

**COMMISSION OF SILICON VALLEY CLEAN WATER
JOINT POWERS AUTHORITY
REGULAR MEETING – Monday, December 11, 2023
8:00 a.m.**

Place: Silicon Valley Clean Water
1406 Radio Road
Redwood City, California

Consistent with Government Code Section 54953, this meeting will be held both in person and virtually. See page 5 of this agenda for virtual meeting access information and instructions.

COMMISSIONERS

COUNCIL MEMBER ALICIA AGUIRRE, REDWOOD CITY – CHAIR
BOARD MEMBER GEORGE OTTE, WEST BAY SANITARY DISTRICT – VICE CHAIR
COUNCIL MEMBER RON COLLINS, SAN CARLOS – SECRETARY
COUNCIL MEMBER TOM McCUNE, BELMONT – ALTERNATE

MANAGER: TERESA A. HERRERA

ATTORNEY FOR THE AUTHORITY: CHRISTINE C. FITZGERALD

CONTROLLER: MICHELLE P. FLAHERTY

TREASURER: MATTHEW ANDERSON

AMERICANS WITH DISABILITIES ACT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact SVCW (650) 591-7121. Notification in advance of the meeting will enable the Authority to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENT

Any member of the public may address and ask questions of the Chair under this item relating to any matter within the Commission's jurisdiction that does not appear as a separate item on the Agenda. An opportunity will be provided for members of the public to address the Chair and ask questions about any item that is listed on the agenda at the time the Commission considers the item and before action is taken. If you address the Commission on a non-agenda item, be aware that the

the agenda at the time the Commission considers the item and before action is taken. If you address the Commission on a non-agenda item, be aware that the Ralph M. Brown Act (Gov. C. § 54950 et seq.) prohibits the Commission from acting on or discussing such matters at this meeting. Any such item may be referred to staff for a decision with regard to placing it on a future agenda for discussion, action or a report.

5. SAFETY MOMENT and REPORTS

- A. Safety Moment.....pg. 7
- B. Manager's Report
 - 1. Upcoming Commission Actions.....pg. 9
- C. Financial Report
 - 1. Investment Reportpg. 11
- D. Engineering Capital Projects Report.....pg. 15
- E. Commission Requested Staff-Level Action Items..... pg. 20
- F. RESCU Program Design-Build Project Status Update..... pg. 23

6. MATTERS OF COMMISSION MEMBER'S INTEREST

- A. Review Draft Strategic Plan (pg. 32)

7. CONSIDERATION OF MOTION APPROVING CONSENT CALENDAR (begins pg.40)

8. BUSINESS ITEMS –

- A. RECEIVE PRESENTATION ON SF-PENINSULA REGIONAL PUREWATER (SPRP) PROJECT (pg. 65)

Proposed Action:

Receive Presentation; no action required

- B. CONSIDERATION OF RESOLUTION APPROVING NON-DISCLOSURE AGREEMENT WITH MAINSPRING ENERGY, INC FOR SVCW POWER GENERATION (pg. 67)

Proposed Action:

Move adoption of RESOLUTION APPROVING NON-DISCLOSURE AGREEMENT WITH MAINSPRING ENERGY INC

9. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of subdivision (d) of Gov. Code § 54956.9 (1 potential case: NOV-A59189-A1534 Bay Area Air Quality Management District)

10. RECONVENE IN OPEN SESSION – Announce action taken in Closed Session, if any
11. ADJOURN

CONSENT CALENDAR

NOTICE TO PUBLIC

All matters listed under CONSENT CALENDAR are considered to be routine. There may be discussion on items on the CONSENT CALENDAR. All items will be enacted by one motion with a voice vote unless members of the Commission, staff, or public request specific items be removed from the CONSENT CALENDAR for separate action.

7. A. APPROVAL OF MINUTES – November 11, 2023 - Regular Meeting (pg. 40)
- B. CONSIDERATION OF MOTION APPROVING CLAIMS AND CHECKS DATED OCTOBER 3, 2023 - NOVEMBER 27, 2023, AND NECESSARY PAYMENTS THROUGH NOVEMBER 27, 2023 (pg. 46)
- C. CONSIDERATION OF MOTIONS APPROVING FINAL ACCEPTANCE AND AUTHORIZATION TO FILE NOTICE OF COMPLETION FOR THE DIGESTER NO. 1 REHABILITATION PROJECT (CIP# 9215) (pg. 48)

Proposed Actions:

- i. Move approval to ACCEPT DIGESTER #1 REHABILITATION PROJECT (CIP #9215) AND AUTHORIZE FILING NOTICE OF COMPLETION – Trinet Construction, Inc.
 - ii. Move approval of INCREASE IN BUDGET TO CAPITAL IMPROVEMENT PROGRAM PROJECT #9215 TO \$4,400,000
- D. CONSIDERATION OF RESOLUTION APPROVING REVISION D TO COMMISSION POLICY NO. 2016-01 FOR IMPLEMENTING DESIGN-BUILD AND PROGRESSIVE DESIGN-BUILD PROJECTS (pg. 52)

Proposed Action:

Move adoption of RESOLUTION APPROVING AND ADOPTING REVISION D TO COMMISSION POLICY 2016-01, FOR IMPLEMENTING DESIGN-BUILD AND PROGRESSIVE-DESIGN-BUILD PROJECTS

Microsoft Teams Access Information
Silicon Valley Clean Water
Regular Meeting
Monday, December 11, 2023

WEBSITE: [Link to access meeting](#)

MEETING ID: 270 547 566 14

CALL IN PHONE NUMBER: +1 747-216-0281 **ID:** 925 412 740#

You may log in via URL located on SVCW's website at <https://svcw.org/about/governance/commission-meetings>. You may view video during the meeting via live stream. An audio will be available after the meeting at SVCW's website. If you experience technical difficulties or have technical questions prior to or during the meeting, please contact Teams meeting support at 707-862-0859. Note: Public participation is not permitted during closed session discussion items.

