an assault or battery committed against them. The bill’s definition of utility worker includes “a person employed by... a public water system... that performs services for or delivers a commodity to the public or any portion thereof and the service performed is the construction, alteration, demolition, installation, maintenance, or repair of water, electrical, or gas infrastructure.”

The bill also covers energy and gas utility workers but does not appear to explicitly cover wastewater utility workers.

According to the author, "by classifying assault or battery against public utility employees as a punishable offense, this bill places utility workers in the same class as other protected public service professionals and officials, ensuring they receive the same level of security under the law. SB 1330 aims to create a safer working environment for utility employees, ensuring they can carry out their duties without fear of assault or harassment."

There are no anticipated costs to EBMUD from the bill's provisions. In terms of benefit, enhanced penalties for violations may deter some criminal assaults against District workers in the field.

EBMUD previously had a "Support and Amend" position on SB 431 (Arreguín), a substantially similar bill that did not move out of the Legislature in 2025.

Consistent with the position on SB 431, staff is recommending a "support and amend" position on SB 1330 to ask the author to additionally cover wastewater within the definition of "utility worker," which would then cover public-facing employees at the District for both water and wastewater.

An official support/opposition list for SB 1330 is not currently available.

SB 1085 (Durazo)	**WATER SUPPLY PLANNING: CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION**	**INFORMATION**

As part of EBMUD's 2026 State Legislative Priorities adopted on December 9, 2025, the Board of Directors approved sponsorship of legislation regarding water supply assessments. On February 13, 2026, SB 1085 was introduced by Senator María Elena Durazo (Los Angeles). Senator Durazo is the Chair of the Senate Local Government Committee.

SB 1085 (Durazo) would ensure that regardless of whether a development project is subject to California Environmental Quality Act (CEQA) review, any large residential, commercial, or mixed-use project that meets the definition of "project" contained in water supply assessment law shall trigger the requirement for a water supply assessment.

Background

A water supply assessment (WSA) is required for certain types of larger residential, commercial, and mixed-use projects to assess the water demand impacts of the project. Under current law, a city or county, upon determining that a project is subject to CEQA, shall request a WSA from a water supplier if the development meets the definition of "project" specified in WSA law (Water Code 10912 (a)). While the Water Code defines which projects need a WSA, the trigger for

requiring the WSA was when the city or county determined that the project was subject to CEQA review.

In recent years, because of the legislature and governor's focus on removing impediments to housing, there have been a growing number of bills that "streamline" housing development by eliminating CEQA analysis, as well as legislation that establishes statutory CEQA exemptions for certain types of affordable and infill housing. Those successful legislative efforts have meant that a WSA is no longer required for projects that still meet the Water Code criteria but are no longer subject to CEQA. In summer of 2025, a statutory CEQA exemption for certain types of housing projects of less than 20 acres was enacted through AB 130 (Committee on Budget, 2025 – Section 59). SB 131 (Committee on Budget & Fiscal Review, 2025) contained an exemption from CEQA for a "project that consists exclusively of a facility for advanced manufacturing." The impact to the WSA law was likely an unintended consequence of prior legislation and recent budget trailer bills. The legislature is continuing its interest in efforts to streamline housing and other development projects in 2026.

NEXT STEPS

Staff will provide updates on EBMUD's sponsored legislation, SB 1085 (Durazo), at future board meetings.

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Attachments

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SENATE BILL No. 1330

Introduced by Senator Arreguín

February 20, 2026

An act to amend Sections 241 and 243 of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 1330, as introduced, Arreguín. Assault and battery: utility workers.

Existing law defines an assault as an unlawful attempt, coupled with present ability, to commit a violent injury upon the person of another. Existing law defines a battery as any willful and unlawful use of force or violence upon the person of another. Under existing law, an assault or battery committed against specified professionals engaged in the performance of their duties, including peace officers, firefighters, and emergency medical personnel, is punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding $2,000, or by both that fine and imprisonment.

This bill would make an assault or battery committed against a utility worker, as defined, who is engaged in the performance of their duties punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding $2,000, or by both that fine and imprisonment. By expanding the scope of these crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 241 of the Penal Code is amended to read:

241. (a) An assault is punishable by a fine not exceeding one thousand dollars ($1,000), or by imprisonment in the county jail not exceeding six months, or by both the fine and imprisonment.

(b) When an assault is committed against the person of a parking control officer engaged in the performance of their duties, and the person committing the offense knows or reasonably should know that the victim is a parking control officer, the assault is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in the county jail not exceeding six months, or by both the fine and imprisonment.

(c) When an assault is committed against the person of a peace officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, code enforcement officer, animal control officer, ~~or~~ search and rescue ~~member~~ *member, or utility worker* engaged in the performance of their duties, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, and the person committing the offense knows or reasonably should know that the victim is a peace officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, code enforcement officer, animal control officer, ~~or~~ search and rescue ~~member~~ *member, or utility worker* engaged in the performance of their duties, or a physician or nurse engaged in rendering emergency medical care, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, the assault is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment.

(d) As used in this section, the following definitions apply:

(1) Peace officer means any person defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

(2) “Emergency medical technician” means a person who is either an EMT-I, EMT-II, or EMT-P (paramedic), and possesses

a valid certificate or license under the standards of Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

(3) "Nurse" means a person who possesses a valid certificate or license under the standards of Chapter 6 (commencing with Section 2700) or 6.5 (commencing with Section 2840) of Division 2 of the Business and Professions Code or a nurse of a hospital engaged in providing services within the emergency department.

(4) "Lifeguard" means a person who is:

(A) Employed as a lifeguard by the state, a county, or a city, and is designated by local ordinance as a public officer who has a duty and responsibility to enforce local ordinances and misdemeanors through the issuance of citations.

(B) Wearing distinctive clothing ~~which~~ *that* includes written identification of the person's status as a lifeguard and ~~which~~ *that* clearly identifies the employing organization.

(5) "Process server" means any person who meets the standards or is expressly exempt from the standards set forth in Section 22350 of the Business and Professions Code.

(6) "Traffic officer" means any person employed by a county or city to monitor and enforce state laws and local ordinances relating to parking and the operation of vehicles.

(7) "Animal control officer" means any person employed by a county or city for purposes of enforcing animal control laws or regulations.

(8) (A) "Code enforcement officer" means any person who is not described in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 and who is employed by any governmental subdivision, public or quasi-public corporation, public agency, public service corporation, any town, city, county, or municipal corporation, whether incorporated or chartered, that has enforcement authority for health, safety, and welfare requirements, and whose duties include enforcement of any statute, rules, regulations, or standards, and who is authorized to issue citations, or file formal complaints.

(B) "Code enforcement officer" also includes any person who is employed by the Department of Housing and Community Development who has enforcement authority for health, safety, and welfare requirements pursuant to the Employee Housing Act (Part 1 (commencing with Section 17000) of Division 13 of the Health and Safety Code); the State Housing Law (Part 1.5

(commencing with Section 17910) of Division 13 of the Health and Safety Code); the Manufactured Housing Act of 1980 (Part 2 (commencing with Section 18000) of Division 13 of the Health and Safety Code); the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code); and the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

(9) "Parking control officer" means any person employed by a city, county, or city and county, to monitor and enforce state laws and local ordinances relating to parking.

(10) "Search and rescue member" means any person who is part of an organized search and rescue team managed by a governmental agency.

(11) "Health care worker" means a person who, in the course and scope of employment, performs duties directly associated with the care and treatment rendered by the hospital's emergency department or the department's security.

(12) "Utility worker" means a person employed by, or who is a contractor to, an investor-owned or publicly owned water corporation, electrical corporation, gas corporation, electric cooperative, local publicly owned electric utility as defined in Section 224.3 of the Public Utilities Code, or a public water system as defined in subdivision (h) of Section 116275 of the Health and Safety Code, that performs services for or delivers a commodity to the public or any portion thereof and the service performed is the construction, alteration, demolition, installation, maintenance, or repair of water, electrical, or gas infrastructure.

SEC. 2. Section 243 of the Penal Code is amended to read:

243. (a) A battery is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment.

(b) When a battery is committed against the person of a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, ~~or~~ search and rescue ~~member~~ *member, or utility worker* engaged in the performance of their duties, whether on or off duty, including when the peace officer is in a police uniform and is concurrently performing the duties required of them as a peace officer while

also employed in a private capacity as a part-time or casual private security guard or patrolman, or a nonsworn employee of a probation department engaged in the performance of their duties, whether on or off duty, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, and the person committing the offense knows or reasonably should know that the victim is a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, ~~or~~ search and rescue ~~member~~ *member, or utility worker* engaged in the performance of their duties, nonsworn employee of a probation department, or a physician or nurse engaged in rendering emergency medical care, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, the battery is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(c) (1) When a battery is committed against a custodial officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, or animal control officer engaged in the performance of their duties, whether on or off duty, or a nonsworn employee of a probation department engaged in the performance of their duties, whether on or off duty, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, and the person committing the offense knows or reasonably should know that the victim is a nonsworn employee of a probation department, custodial officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, or animal control officer engaged in the performance of their duties, or a physician or nurse engaged in rendering emergency medical care, and an injury is inflicted on that victim, the battery is punishable by a fine of not more than two thousand dollars ($2,000), by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment, or by imprisonment pursuant to subdivision (h) of Section 1170 for 16 months, or two or three years.

(2) When the battery specified in paragraph (1) is committed against a peace officer engaged in the performance of their duties, whether on or off duty, including when the peace officer is in a police uniform and is concurrently performing the duties required of them as a peace officer while also employed in a private capacity as a part-time or casual private security guard or patrolman and the person committing the offense knows or reasonably should know that the victim is a peace officer engaged in the performance of their duties, the battery is punishable by a fine of not more than ten thousand dollars ($10,000), or by imprisonment in a county jail not exceeding one year or pursuant to subdivision (h) of Section 1170 for 16 months, or two or three years, or by both that fine and imprisonment.

(d) When a battery is committed against any person and serious bodily injury is inflicted on the person, the battery is punishable by imprisonment in a county jail not exceeding one year or imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

(e) (1) When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship, the battery is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail for a period of not more than one year, or by both that fine and imprisonment. If probation is granted, or the execution or imposition of the sentence is suspended, it shall be a condition thereof that the defendant participate in, for no less than one year, and successfully complete, a batterer's treatment program, as described in Section 1203.097, or if none is available, another appropriate counseling program designated by the court. However, this provision shall not be construed as requiring a city, a county, or a city and county to provide a new program or higher level of service as contemplated by Section 6 of Article XIII B of the California Constitution.

(2) Upon conviction of a violation of this subdivision, if probation is granted, the conditions of probation may include, in lieu of a fine, one or both of the following requirements:

(A) That the defendant make payments to a domestic violence shelter-based program, up to a maximum of five thousand dollars ($5,000).

(B) That the defendant reimburse the victim for reasonable costs of counseling and other reasonable expenses that the court finds are the direct result of the defendant's offense.

For any order to pay a fine, make payments to a domestic violence shelter-based program, or pay restitution as a condition of probation under this subdivision, the court shall make a determination of the defendant's ability to pay. In no event shall any order to make payments to a domestic violence shelter-based program be made if it would impair the ability of the defendant to pay direct restitution to the victim or court-ordered child support. If the injury to a married person is caused in whole or in part by the criminal acts of their spouse in violation of this section, the community property shall not be used to discharge the liability of the offending spouse for restitution to the injured spouse, required by Section 1203.04, as operative on or before August 2, 1995, or Section 1202.4, or to a shelter for costs with regard to the injured spouse and dependents, required by this section, until all separate property of the offending spouse is exhausted.

(3) Upon conviction of a violation of this subdivision, if probation is granted or the execution or imposition of the sentence is suspended and the person has been previously convicted of a violation of this subdivision or Section 273.5, the person shall be imprisoned for not less than 48 hours in addition to the conditions in paragraph (1). However, the court, upon a showing of good cause, may elect not to impose the mandatory minimum imprisonment as required by this subdivision and may, under these circumstances, grant probation or order the suspension of the execution or imposition of the sentence.

(4) The Legislature finds and declares that these specified crimes merit special consideration when imposing a sentence so as to display society's condemnation for these crimes of violence upon victims with whom a close relationship has been formed.

(5) If a peace officer makes an arrest for a violation of paragraph (1) of subdivision (e) of this section, the peace officer is not required to inform the victim of their right to make a citizen's arrest pursuant to subdivision (b) of Section 836.

(f) As used in this section:

(1) “Peace officer” means any person defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

(2) “Emergency medical technician” means a person who is either an EMT-I, EMT-II, or EMT-P (paramedic), and possesses a valid certificate or license under the standards of Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

(3) “Nurse” means a person who possesses a valid certificate or license under the standards of Chapter 6 (commencing with Section 2700) or 6.5 (commencing with Section 2840) of Division 2 of the Business and Professions Code or a nurse of a hospital engaged in providing services within the emergency department.

(4) “Serious bodily injury” means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.

(5) “Injury” means any physical injury ~~which~~ *that* requires professional medical treatment.

(6) “Custodial officer” means any person who has the responsibilities and duties described in Section 831 and who is employed by a law enforcement agency of any city or county or who performs those duties as a volunteer.

(7) “Lifeguard” means a person defined in paragraph ~~(5)~~ *(4)* of subdivision (d) of Section 241.

(8) “Traffic officer” means any person employed by a city, county, or city and county to monitor and enforce state laws and local ordinances relating to parking and the operation of vehicles.

(9) “Animal control officer” means any person employed by a city, county, or city and county for purposes of enforcing animal control laws or regulations.

(10) “Dating relationship” means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.

(11) (A) “Code enforcement officer” means any person who is not described in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 and who is employed by any governmental subdivision, public or quasi-public corporation, public agency, public service corporation, any town, city, county, or municipal corporation, whether incorporated or chartered, who has enforcement authority for health, safety, and welfare requirements,

and whose duties include enforcement of any statute, rules, regulations, or standards, and who is authorized to issue citations, or file formal complaints.

(B) "Code enforcement officer" also includes any person who is employed by the Department of Housing and Community Development who has enforcement authority for health, safety, and welfare requirements pursuant to the Employee Housing Act (Part 1 (commencing with Section 17000) of Division 13 of the Health and Safety Code); the State Housing Law (Part 1.5 (commencing with Section 17910) of Division 13 of the Health and Safety Code); the Manufactured Housing Act of 1980 (Part 2 (commencing with Section 18000) of Division 13 of the Health and Safety Code); the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code); and the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

(12) "Custody assistant" means any person who has the responsibilities and duties described in Section 831.7 and who is employed by a law enforcement agency of any city, county, or city and county.

(13) "Search and rescue member" means any person who is part of an organized search and rescue team managed by a government agency.

(14) "Security officer" means any person who has the responsibilities and duties described in Section 831.4 and who is employed by a law enforcement agency of any city, county, or city and county.

(15) "Health care worker" means a person who, in the course and scope of employment, performs duties directly associated with the care and treatment rendered by the hospital's emergency department or the department's security.

(16) "Utility worker" means a person employed by, or who is a contractor to, an investor-owned or publicly owned water corporation, electrical corporation, gas corporation, electric cooperative, local publicly owned electric utility as defined in Section 224.3 of the Public Utilities Code, or a public water system as defined in subdivision (h) of Section 116275 of the Health and Safety Code, that performs services for or delivers a commodity to the public or any portion thereof and the service performed is

the construction, alteration, demolition, installation, maintenance, or repair of water, electrical, or gas infrastructure.

(g) It is the intent of the Legislature by amendments to this section at the 1981–82 and 1983–84 Regular Sessions to abrogate the holdings in cases such as People v. Corey, 21 Cal. 3d 738, and Cervantez v. J.C. Penney Co., 24 Cal. 3d 579, and to reinstate prior judicial interpretations of this section as they relate to criminal sanctions for battery on peace officers who are employed, on a part-time or casual basis, while wearing a police uniform as private security guards or patrolmen and to allow the exercise of peace officer powers concurrently with that employment.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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SENATE BILL No. 1085

Introduced by Senator Durazo

February 13, 2026

An act to amend Section 10910 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1085, as introduced, Durazo. Water supply planning: California Environmental Quality Act determination.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to be responsible for determining whether a project is exempt from CEQA and whether an environmental impact report, a negative declaration, or a mitigated negative declaration is required. Existing law requires a city or county that determines a certain type of project is subject to the requirements of CEQA to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment, as provided.

This bill would instead require a city or county to make that identification of public water systems for certain projects that the city or county approves, without regard to whether the project is determined to be subject to the requirements of CEQA. By imposing additional duties on a city or county, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 10910 of the Water Code is amended to read:

10910. (a) Any city or county that ~~determines that~~ *approves* a project, as defined in Section 10912, ~~is subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) under Section 21080 of the Public Resources Code~~ shall comply with this part.

(b) The city or county, at the time that it ~~determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration is required for any project subject to the California Environmental Quality Act~~ *makes the determination required* pursuant to Section 21080.1 of the Public Resources Code, shall identify any water system whose service area includes the project site and any water system adjacent to the project site that is, or may become as a result of supplying water to the project identified pursuant to this subdivision, a public water system, as defined in Section 10912, that may supply water for the project. If the city or county is not able to identify any public water system that may supply water for the project, the city or county shall prepare the water assessment required by this part after consulting with any entity serving domestic water supplies whose service area includes the project site, the local agency formation commission, and any public water system adjacent to the project site.

(c) (1) The city or county, at the time it makes the determination required under Section 21080.1 of the Public Resources Code, shall request each public water system identified pursuant to subdivision (b) to determine whether the projected water demand associated with a proposed project was included as part of the most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610).

(2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g).

(3) If the projected water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, or the public water system has no urban water management plan, the water supply assessment for the project shall include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses.

(4) If the city or county is required to comply with this part pursuant to subdivision (b), the water supply assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry, and multiple dry water years during a 20-year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses.

(d) (1) The assessment required by this section shall include an identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project, and a description of the quantities of water received in prior years by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), under the existing water supply entitlements, water rights, or water service contracts.

(2) An identification of existing water supply entitlements, water rights, or water service contracts held by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), shall be demonstrated by providing information related to all of the following:

(A) Written contracts or other proof of entitlement to an identified water supply.

(B) Copies of a capital outlay program for financing the delivery of a water supply that has been adopted by the public water system.

(C) Federal, state, and local permits for construction of necessary infrastructure associated with delivering the water supply.

(D) Any necessary regulatory approvals that are required in order to be able to convey or deliver the water supply.

(e) If no water has been received in prior years by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), under the existing water supply entitlements, water rights, or water service contracts, the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), shall also include in its water supply assessment pursuant to subdivision (c), an identification of the other public water systems or water service contractholders that receive a water supply or have existing water supply entitlements, water rights, or water service contracts, to the same source of water as the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has identified as a source of water supply within its water supply assessments.

(f) If a water supply for a proposed project includes groundwater, the following additional information shall be included in the water supply assessment:

(1) A review of any information contained in the urban water management plan relevant to the identified water supply for the proposed project.

(2) (A) A description of any groundwater basin or basins from which the proposed project will be supplied.

(B) For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has the legal right to pump under the order or decree.

(C) For a basin that has not been adjudicated that is a basin designated as high- or medium-priority pursuant to Section 10722.4, information regarding the following:

(i) Whether the department has identified the basin as being subject to critical conditions of overdraft pursuant to Section 12924.

(ii) If a groundwater sustainability agency has adopted a groundwater sustainability plan or has an approved alternative, a copy of that alternative or plan.

(D) For a basin that has not been adjudicated that is a basin designated as low- or very low priority pursuant to Section 10722.4, information as to whether the department has identified the basin

or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current bulletin of the department that characterizes the condition of the groundwater basin, and a detailed description by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), of the efforts being undertaken in the basin or basins to eliminate the long-term overdraft condition.

(3) A detailed description and analysis of the amount and location of groundwater pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), for the past five years from any groundwater basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(4) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), from any basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(5) An analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project. A water supply assessment shall not be required to include the information required by this paragraph if the public water system determines, as part of the review required by paragraph (1), that the sufficiency of groundwater necessary to meet the initial and projected water demand associated with the project was addressed in the description and analysis required by subparagraph (D) of paragraph (4) of subdivision (b) of Section 10631.

(g) (1) Subject to paragraph (2), the governing body of each public water system shall submit the assessment to the city or county not later than 90 days from the date on which the request was received. The governing body of each public water system, or the city or county if either is required to comply with this act pursuant to subdivision (b), shall approve the assessment prepared pursuant to this section at a regular or special meeting.

(2) Prior to the expiration of the 90-day period, if the public water system intends to request an extension of time to prepare and adopt the assessment, the public water system shall meet with the city or county to request an extension of time, which shall not exceed 30 days, to prepare and adopt the assessment.

(3) If the public water system fails to request an extension of time, or fails to submit the assessment notwithstanding the extension of time granted pursuant to paragraph (2), the city or county may seek a writ of mandamus to compel the governing body of the public water system to comply with the requirements of this part relating to the submission of the water supply assessment.

(h) Notwithstanding any other provision of this part, if a project has been the subject of a water supply assessment that complies with the requirements of this part, no additional water supply assessment shall be required for subsequent projects that were part of a larger project for which a water supply assessment was completed and that has complied with the requirements of this part and for which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has concluded that its water supplies are sufficient to meet the projected water demand associated with the proposed project, in addition to the existing and planned future uses, including, but not limited to, agricultural and industrial uses, unless one or more of the following changes occurs:

(1) Changes in the project that result in a substantial increase in water demand for the project.

(2) Changes in the circumstances or conditions substantially affecting the ability of the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), to provide a sufficient supply of water for the project.

(3) Significant new information becomes available that was not known and could not have been known at the time when the assessment was prepared.

(i) For the purposes of this section, hauled water is not considered as a source of water.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or

level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: March 10, 2026

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager CCC

FROM: Roberto C. Cortez, Manager of Water Operations RCC

SUBJECT: Water Supply Update – March 10, 2026

The attached presentation summarizes the current water supply conditions, water production, precipitation to date, reservoir storage, and forecasted supply conditions for the remainder of water year 2026 under various hydrological scenarios. A water supply update will be presented at the March 10, 2026 Board meeting.

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Attachment: Water Supply Update Presentation

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Water Supply Update

Board of Directors

March 10, 2026

Roberto C. Cortez, Manager of Water Operations

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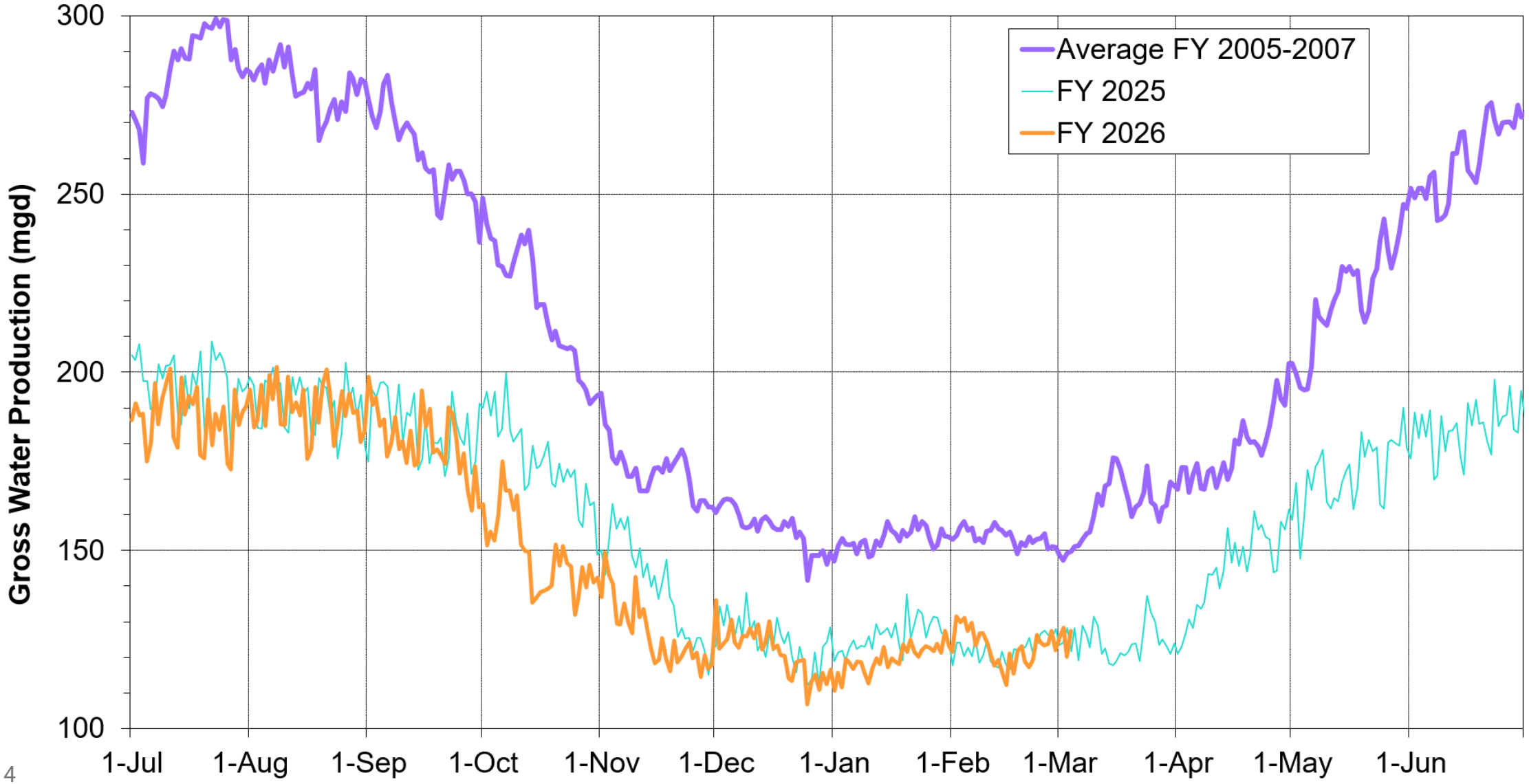
Lower Bear, J. Urness, February 2026

Briefing Topics

- Current Water Supply
- Seasonal Climate Outlook
- Water Supply Projection

Current Water Supply

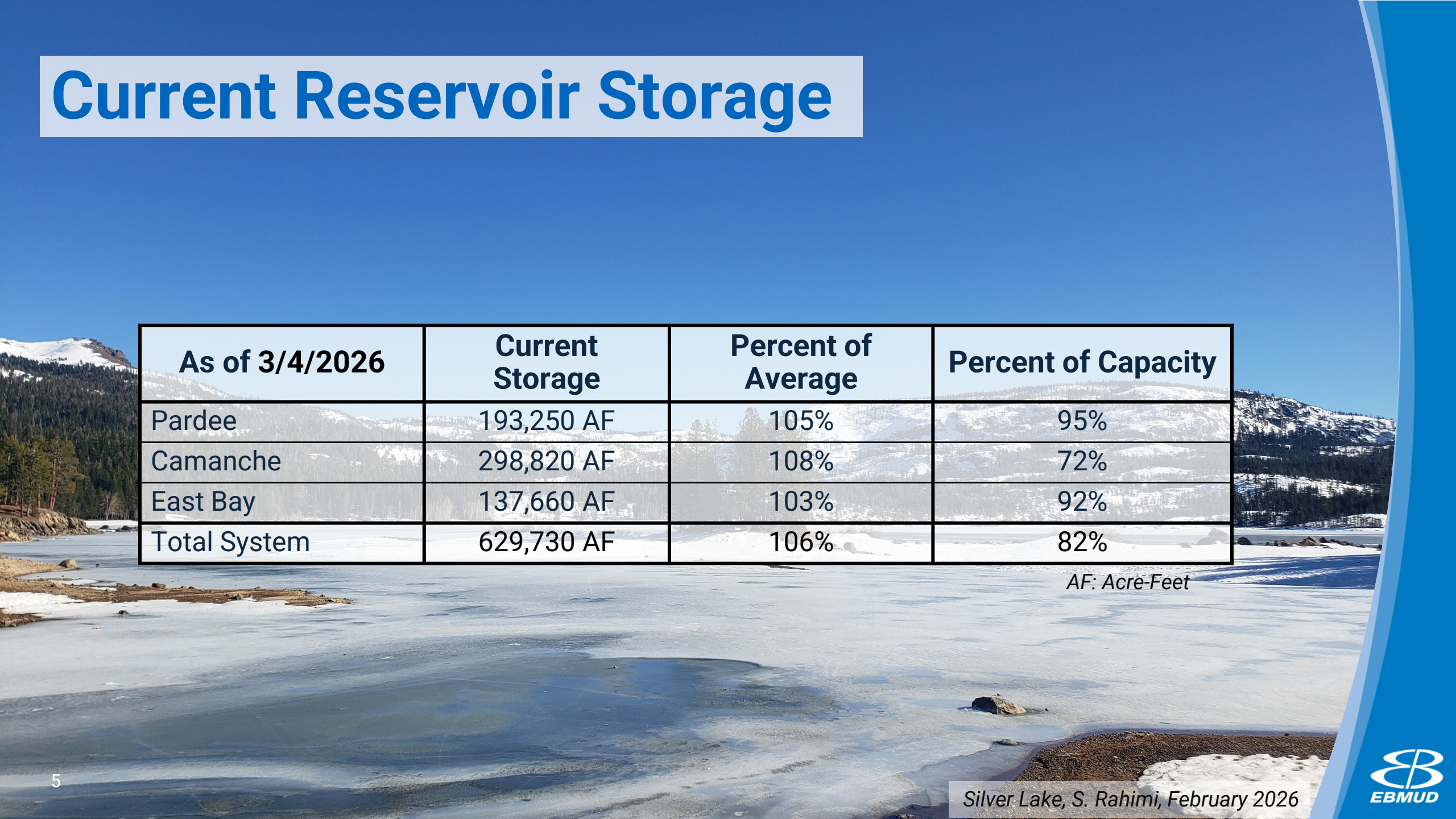
Gross Water Production



Current Reservoir Storage

As of 3/4/2026	Current Storage	Percent of Average	Percent of Capacity
Pardee	193,250 AF	105%	95%
Camanche	298,820 AF	108%	72%
East Bay	137,660 AF	103%	92%
Total System	629,730 AF	106%	82%

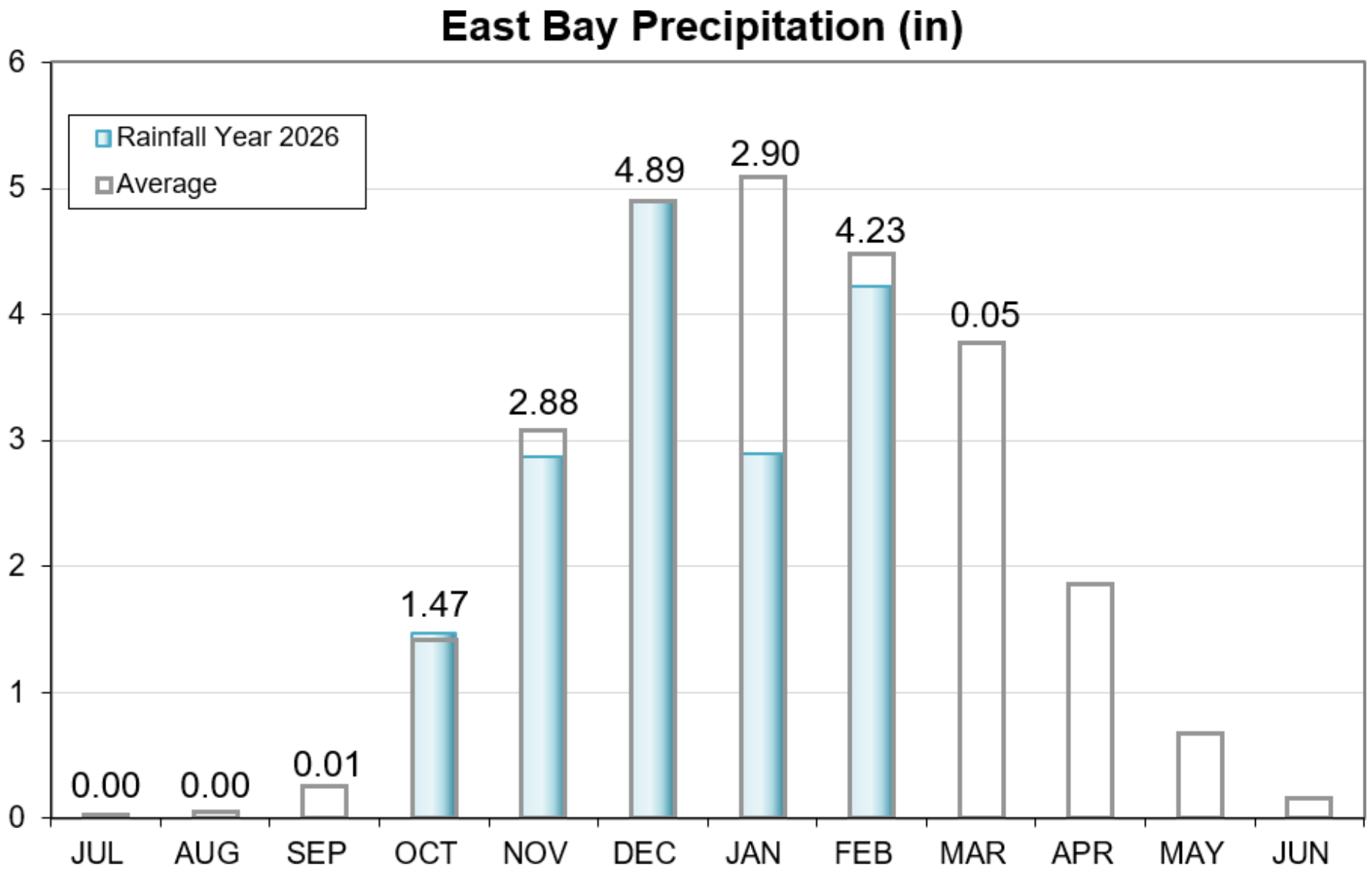
AF: Acre-Feet



Silver Lake, S. Rahimi, February 2026

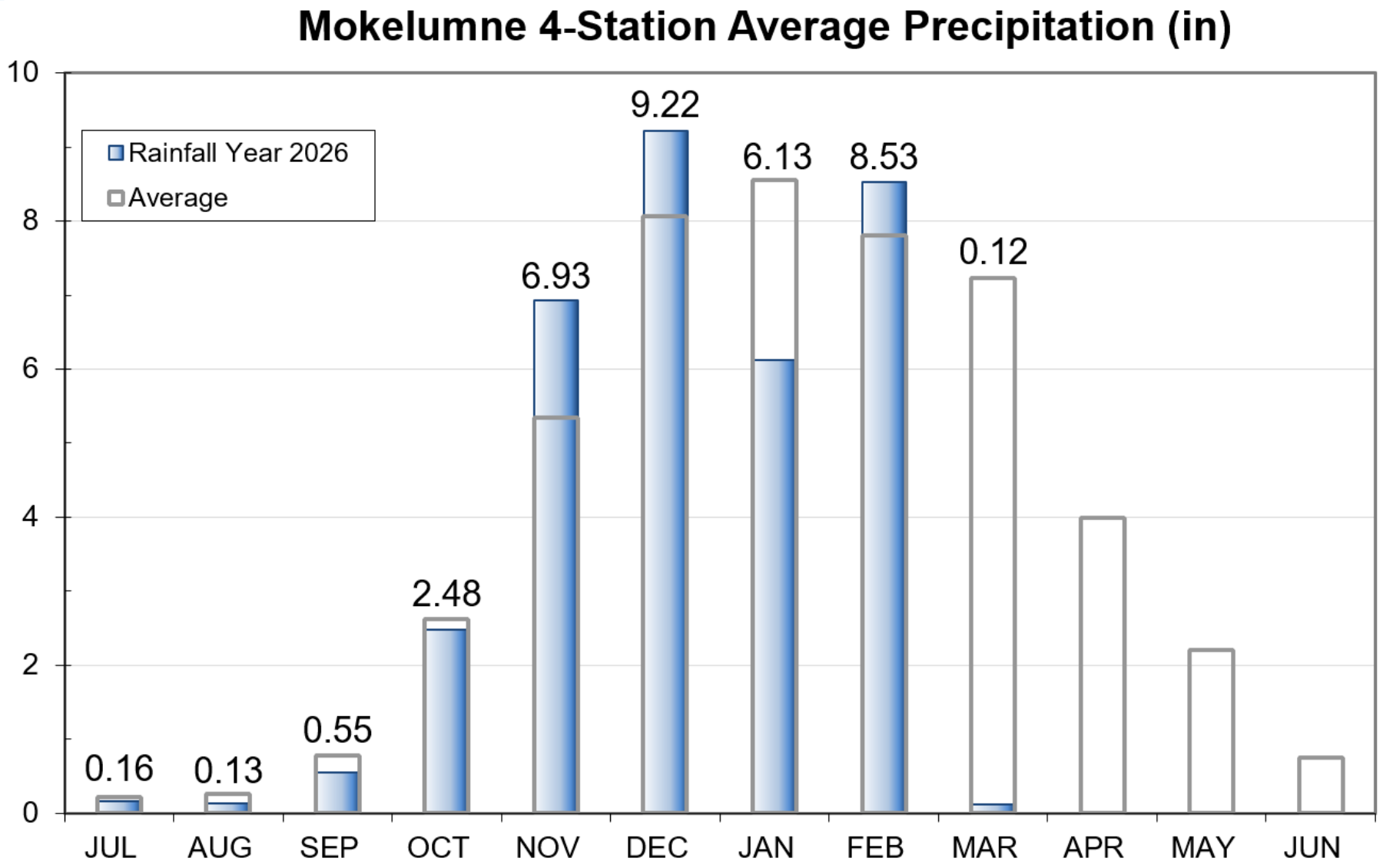
Precipitation as of March 4

East Bay: 16.4”
(80% of average)



Precipitation as of March 4

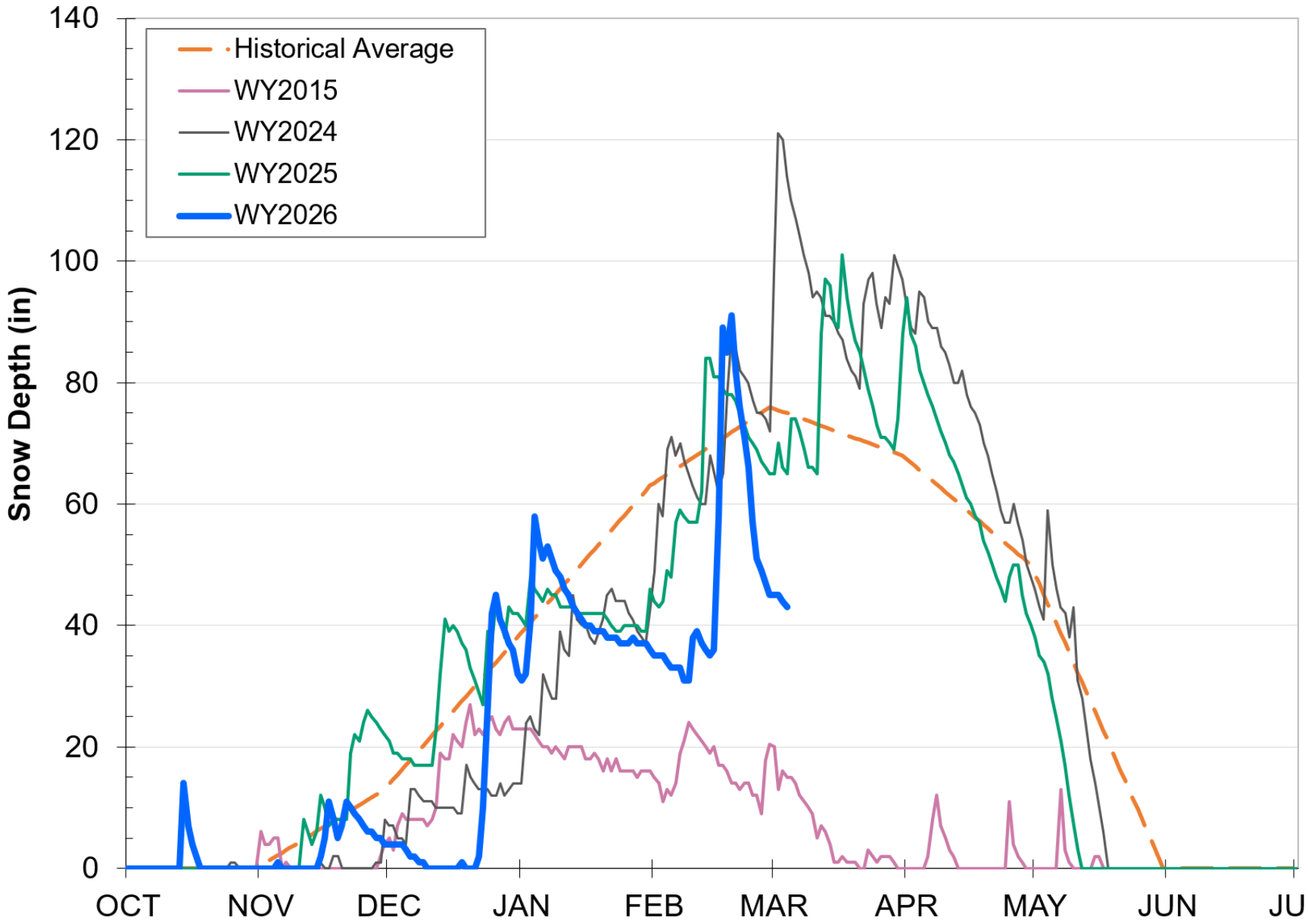
Mokelumne: 34.25”
(98% of average)



Caples Lake Snow as of March 4

Snow Depth – 43.0”
(57% of average)

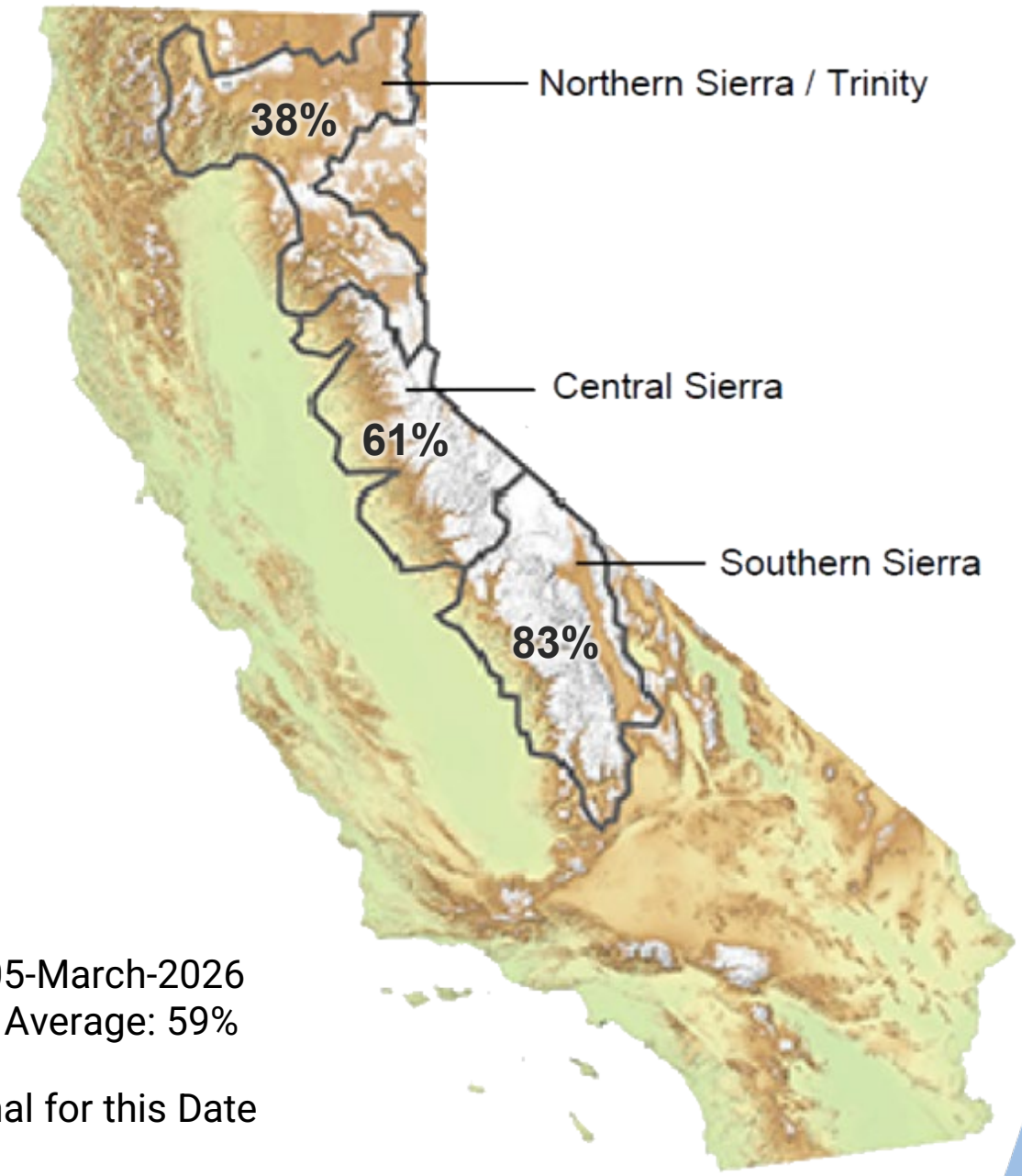
Snow Water Content – 12.1”
(45% of average)



Snowpack as of March 5

Snow Water Equivalent:

61% of Normal in Central Sierra



Data for: 05-March-2026
Statewide Average: 59%

% of Normal for this Date

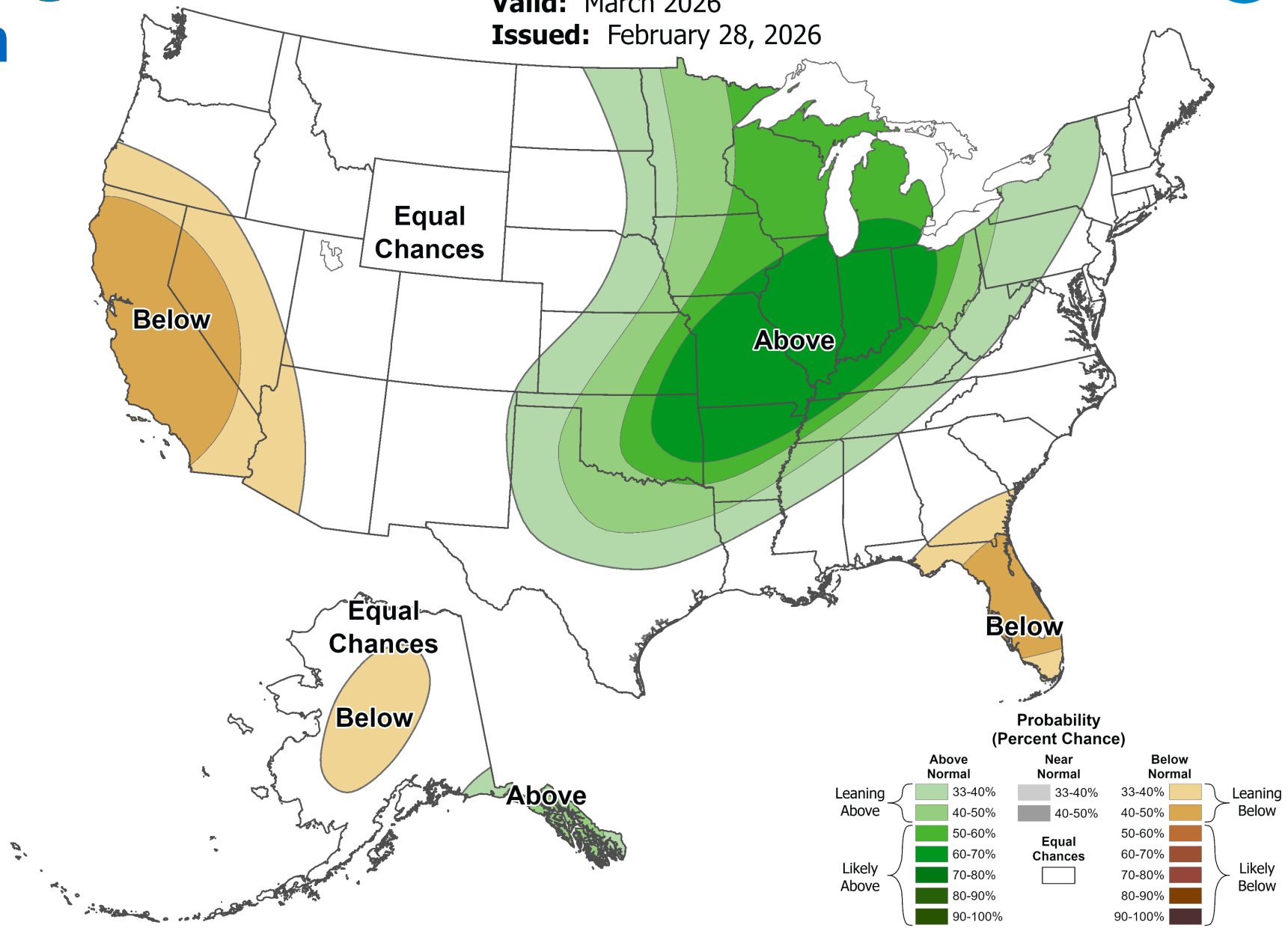
Caples, S. Rahimi, February 2026

Seasonal Climate Outlook

Seasonal Precipitation Outlook

Monthly Precipitation Outlook

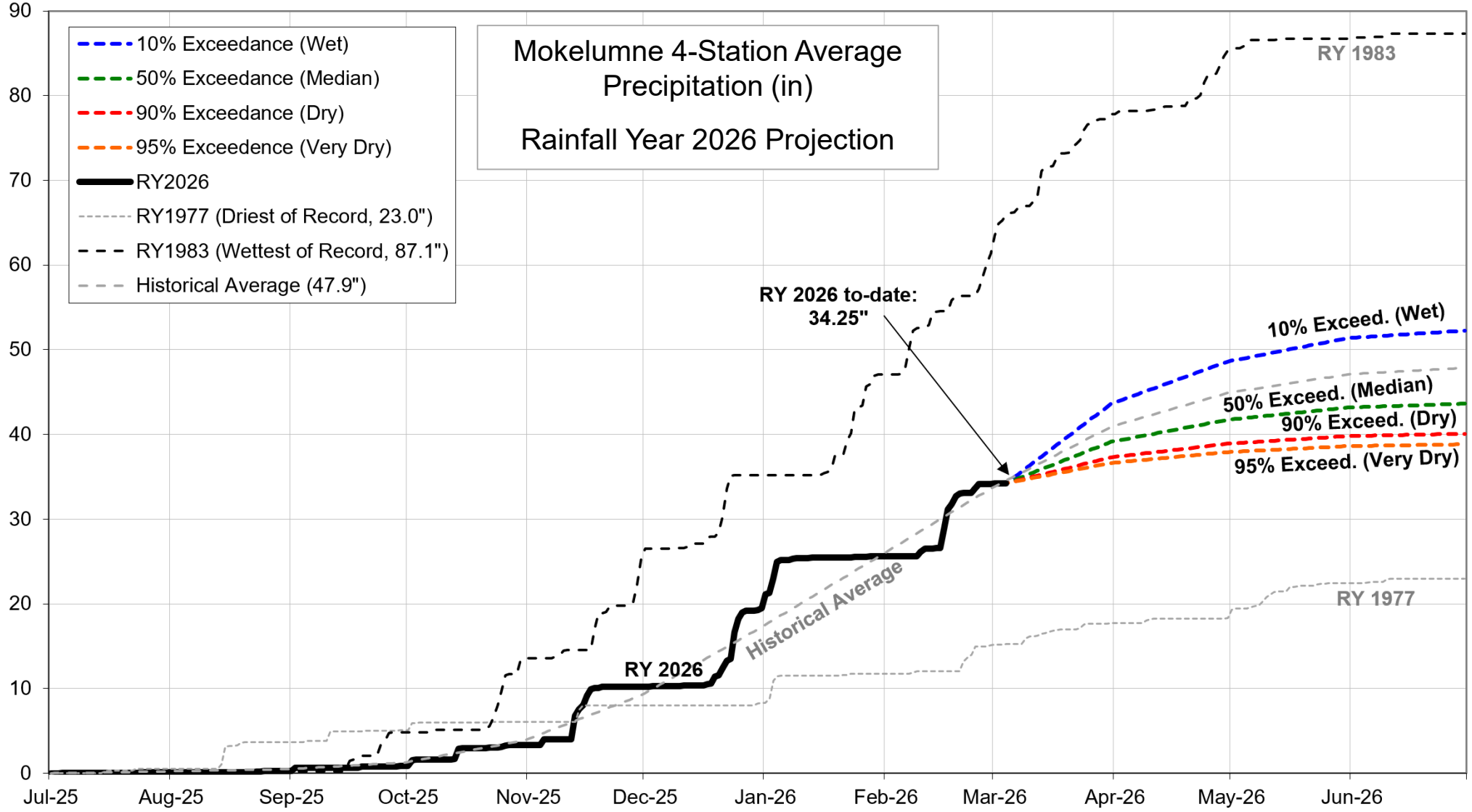
Valid: March 2026
Issued: February 28, 2026



Water Supply Projection

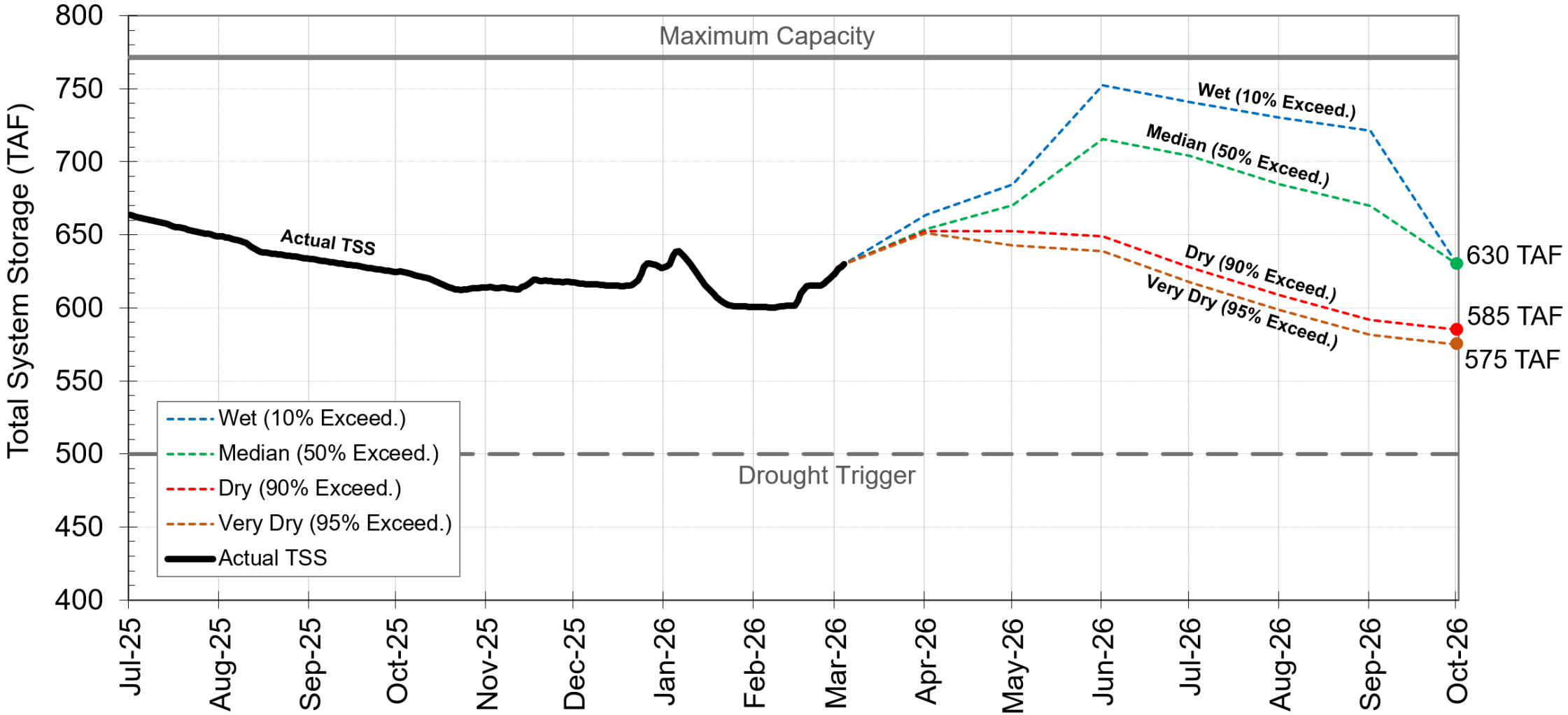
Projected Precipitation

Mokelumne Precipitation Rainfall Year 2026



End of Season Storage

2026 Total System Storage Projections



TAF: Thousands of Acre-Feet

Questions?

Upper San Leandro Reservoir, S. Rahimi, March 2025

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: March 10, 2025

MEMO TO: Board of Directors

FROM: Clifford C. Chan, General Manager CCC

SUBJECT: Monthly Report – February 2026

HIGHLIGHT

In February, the District conducted a golden mussel vulnerability assessment that focused on East Bay pumping plants and water treatment plants. Staff discussed infrastructure vulnerability, the design of a bioassay to assess whether calcium levels in District upcountry reservoirs are suitable for golden mussel survival, and more biofriendly options for treatment and control such as CO_2 and Potash. Staff will continue discussions and review the vulnerability assessment report that is being drafted by the consultant.

WATER SUPPLY

In February, demolition work continued on Bayside Groundwater Well Demolition Project. The Oro Loma Sanitary District expects the work to be completed by March 2026.

In February, the District participated in the Sacramento Water Forum. The Water Forum 2050 Agreement, that extends the agreement through 2050, has been finalized. A signing ceremony in Sacramento is tentatively scheduled for May 11. EBMUD will continue to work with Placer County Water Agency to develop the long-term transfer project.

In February, staff continued to work toward finalizing the Memorandum of Agreement (MOA) to cooperate on the development of a long-term seasonal wastewater diversion agreement between Central Contra Costa Sanitary District (Central San), Dublin San Ramon Services District (DSRSD), EBMUD, and the DSRSD – EBMUD Recycled Water Authority (DERWA). DERWA, DSRSD and EBMUD have briefed their respective boards on the MOA. Central San will be taking the MOA to their board on March 19, 2026. The DERWA and DSRSD boards have authorized staff to continue negotiations and to execute the MOA.

Precipitation. The East Bay precipitation for February was 4.23 inches (90 percent of average), and the season total was 16.37 inches (82 percent of average). The Mokelumne precipitation for February was 8.53 inches (109 percent of average) and the season total was 34.13 inches (101 percent of average).

Water Releases

Camanche Reservoir. The average rate of Camanche release for February was 362 cfs (315 cfs generation, 9 cfs sluice, and 38 cfs through the hatchery), and the average flow below Woodbridge Dam was 336 cfs, both in accordance with the Joint Settlement Agreement "Normal & Above" water year criteria.

East Bay Reservoirs. There were no East Bay reservoir releases in February.

Water Storage

Mokelumne reservoirs storage is 106 percent of average. As of February 28, 2026, Pardee was at 559.8 feet or 102 percent of average, and Camanche was at 218.3 feet or 109 percent of average. Combined Pardee and Camanche reservoir storage was 485,000 acre-feet compared to 493,000 acre-feet last year.

East Bay reservoirs storage is 103 percent of average. As of February 28, 2026, Upper San Leandro was at 454.9 feet or 111 percent of average; San Pablo was at 306.9 feet or 97 percent of average; and Briones was at 573.8 feet or 104 percent of average. Total terminal reservoir storage was 137,000 acre-feet compared to 135,000 acre-feet last year.

Mokelumne Aqueducts and Raw Water Pumping Plants. The average rate of Mokelumne Aqueduct draft for February 2026 was 131 MGD. The Briones Raw Water Pumping Plant pumped 1262 AF of water to Briones Reservoir from February 3 to February 28 at an average rate of 15 mgd as part of the Briones Reservoir refill operation. Walnut Creek and Moraga raw water pumping plants remained out of service for the month.

Water Production. Average rate of gross water production for February:

	February 2026	**February 2025**	**February 2020**	**Average of FY 2005-2007**
East of Hills	25 MGD	23 MGD	33 MGD	29 MGD
West of Hills	98 MGD	99 MGD	108 MGD	125 MGD
Total	**123 MGD**	**122 MGD**	**141 MGD**	**154 MGD**
Max Day Production	131 MGD (2/2/2026)	128 MGD (2/28/2025)	160 MGD (2/26/2020)	

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

WATER QUALITY AND ENVIRONMENTAL PROTECTION

In February, the District assisted the California Department of Water Resources (DWR) with surgically implanting acoustic tags in approximately 280 yearling steelhead trout at the Mokelumne River Fish Hatchery as part of a collaborative study with DWR and the United States Geological Survey. The study evaluates migration success, routing, and hydrodynamic influences on juvenile Chinook salmon and steelhead emigrating from the Mokelumne River. An additional 520 steelhead will be tagged over the next two months to complete the study. Data collected will inform improvements to fish migration models, including the Survival, Travel Time and Routing Simulation model, and support conservation and water management decisions.

In February, seasonal salmonid field monitoring was conducted in the Mokelumne River. On February 3, Woodbridge Irrigation District began routing water through the low-stage fish ladder to drain Lodi Lake, discontinuing video monitoring in the high-stage ladder, and concluding EBMUD's fall-run Chinook salmon escapement monitoring. Staff continued weekly redd surveys, with a cumulative total of 1,359 Chinook salmon redds observed as of February 10. Staff continued monitoring two juvenile salmon traps used to capture fish migrating out of the river. Through February 10, a total of 16,128 naturally produced juvenile Chinook salmon were captured and counted in the Vino Farms trap (located at Elliott Rd in Lockeford), and a total of 2,010 naturally produced juvenile Chinook salmon were captured and counted in the Golf trap (located below Woodbridge Dam). Current estimates indicate approximately 815,305 juvenile Chinook salmon passed the Vino Farms trap and 83,946 pass the Golf trap.

On February 11, the San Francisco Regional Water Quality Control Board adopted the new National Pollutant Discharge Elimination System permit for the Main Wastewater Treatment Plant. Staff attended the adoption hearing. The permit was uncontested and will become effective April 1, 2026. While there were no major variations from the prior permit, notable updates include discontinuation of acute toxicity testing, adoption of a new chronic toxicity test method, and a requirement to complete an outfall inspection prior to the next permit application which is due in 2030.

On February 26, the District submitted a written response to address findings from a Pretreatment Compliance Audit (PCA) conducted by the U.S. Environmental Protection Agency and the State Water Resources Control Board in August 2025. The audit evaluated the District's implementation of its Industrial Pretreatment Program for consistency with federal pretreatment regulations and National Pollutant Discharge Elimination System permit requirements. The PCA report, received on January 13, 2026, identified 7 minor program deficiencies. The District provided detailed responses describing corrective actions completed or planned.

On February 27, the District submitted its calendar year 2025 Pretreatment Report and Pollution Prevention Report for the Main Wastewater Treatment Plant to the San Francisco Regional Water Quality Control Board and the U.S. Environmental Protection Agency National Pollutant Discharge Elimination System (NPDES) permit. The reports summarize pollutant sampling and analysis for influent and effluent, oversight of permitted significant industrial users within the wastewater service area, and pollution prevention education and outreach efforts. The reports also document more than 26 years of consecutive compliance with NPDES permit limits.

On February 27, staff met with the North San Joaquin Water Conservation District (NSJWCD) to discuss potential habitat restoration projects along the Lower Mokelumne River. The meeting was attended by District staff, the NSJWCD General Manager, and one NSJWCD staff member. If deemed suitable, next steps include pursuing funding for conservation easements and/or design. The proposed habitat improvements could contribute towards EBMUD's Healthy Rivers and Landscapes commitment for juvenile habitat.

All discharges from the Main Wastewater Treatment Plant (MWWTP) complied with the effluent limits in the month of February. This is the 318th consecutive month that the MWWTP experienced no effluent limit exceedances.

The District received no odor reports from the public in February.

INFRASTRUCTURE INVESTMENT

Mokelumne Aqueduct No. 2 Relining Phase 2 Project update. In February, the installation of the new mortar lining was completed. The original lining of Mokelumne Aqueduct No. 2 (MOK2), placed in-service in 1949, reached the end of its useful life. The $9.2 million project replaced approximately 7,500 linear feet of cement mortar lining in the above-ground 67-inch aqueduct on Woodward Island near Holt in San Joaquin County. MOK2 is scheduled to return to service in March.

Orinda Water Treatment Plant (WTP) Disinfection and Chemical Safety Systems Safety Improvements Project update. In February, the project achieved key milestones, including completion of the maintenance building concrete walls above the ultraviolet structure and hydraulic testing of the chlorine contact basin. This winter's outages include a partial raw water channel outage, major treatment plant pipeline outages, an outage of the Los Altos Pumping Plant – which supplies treated water to Orinda, Moraga, and Lafayette – and a short duration outage to the Claremont Tunnel which supplies water to the East of Hills system. The project remains on track to complete this winter's five planned outages.

In February, the District received the California Water Environment Association, San Francisco section's Engineering Achievement Award the for the North Interceptor Rehabilitation Emeryville Project.

In February, staff completed design of the Orinda Water Treatment Plant (WTP) Washwater Lift Station. This $1 million project will upgrade electrical and communications equipment to improve reliability of the washwater lift station, which is critical to Orinda WTP operations.

In February, the District submitted dam alteration applications to the Division of Safety of Dams (DSOD) for the dam safety instrumentation improvements at Camanche Dam and Dikes, and for the installation of flow deflectors at Camanche Spillway. Following DSOD approval, work would begin in October 2026 at the dam and June 2026 at the spillway.

In February, staff completed a pipeline replacement project in the Davis Street area in San Leandro. This project replaced cast iron pipe and mortar-lined coated steel pipe with approximately 1,965 feet of 8-inch and 12-inch mortar-lined zinc coated ductile iron pipe.

In February, staff completed a pipeline replacement project in the Parnassus Road area in Berkeley. This project replaced cast iron pipe with approximately 970 feet of 6-inch earthquake-resistant ductile iron pipe.

In February, staff completed a pipeline replacement project in the Glorietta Boulevard area in Orinda. This project replaced cast iron pipe with approximately 4,865 feet of 8-, 12-, and 16-inch mortar-lined zinc coated ductile iron pipe.

In February, staff completed a pipeline replacement project in the Vallejo Street area in Emeryville. This project replaced cast iron pipe with approximately 2,760 feet of 6-, 8-, and 12-inch mortar-lined zinc-coated ductile iron pipe.

In February, staff completed a pipeline replacement project in the Fernwood Drive area in Oakland. This project replaced cast iron pipe with approximately 2,120 feet of 6-inch earthquake-resistant ductile iron pipe.

In February, staff completed a pipeline replacement project in the Tice Valley Boulevard area in Walnut Creek. This project replaced asbestos cement pipe with approximately 3,785 feet of 8- and 12-inch mortar-lined zinc-coated ductile iron pipe.

In February, staff began the second phase of a pipeline replacement project in the Hazel Avenue area in El Cerrito. This project will replace cast iron pipe with approximately 2,130 feet of 6-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in May.

In February, staff began a pipeline replacement project in the 1st Avenue and Marbi Lane area in the Walnut Creek and Pleasant Hill border. This project will replace cast iron pipe and asbestos cement pipe with approximately 6,785 feet of 6-, 8-, and 12-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in October.

In February, staff began a pipeline replacement project in the Aspinwall Road area in Oakland. This project will replace cast iron pipe and asbestos cement pipe with approximately 3,205 feet of 6- and 8-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in June.

In February, staff began a pipeline replacement project in the Donna Lane area in the Danville and Alamo border. This project will replace asbestos cement pipe with approximately 4,515 feet of 6-inch mortar-lined zinc coated ductile iron pipe. This project is expected to be completed in July.

In February, the District conducted its annual dam safety inspection of local reservoirs with the California Division of Safety of Dams (DSOD). The inspections included a review of the dams, spillways, outlets, and instrumentation, and outlet valves at Upper San Leandro Reservoir were also exercised in the presence of the DSOD inspector. No significant items of concern were identified.

On February 10, the District submitted its Emergency Action Plan (EAP) Status Report to the Federal Energy Regulatory Commission for the Lower Mokelumne River Project No. 2916. The report summarizes 2025 emergency preparedness activities, including the annual notification drill, the annual EAP seminar, and any updates made to the EAP itself.

On February 11, the District held a site walk for contractors interested in bidding on the San Pablo Recreation Area Sewer Force Main Rehabilitation Project.

On February 13, the District submitted the 2025 Annual Project Operations Report to the Federal Energy Regulatory Commission (FERC) for the Lower Mokelumne River Project. The report summarizes measures implemented in 2025 and planned for 2026 to protect and enhance fishery resources and ecosystem conditions in the lower Mokelumne River. The annual report complies with FERC's November 27, 1998 Order Approving Settlement Agreement between EBMUD, the US Fish and Wildlife Service, and the California Department of Fish and Wildlife.

On February 19, construction was completed on a new 26-slip open berth dock at Camanche Reservoir. The rental slips will allow boaters to moor vessels on the water during the summer season.

On February 20, the District cohosted the Center for Smart Infrastructure's second Infrastructure Hazard Resilience Workshop. The workshop focused on wildfire resilience, recovery, and hazard-resilient infrastructure design, testing, and operations. Attendees observed testing of a 16-inch hazard-resilient ductile iron pipe. Presenters included representatives from EBMUD, Los Angeles Department of Water and Power, San Francisco Public Utilities Commission, Seattle Public Utilities, PG&E, UC Berkeley, Carollo, US Pipe, and American Cast Iron Company. Approximately 180 people attended.

Construction of the Oakport Wet Weather Facility Sodium Hypochlorite Tanks Replacement project was completed under SD-442. This $1.6 million project replaced three aging sodium hypochlorite tanks with new District-furnished 12,150-gallon fiberglass-reinforced tanks and included rehabilitation of tank pads, drainage improvements, and replacement of associated process piping, valves, and instrumentation.

Construction of the Main Wastewater Treatment Plant Digester Upgrade Phase 3 project was completed under SD-356. This $19.1 million project included rehabilitation and upgrades to Digesters 3 and 4 and rehabilitation of Digester 5. Work included seismic retrofits; replacement of digester covers; installation of new sludge piping and mixing pumps; modifications to biogas piping; associated mechanical, electrical, instrumentation, and controls upgrades; and interior coating of Digester 3. Additional work included demolition of old discharge stations. Construction is complete, and staff is negotiating outstanding claims that may increase the total project cost.

Mains repaired in February totaled 54. The attached table lists the mains repaired by staff in February, sorted by city and street. The table indicates the source of the leaks in three categories: non-surfacing leaks discovered by leak detection technologies, breaks caused by contractors or other agencies, and all other main breaks. The associated map shows the location of the main repairs.

CUSTOMER AND COMMUNITY SERVICES

In February, staff conducted five environmental education field trips for approximately 295 attendees as follows:

- February 2, a total of 25 students from Lafayette's St Perpetua Elementary School toured the Lafayette Reservoir and Walnut Creek Water Treatment Plant.
- February 10, a total of 60 students from Oakland's Lodestar Elementary School toured the Lafayette Reservoir and Walnut Creek Water Treatment Plant.
- February 24, a total of 35 students from Oakland's Korematsu Discovery Academy toured the Lafayette Reservoir and Walnut Creek Water Treatment Plant.
- February 26, a total of 25 students from Berkeley's Washington Elementary School toured the Lafayette Reservoir and Walnut Creek Water Treatment Plant.
- February 27, a total of 150 students from Jackson's elementary school toured the Mokelumne River Fish Mokelumne Hatchery and habitat.

In February, staff participated in the following five assemblies for approximately 775 students led by Zun Zun, an organization that leads musical assemblies on watersheds, conservation, climate change, and pollution prevention on behalf of sponsoring water agencies.

- February 3, a total of 665 students at San Leandro's Madison Elementary School
- February 17, a total of 35 students at Oakland's Korematsu Discovery Academy

- February 19 and 26, a total of 50 students at San Lorenzo's Lorenzo Manor Elementary School
- February 26, a total of 25 students at Hercules' Lupine Hills Elementary

On February 1, staff participated in the Oakland Chinatown Chamber of Commerce's Lunar New Year Bazaar. Staff provided information on emergency preparedness, water conservation and the Customer Assistance Program. Approximately 20,000 people attended.

On February 3, staff attended the Fairview Municipal Advisory Council meeting to learn more about community issues.

On February 3, staff met with the City of Albany to coordinate construction activities. The two agencies shared information on current and upcoming work.

On February 3, staff attended the North Richmond Municipal Advisory Council meeting to learn more about community issues.

On February 5, staff met with the City of Oakland and local utilities to coordinate construction activities. The two agencies shared information on current and upcoming work.

On February 5, staff attended the Contra Costa County Mayors Conference in Richmond to receive updates on local issues.

On February 5, staff met with the City of San Pablo to coordinate construction activities. The two agencies shared information on current and upcoming work.

On February 7, staff conducted a Water Walk tour of Lafayette Reservoir with community partner, Outdoor Afro. Staff provided information on the District's water system, stewardship, wildlife, and careers. Approximately 10 people attended.

On February 10, staff met with the City of Berkeley to coordinate construction activities. The two agencies shared information on current and upcoming work.

On February 10, staff attended the Eden Area Municipal Advisory Council meeting to learn more about community issues.

On February 10, staff attended the Oakland Chinatown Community Improvement Council Board meeting to network and learn about community issues.

On February 11, staff met with the City of El Cerrito to coordinate construction activities. The two agencies shared information on current and upcoming work.

On February 11, staff attended the Alameda County Mayors Conference in Berkeley to receive updates on local issues.

On February 12, staff presented at the Woodbridge Irrigation District Board Meeting. The presentation highlighted hydrography. Approximately 20 people attended.

On February 18, staff met with the City of Piedmont to coordinate construction activities. The two agencies shared information on current and upcoming work.

On February 21, staff participated in the Nor Cal Science Festival in Lodi. Staff provided information on hydrography, fisheries, and the discovery of fossils in the watershed. Approximately 3,000 people attended.

On February 21, volunteers participated in a maintenance day on the Mokelumne Coast to Crest Trail. Encroaching vegetation was trimmed back, and storm debris was cleared on the trail between Camanche and Pardee reservoirs. Approximately 10 people attended.

On February 22, staff participated in the annual Black Joy Parade and Celebration in Oakland. Staff provided information on emergency preparedness, careers, and the Customer Assistance Program. Approximately 120,000 people attended.

On February 23, staff attended the North San Joaquin Water Conservation District Board meeting to learn more about regional issues and to network with stakeholders.

On February 23, staff attended the SupplyBank.org and the Clinton Foundation's End Diaper Need event in Oakland. The event was the launch of a program to transform the diaper distribution system and build a stronger social safety net. Approximately 100 attended the event.

On February 23, staff attended the Castro Valley Municipal Advisory Council Land Use meeting to learn more about community issues.

On February 23, staff attended the Path to Clean Air Community Emissions Reduction Plan Committee meeting in Richmond to learn about the implementation of the plan.

On February 24, staff attended the Oakland Chinatown Community Improvement Council Board meeting to learn more about community issues.

On February 24, staff met with the City of Walnut Creek to coordinate construction activities. The two agencies shared information on current and upcoming work.

On February 24, staff participated in King Middle School's Reverse Science Fair in Berkeley. This event was organized by Community Resources for Science, a nonprofit that empowers teachers and Science, Technology, Engineering and Mathematics professionals to bring hands-on, inquiry-driven science learning to K–8 students. Staff provided information on the water system, stewardship, water treatment, and careers. Approximately 150 people attended.

On February 24, staff presented at the Friends of Pinole Creek meeting. The presentation highlighted the successful efforts to improve fish passage in the watershed, including the recently completed Tomato Stand Fish Passage Project and the District's role in supporting three passage projects in the watershed over the last decade. Approximately 25 people attended.

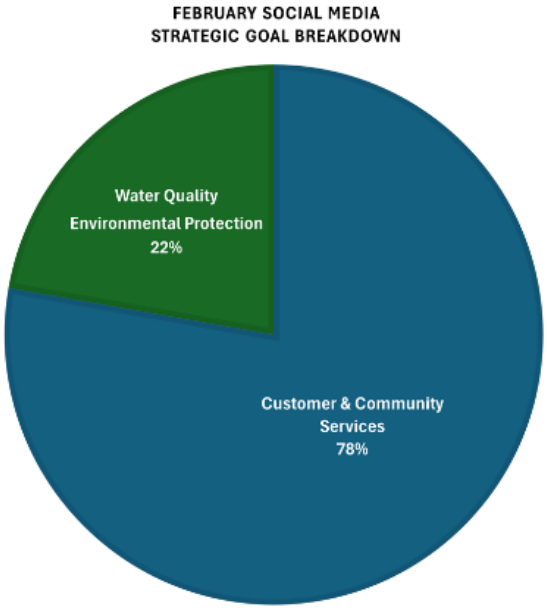
On February 26, the District hosted a virtual public meeting regarding the Lafayette Reservoir Tower Seismic Upgrade project. Staff provided information on the project scope and objectives, anticipated visitor impacts during construction, and how EBMUD will maintain access to the recreation area during construction. Approximately 45 people attended.

On February 28, staff participated in the annual Lunar New Year Parade in Oakland Chinatown. Approximately 1,000 people attended.

Media. A media advisory was issued on February 6 regarding the opening of San Pablo Reservoir boat launch and boat inspection protocols to help prevent the spread of invasive golden mussels, with a media availability on February 8 (Hoodline, CBS5, CBS13, ABC7, KPIX11, KQED, KCBS, Bay Area Daily News, KMAX, Natural History Wanderings, Tracy Press Online). Media outlets covered the current status of the golden mussel issue and current practices (Sierra Sun Times, AgAlert). Additional stories came in about salmon returns following the press release issued on January 27 (Active NorCal, SF Gate, Ledger Dispatch, Daily Kos, Newsbreak). A lengthy story on voluntary agreements/Healthy Rivers and Landscapes (Maven' Notebook/Estuary news) and another story on the Bay Delta Plan and the Water Forum process was a focus (Maven's Notebook, Estuary New, Agri-Pulse.) An EBMUD and consultant award for dam breach modeling was covered (EIN Presswire, International Water Power and Dam, Environmental Post Ledger and others).

Other coverage included water supply updates (ABC7, NBC11); water cremation and EBMUD's wastewater treatment plant tour (Coyote); the City of Hayward's temporary switch to EBMUD water (Hayward.ca.gov.); the community meeting for Carter and Arroyo Reservoir Improvement Project was noted (Lamorinda Weekly); school education about water sources (headtopics, CBS News Online) art reception for Returning Architecture and Light (Newsbreak); fish plants at Lafayette Reservoir (Bay Area Telegraph); and an update on Lafayette Tower community meeting (Patch).

Social Media:



- **Platforms:** Facebook, Instagram, LinkedIn, X, YouTube, Nextdoor
- **Topics included:** Boat inspections and launch opening update, Black History Month, Community Water Academy, waterwise plants, Valentine's Day drink tap, fish plants, Oakland Olympian, Water Wednesday webinar on pure water, H2Flow filming in Spanish
- **Collaborations:** Alphabet Rockers, NBC news
- **Most impressions photo post:** Final call for Community Water Academy applications with 1,090 views on Facebook and Instagram
- **Most viewed video:** Boat inspections start at Camanche Reservoir with 27,985 views on Facebook and Instagram

Staff conducted outreach to neighbors and interested parties on the following projects:

- Carter and Arroyo Reservoir Rehabilitation and Demolition (Moraga)
- Dolores Way Pipeline Replacement (Orinda)
- East of Hills Facilities Demolition and Improvements (San Ramon, Danville, Alamo)
- Fay Hill, Rheem, Ridgewood, and Scenic East Pumping Plants and Pipeline Improvements (Moraga/Alamo)
- Lafayette Reservoir Tower Seismic Upgrade (Lafayette)
- Lafayette Water Treatment Plant Maintenance (Lafayette)
- Lilac Drive Cluster Pipeline Replacement (Walnut Creek)
- Oak Park Blvd. Cluster Pipeline Replacement (Pleasant Hill)
- Orinda Water Treatment Plant Disinfection Improvements (Orinda)
- Reliez Valley Road Pipeline Replacement (Lafayette)

- St. David Drive Cluster Pipeline Replacement (Danville)
- Stone Valley Way Pipeline Replacement (Alamo)
- Tice Valley Pipeline Replacement (Walnut Creek)
- Walnut Creek Water Treatment Plant Pretreatment (Walnut Creek)
- Westside Pumping Plant Replacement (Orinda)

Contract Equity

Contract Equity staff participated in the following customer events and outreach activities:

- February 15 – Women's Business Enterprise Council Pacific Quarter 4 Board Meeting – 12 attendees
- February 11 – Construction Resource Center Industry Advisory Board Meeting – 4 attendees
- February 17 – Cypress Mandela Graduation – 250 attendees
- February 19 – Western Regional Minority Supplier Development Council Construction Industry Day – 200 attendees
- February 24 – Pegbo Builders Summit 2026 – A Summit for Construction Leadership –150 attendees

Water Conservation

On February 5, staff presented at Berkeley Town House. Staff provided information on water conservation and water consumption in a condominium setting. Approximately 15 people attended.

On February 17, the District hosted a virtual Landscape Rebate Office hour for District customers. Staff presented an overview of the rebate program and answered questions. Approximately 10 people attended.

On February 17, staff participated in the California Water Efficiency Partnership's Landscape Task Force virtual meeting. Topics included 2026 project requests; tree irrigation calculations; Assembly Bill 1572 California's Non-Functional Turf Watering Ban; and District's landscape rebate programs. Approximately 35 people attended.

WORKFORCE PLANNING AND DEVELOPMENT

On February 10, staff participated in the American Society of Civil Engineers Civil & Environmental Engineering Spring Career Fair in Berkeley. Staff provided information on water and wastewater careers, District career pathways, internships, and current and upcoming recruitments. Approximately 120 people attended.

On February 11, staff presented at the California/Nevada American Fisheries Society Conference in Chico. The presentation highlighted a poster developed in collaboration with Cramer Fish Sciences and the development of an Artificial Intelligence model to monitor returning salmonid spawners to the Mokelumne River. Approximately 250 people attended.

On February 11, staff attended the Northern California WateReuse Chapter Planning Committee Meeting. The meeting included planning for upcoming chapter meetings, tours, workshops, and the state conference. Approximately 10 people attended.

On February 19, staff toured the City of Antioch's desalination water facility to learn more about the project.

Staff participated in events/activities that support the District's long-term efforts to develop a qualified, diverse pipeline of candidates for future workforce needs and expand collaborative relationships with local partner organizations:

- **On February 7, staff attended the National College Resources Foundation's Black College Expo in Oakland.** Staff provided information on District careers, upcoming recruitments, internship programs, and the application process. Approximately 2,000 people attended.

- **On February 11, staff attended City Career Fair's 26th Annual Community Employment Day Career Fair in Oakland.** Staff provided information on District careers, recruitments, and the application process. Approximately 200 people attended.

Tuition Reimbursement

	February 2026	FY 2026 Total
# of Employees	11	96
# of Classes	9	142
Total Reimbursed	$6,390.59	$100,831.04

Employment Information

	February 2026	FY 2026 Total
Retirements – Regular	3	41
Retirements – Vested	3	6
Hires/Rehires	13	99
Other Separations	11	78

FINANCIAL STABILITY

In February, an additional qualified service provider was added to the agreements for pavement striping services. Diablo Striping, Inc. meets District standards and has been added to increase flexibility and ensure service provider availability.

In February, an additional qualified service provider was added to the agreements for dump truck services. Sabie Trucking Inc. meets District standards and has been added to increase flexibility and ensure service provider availability.

In February, two additional qualified service providers were added to the agreements for concrete repair services. Spaulding Concrete LLC and Integrated Concrete Construction meet District standards and have been added to increase flexibility and ensure service provider availability.

In February, three additional qualified service providers were added to the agreements for equipment rentals. Bigge Crane & Rigging Co., Sunbelt Rentals, Inc., and United Rentals (North America), Inc. meet District standards and have been added to increase flexibility and ensure service provider availability.

The estimated earned revenue from the Main Wastewater Treatment Plant Power Generation Station's surplus power sales for February is $60,806. The District sold renewable power and related Renewable Energy Certificates (RECs) to the Port of Oakland. The sale of RECs generated $33,192 from the Port of Oakland. Earned revenue for FY 2026 is estimated at $734,634 or 105 percent of the total FY 2026 budget of $700,000.

The estimated earned revenue from Mokelumne power sales for February is $466,872. The District sold renewable power and related Renewable Energy Certificates (RECs) to Silicon Valley Clean Energy (SVCE). Sales of RECs generated $189,234 from SVCE. Resource Adequacy (RA) capacity sales to Shell Energy North America (US), L.P. earned $38,720. Estimated earned revenue to date through February is $8,274,299 or 90 percent of the budgeted revenue for FY 2026 of $9,200,000. The forecasted revenue for FY 2026 is $13,120,136.

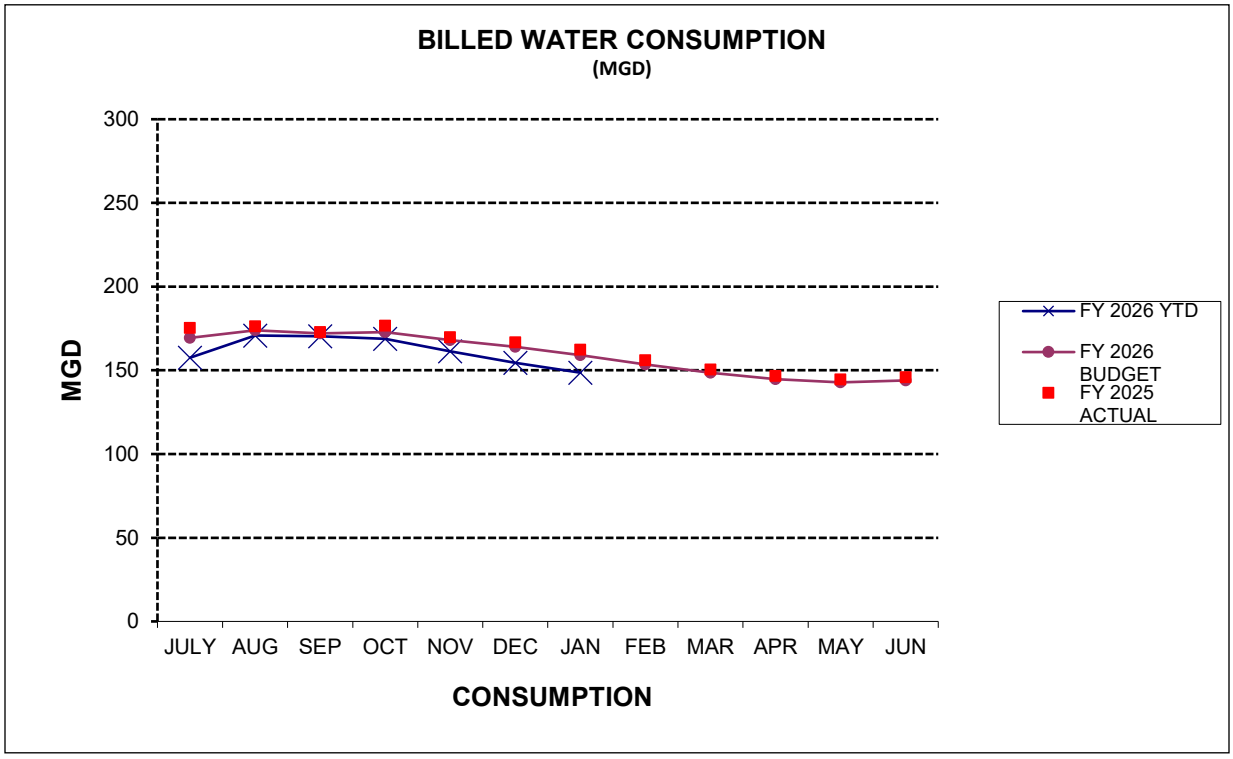
There was one material, supply, or construction contract from $80,001 to $100,000 and four general and professional service agreements from $30,001 up to $80,000 approved by the General Manager in February 2026.

VENDOR NAME	DATE AWARDED	CEP STATUS	ITEM (S) PURCHASED	PROJECT	CONTRACT TERM	VALUE
EN Engineering, LLC	2/2/2026	Unclassified	Complete improvements to the excitation systems at Camanche Powerhouse	N/A	N/A	$73,675
City of Oakland	2/9/2026	Government Agency	Install seventy-three G5 water valve boxes, supplied by the District, to accommodate the City's Broadway Streetscape Improvements along Broadway	N/A	N/A	$52,998
Pipe Spy Inc.	2/9/2026	White Men	Amendment to existing contract to increase amount by $15,200 to complete the sewer lateral replacement at Montclair Pumping Plant	N/A	N/A	$43,645
Guerra Bros. Plumbing Inc.	2/19/2026	Hispanic Men	Installation of two private water service pipelines at 2923 and 2927 75th Avenue in Oakland	N/A	N/A	$90,000
Euna Solutions	2/25/2026	White Men	Implementation and service of grant management software to identify, track, and administer grants more effectively	N/A	One year	$38,000

Water Sales (Billed Consumption)

The following consumption information is the average water consumption in millions of gallons per day (MGD) for the first seven months of FY 2026[1]. Budgeted average daily water consumption for FY 2026 is 143.9 MGD, noting that summer month consumption is generally higher due to outdoor watering. The table below shows the average billed water consumption information by customer class with a comparison to FY 2025 data for the same period of time.

Fiscal Year-to-Date Billed Water Consumption			
Usage Type	**FY 2026 (MGD)**	**FY 2025 (MGD)**	**Year-over-Year (% change)**
Residential	74.5	79.6	-6.4%
Commercial	49.1	55.5	-11.5%
Industrial	18.0	20.0	-10.0%
Public Authority	7.0	7.3	-4.1%
Total Billed Water Consumption	**148.6**	**162.4**	**-8.5%**

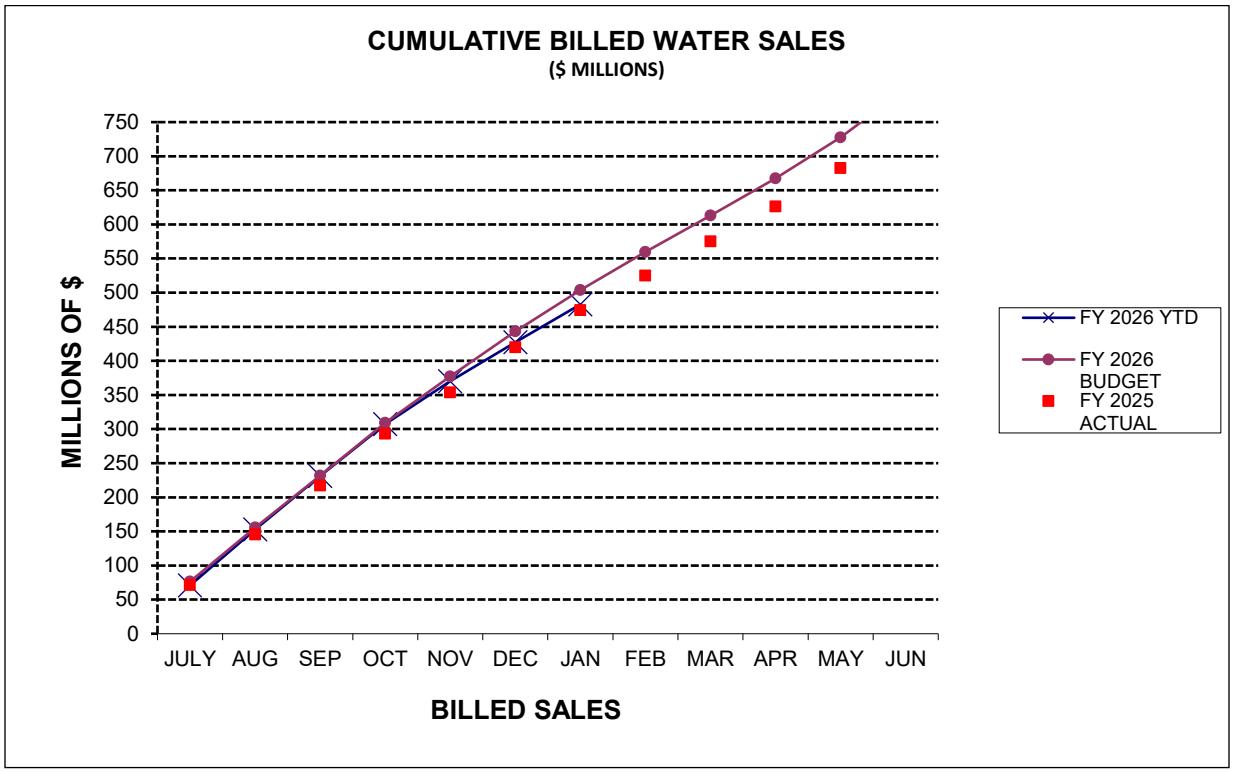


Source: Customer Information System

[1] Billed consumption is the amount of potable and non-potable water use for which EBMUD billed customers during the month and not actual customer usage within that month. During any month, roughly half of all EBMUD customers are billed for the prior two months of consumption. For example, a customer bill sent in early August would generally contain charges for water consumed in June and July.

Water Sales (Expected Revenue)

Water revenues billed through the end of January were $482.8 million[2] or 1.9% more than the FY 2025 revenue for the same period of $474.0 million. This increase in water revenues is a result of a 6.5% average rate increase (effective July 1, 2025), partially offset by lower consumption. Total FY 2026 water revenues through January are $20.9 million (4.1%) less than the budgeted water revenue of $503.7 million.



Source: Customer Information System

[2] Water sales includes potable and non-potable water sales.

		February 2026 MAIN BREAK REPAIRS									
City	Pre	Street	Suf	Ward	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
ALAMEDA		FERNSIDE	BL	5	ASBESTOS CEMENT	4	1939	4,500	2/26/2026	2/26/2026	Y
ALAMEDA		ISLAND	DR	5	STEEL	16	1966	10,080	1/27/2026	2/2/2026	Y
ALAMEDA		PACIFIC	AVE	5	CAST IRON	4	1940	2,700	2/9/2026	2/10/2026	Y
ALAMEDA		PACIFIC	AVE	5	STEEL	4	1982	1,350	2/26/2026	2/26/2026	Y
ALAMEDA		REGENT	ST	5	ASBESTOS CEMENT	4	1937	7,200	2/2/2026	2/6/2026	Y
ALAMEDA		SAN JOSE	AVE	5	ASBESTOS CEMENT	4	1947	0	2/23/2026	2/25/2026	Y
ALAMO		GARY	WAY	2	ASBESTOS CEMENT	6	1961	9,000	2/3/2026	2/4/2026	Y
ALAMO		MIRANDA	AVE	2	ASBESTOS CEMENT	6	1953	3,600	2/18/2026	2/18/2026	Y
ALAMO		MIRANDA	AVE	2	ASBESTOS CEMENT	6	1953	9,000	2/27/2026	2/27/2026	Y
BERKELEY		CRAGMONT	AVE	4	STEEL	1	1932	720	2/27/2026	2/27/2026	Y
BERKELEY		CURTIS	ST	4	CAST IRON	6	1925	1,350	2/20/2026	2/20/2026	Y
BERKELEY		PARNASSUS	RD	4	STEEL	2	1929	1,800	2/6/2026	2/6/2026	Y
CASTRO VALLEY		HEYER	AVE	3	CAST IRON	12	1952	0	1/16/2026	2/17/2026	Y
DANVILLE		EL RINCON	RD	2	STEEL	42	1985	21,600	2/1/2026	2/3/2026	Y
DANVILLE		GREEN VALLEY	RD	2	ASBESTOS CEMENT	6	1951	90,000	2/26/2026	2/26/2026	Y
DANVILLE		LOVE	LN	2	ASBESTOS CEMENT	6	1962	36,000	2/16/2026	2/20/2026	Y
EL CERRITO		ARBOR	DR	4	CAST IRON	6	1958	5,760	2/2/2026	2/5/2026	Y
EL CERRITO		BLAKE	ST	4	CAST IRON	6	1930	2,250	2/18/2026	2/18/2026	Y
EL CERRITO		COLUSA	AVE	4	CAST IRON	6	1941	23,040	2/19/2026	2/20/2026	Y
EL CERRITO		COLUSA	AVE	4	CAST IRON	6	1941	0	2/23/2026	2/23/2026	Y
EL CERRITO		EL CERRITO	PLZ	4	ASBESTOS CEMENT	8	1958	0	2/4/2026	2/17/2026	Y
EL CERRITO		KEARNEY	ST	4	CAST IRON	4	1930	1,350	2/22/2026	2/22/2026	Y
KENSINGTON		EDGECROFT	RD	4	CAST IRON	6	1958	4,500	2/4/2026	2/4/2026	Y
LAFAYETTE		HAPPY VALLEY	RD	2	STEEL	12	1961	0	2/9/2026	2/10/2026	Y
LAFAYETTE		MOUNTAIN VIEW	DR	2	CAST IRON	6	1938	0	1/23/2026	2/9/2026	Y
OAKLAND		4TH	AVE	6	CAST IRON	6	1936	7,200	2/6/2026	2/10/2026	Y
OAKLAND		5TH	AVE	6	CAST IRON	10	1927	0	2/3/2026	2/3/2026	Y
OAKLAND		9TH	AVE	6	CAST IRON	6	1931	22,500	2/10/2026	2/11/2026	Y
OAKLAND	E	22ND	ST	6	CAST IRON	6	1928	43,200	2/4/2026	2/9/2026	Y

KPI = turn around time to repair the leak

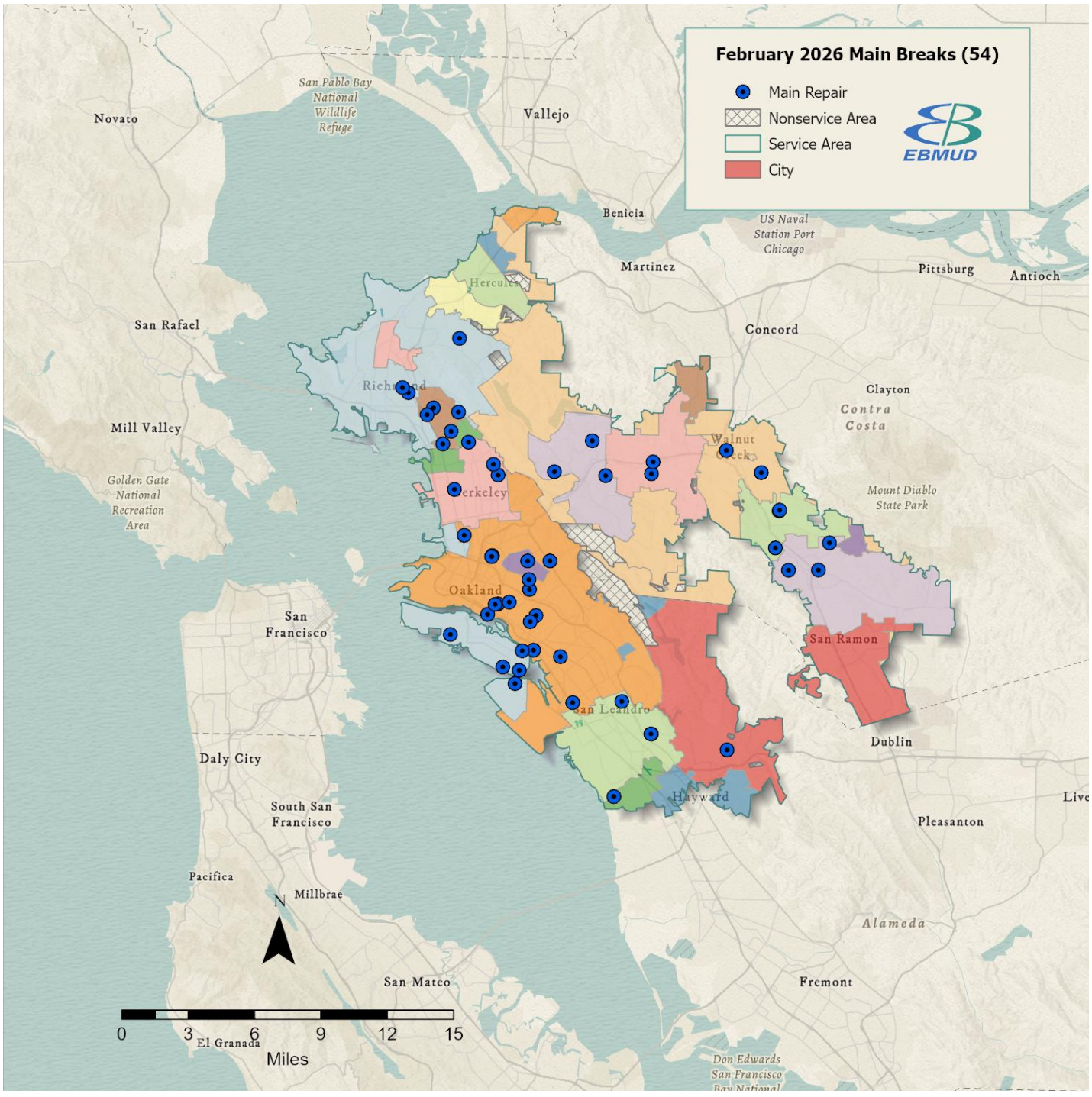
	February 2026 MAIN BREAK REPAIRS										
City	Pre	Street	Suf	Ward	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
OAKLAND		41ST	ST	3	CAST IRON	14	1926	0	11/3/2025	2/23/2026	N
OAKLAND		61ST	AVE	5	CAST IRON	6	1932	7,200	1/30/2026	2/3/2026	Y
OAKLAND		ARDMORE	AVE	6	CAST IRON	4	1928	0	2/23/2026	2/23/2026	Y
OAKLAND		ARDMORE	AVE	6	CAST IRON	4	1928	5,400	2/25/2026	2/26/2026	Y
OAKLAND		CLARA	ST	5	ASBESTOS CEMENT	6	1942	8,640	1/30/2026	2/4/2026	Y
OAKLAND		DAVIS	ST	6	ASBESTOS CEMENT	6	1969	0	1/27/2026	2/3/2026	Y
OAKLAND		EMBARCADERO		5	ASBESTOS CEMENT	12	1952	0	1/16/2026	2/2/2026	Y
OAKLAND		GREENWOOD	AVE	6	CAST IRON	6	1929	34,560	2/20/2026	2/25/2026	Y
OAKLAND		HOWARD	ST	5	CAST IRON	6	1927	20,160	1/30/2026	2/5/2026	Y
OAKLAND		MANILA	AVE	3	WROUGHT IRON	12	1940	67,500	2/11/2026	2/11/2026	Y
OAKLAND		MOUNTAIN	BL	3	CAST IRON	6	1926	0	2/6/2026	2/18/2026	Y
OAKLAND		STANFORD	AVE	4	CAST IRON	8	1952	8,640	2/6/2026	2/11/2026	Y
ORINDA		EL RINCON		3	CAST IRON	2	1934	1,800	2/1/2026	2/1/2026	Y
ORINDA		MINER	RD	3	CAST IRON	4	1938	0	2/3/2026	2/23/2026	Y
ORINDA		TAHOS	RD	3	STEEL	6	1962	5,760	2/2/2026	2/5/2026	Y
PIEDMONT		SHARON	AVE	3	CAST IRON	4	1937	10,080	2/3/2026	2/9/2026	Y
RICHMOND		36TH	ST	1	CAST IRON	6	1939	8,640	2/19/2026	2/24/2026	Y
RICHMOND		NEVIN	AVE	1	CAST IRON	4	1941	12,960	2/10/2026	2/18/2026	Y
RICHMOND		VALLEY VIEW	RD	3	STEEL	12	1954	116,640	1/22/2026	2/17/2026	Y
SAN LEANDRO	E	MERLE	CT	7	CAST IRON	6	1938	14,400	1/29/2026	2/2/2026	Y
SAN LEANDRO		PLACER	DR	7	CAST IRON	6	1945	25,920	2/20/2026	2/25/2026	Y
SAN LEANDRO		PLACER	DR	7	CAST IRON	6	1945	8,640	2/25/2026	2/27/2026	Y
SAN LORENZO		GRANT	AVE	5	ASBESTOS CEMENT	12	1956	0	2/5/2026	2/5/2026	Y
WALNUT CREEK		ALMOND	AVE	2	DUCTILE IRON	6	2018	18,000	2/25/2026	2/25/2026	Y
WALNUT CREEK		MOUNTAIN VIEW	BL	2	ASBESTOS CEMENT	6	1960	45,000	2/26/2026	2/26/2026	Y
							Total	728,640			

Non-surfacing leaks discovered by leak detection technologies	7
Breaks caused by contractors or other agencies	3
Other main breaks	44

KPI = turn around time to repair the leak

February 2026 MAIN BREAK REPAIRS											
City	Pre	Street	Suf	Ward	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
Total water main repairs							**54**				

KPI = turn around time to repair the leak


February 2026 Main Breaks (54)
Main Repair
Nonservice Area
Service Area
City
EBMUD
San Pablo Bay National Wildlife Refuge
Novato
Vallejo
Benicia
US Naval Station Port Chicago
Martinez
Pittsburg
Antioch
Concord
San Rafael
Mill Valley
Golden Gate National Recreation Area
Clayton
Contra Costa
Mount Diablo State Park
Oakland
San Francisco
San Ramon
Dublin
Daly City
South San Francisco
Pacifica
Millbrae
Pleasanton
Alameda
San Mateo
Fremont
El Granada
Don Edwards San Francisco Bay National
N
0 3 6 9 12 15
Miles

Customer Account Delinquency Information
February 2026

(Data collection began September 1, 2017 - CAP applications processed through February 28, 2026)

CUSTOMER ASSIST. PROGRAM (CAP) ENROLLMENT	Sep 25	Oct 25	Nov 25	Dec 25	Jan 26	Feb 26 [44]	Totals (since 9/1/2017)
New CAP Participants	302	310	233	246	221	243	19,646
CAP Renewals	212	209	131	221	245	234	19,494
CAP Departures	471	408	371	362	476	386	29,241
Total Active CAP Participants w/Active Accounts	11,128	11,257	11,320	11,418	11,381	11,416	-
PAYMENT PLANS	**Sep 25**	**Oct 25**	**Nov 25**	**Dec 25**	**Jan 26**	**Feb 26**	**Totals**
Approved Payment Plans	3,276	3,528	2,837	3,631	3,795	2,955	292,884
SERVICE INTERRUPTIONS - RESIDENTIAL	**Sep 25**	**Oct 25**	**Nov 25**	**Dec 25**	**Jan 26**	**Feb 26**	**Totals (since 9/1/2017)**
15-day Final Collection Notices[53]	16,767	17,000	13,633	18,560	14,464	15,149	1,639,083
48-hr Service Interruptions Notices[4,52]	9,506	10,863	9,774	12,188	9,522	9,976	993,978
TENANT OCCUPIED - FLOW RESTRICTORS	**Sep 25**	**Oct 25**	**Nov 25**	**Dec 25**	**Jan 26**	**Feb 26**	**Totals (since 9/1/2024)**
Service Interruption Orders/Door Hangers Generated	462	20	174	324	104	396	4,645
Service Interruptions Completed (Flow Restrictor Installed)	111	144	64	106	140	147	2,823
Number of Flow Restrictors Removed/Service Restored	122	127	68	120	138	144	2,327
Flow Restrictors Remain Installed as of End of Month	445	462	458	444	446	449	
Shutoff Subsequent to FR (Payment Plan Defaults)	-	-	-	-	409	65	474
Shutoff Subsequent to FR (Water Waste)	-	-	-	-	13	1	14
OWNER OCCUPIED - SINGLE-FAMILY LIENS	**Sep 25**	**Oct 25**	**Nov 25**	**Dec 25**	**Jan 26**	**Feb 26**	**Totals (since 11/1/2024)**
Liens Filed	-	488	-	78	150	89	2,098
Released	-	513	-	-	-	2	850
Transferred to Alameda Cty.	-	-	-	-	-	-	329
Transferred to Contra Costa Cty.	-	-	-	-	-	-	194
Total Transactions/Month	**-**	**1,011**	**-**	**78**	**150**	**91**	**2,948**
FLOW RESTRICTOR TAMPERING	**Sep 25**	**Oct 25**	**Nov 25**	**Dec 25**	**Jan 26**	**Feb 26**	**Totals**
Flow Restrictor Tampered	4	7	3	1	4	3	75
WATER THEFT	**Sep 25**	**Oct 25**	**Nov 25**	**Dec 25**	**Jan 26**	**Feb 26**	**Totals (since 9/1/2017)**
No. of Incidents	33	39	52	43	53	56	1,004
No. of 2nd or 3rd Occurrences	-	-	-	-	-	-	41
No. Water Theft Penalties Issued	-	-	-	-	-	-	228
No. of Appeals Received	-	-	-	-	-	-	10
No. of 1st Appeals Approved	-	-	-	-	-	-	5
No. of 1st Appeals Denied	-	-	-	-	-	-	8
MULTI-FAMILY LIENS[1]	**Sep 25**	**Oct 25**	**Nov 25**	**Dec 25**	**Jan 26**	**Feb 26**	**Totals (since 9/1/2017)**
Liens Filed	-	-	-	29	29	-	7,902
Released	3	39	-	331	300	50	7,352
Transferred to Alameda Cty.	-	-	-	114	300	-	3,310
Transferred to Contra Costa Cty.	-	-	-	217	-	-	724
Total Transactions/Month	**3**	**39**	**-**	**360**	**329**	**50**	**18,116**
BAD DEBT - WRITE OFFS[2]	**Sep 25**	**Oct 25**	**Nov 25**	**Dec 25**	**Jan 26**	**Feb 26**	**Totals (since 9/1/2017)**
Total Referred to Collection Agency	$532,316	$688,230	$438,528	$823,240	$592,360	TBD	$ 28,526,998.00
Write-Off % to Billed Revenue	0.61%	0.79%	0.55%	1.25%	0.92%	TBD	

[1] Liens filed monthly represent delinquent accounts 4-6 months in arrears.
[2] Feb 25 collection agency totals will be updated in Mar 25. Write-off revenue for Feb 25 will be finalized when the final revenue reports are posted by Accounting.
[4] 48 hour notices were generated, but not mailed to customers since 03-23-20. Customers are receiving payment reminders in lieu of 48-hours notices.
[52] Total Final Collection Notices sent to all Single Family Residence Accounts (Renter and Owner occupied).
[53] Total Interruption/Lien Notices sent to all Single Family Residence Accounts (Renter and Owner occupied).
[44] Report as of 3/3/26. Pending: Bad Debt Write Off Percentage for February. Updated the Bad Debt Write-off % for January.

Notes: Effective March 12, 2020, the District suspended "Disconnects Due to Non-Payment" (DNP) to residential customers, with Mail mailing 48-hr notices to customers, and began restoring service to all customers shutoff as of January 2020. The DNP information will be omitted from this table until the District resumes DNP activities.

Water Theft Type/City	Alameda	Alamo	Albany	Berkeley	Castro Valley	Crockett	Danville	El Cerrito	El Sobrante	Emeryville	Hayward	Hercules	Kensington	Lafayette
Meter	13	1	6	56	10	3	4	5	5	4	12	8	1	4
Illegal Connection	0	1	0	4	0	0	1	0	0	0	0	0	0	0
Hydrant	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	1	0	0	0	0	0	0	0	0	0	1	0	0	0
Total	14	2	6	60	10	3	5	5	5	4	13	8	1	4

Water Theft Type/City	Moraga	Oakland	Orinda	Piedmont	Pinole	Pleasant Hill	Richmond	Rodeo	San Lorenzo	San Leandro	San Pablo	San Ramon	Walnut Creek	Total as of 9/1/2017
Meter	2	635	1	2	9	1	132	9	2	20	12	6	9	972
Illegal Connection	0	11	1	0	0	0	1	1	0	0	0	1	1	22
Hydrant	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	4	0	0	0	0	3	0	0	1	0	0	0	10
Total	2	650	2	2	9	1	136	10	2	21	12	7	10	1004