Public Comment

Public comment may be made by joining the meeting using the link or phone number above. Members of the public may provide public comments via the Teams platform by using the "raise hand" feature or, if calling in by phone, by unmuting and beginning to speak. In response to a "raised hand", SVCW will unmute the member of public and allow them to speak. In response to a phone request to speak, SVCW will ask what is the nature of the comment and will provide directions to follow to provide comment. Public comments will be limited to three minutes.

Public comment may also be made by emailing comments to commission@svcw.org up to two hours prior to the scheduled meeting time. Indicate in your email the agenda item to which your comment applies. If you have anything that you wish distributed to the Commission and included for the official record, please include it in your email.

Accessibility for Individuals with Disabilities

Upon request, SVCW will provide for access to individuals with disabilities to fully engage in the meeting process. Joining the meeting via the teleconference instructions above will provide access to open captioning. For other accommodations, please email your request to commission@svcw.org or call 650-591-7121 at least four (4) days prior to the scheduled meeting time. Requests will be granted whenever possible and resolved in favor of accessibility.

Subject to Change:

Given the current public health emergency and the rapidly evolving federal, state, and local orders, the format of this meeting may change or the meeting may be canceled. You may check on the status of the meeting by visiting SVCW's website www.svcw.org.

AGENDA ITEM 5A

5 Tips To Manage Holiday Stress

1



Keep It Simple

- Do Less and Enjoy More
- Establish a Budget for Gift Giving
- Make Homemade Gifts
- Start a Family Gift Exchange

2



Forget About Perfection

- Stick to Your Daily Routine as Much as Possible
- Plan Ahead
- Make Lists of Tasks and Errands
- Prioritize What You Want to Accomplish
- Keep Old Holiday Traditions That You Enjoy
- Add New Holiday Traditions to the Old Ones
- Slow Down and Enjoy the Season
- Don't Fret If You Can't Do It All!

3



Attend to Your Self-Care

- Don't Overindulge on Food and Alcohol
- Maintain a Healthy Diet
- Exercise - Even a Short Walk is Helpful
- Take 10 Minutes for Quiet Time When Needed
- Get Enough Sleep
- It's Okay to Say "No" to Requests
- Ask for Help When You Need It

4



Acknowledge Emotions & Feelings

- Holiday Time Can Make You Happy
- Holiday Time Can Make You Sad
- Holiday Time Can Bring Frustration
- Holiday Time Can Be Lonely
- Ride the Wave of Holiday Emotions
- Reach Out To Friends, Family, or a Counselor For Support
- ALL EMOTIONS ARE VALID

5



Focus on Kindness and Gratitude

- Enjoy Time With Family and Friends
- Pick Your Battles When Tensions Are High
- Donate Money or Time to Charity
- Practice Acceptance, Forgiveness, & Gratitude

 JanieMcMahan.com

AGENDA ITEM 5B

Recurring and Upcoming 2023 Commission Actions
Updated for December 2023 Meeting


January	February	March	April
<ul style="list-style-type: none"> Review Investment Policy Long Range Financial Plan 	<ul style="list-style-type: none"> Meeting Cancelled 	<ul style="list-style-type: none"> Operating Budget Workshop 	<ul style="list-style-type: none"> Operating Budget Approval Consider MOU w/Local 39
May	June	July	August
<ul style="list-style-type: none"> Initiate Manager Performance Evaluation 	<ul style="list-style-type: none"> Approve Resolution 77-6 "Personnel Resolution" Perform Manager Evaluation Review Reserve Funds Policy Receive Q1 Investment Summary 	<ul style="list-style-type: none"> Elect Chair, Vice Chair; Appoint Secretary 	<ul style="list-style-type: none"> Special Meeting
September	October	November	December
<ul style="list-style-type: none"> Review Investment Policy Review Debt Management Policy 	<ul style="list-style-type: none"> Conflict of Interest Update (Biennial; even numbered years) Annual Investment Update 	<ul style="list-style-type: none"> Audited Financial Report Commission Meeting Schedule for following year (typically done at December mtg) 	<ul style="list-style-type: none"> To be held at 1406 Radio Rd

-  - Recurring Commission Actions
-  - Upcoming Commission Actions

AGENDA ITEM 5C1

**Silicon Valley Clean Water Authority
Cash & Investments Summary Report
October 31, 2023**

Description	Market Value	% of Total Holdings	Yield to Market
<u>Reserve Accounts</u>			
Operating Reserve* - Securities	\$ 2,280,166	1.83%	1.66%
Operating Reserve - Money Market Fund Balance	1,752,077	1.41%	5.23%
CIP Reserve* - Securities	22,029,044	17.68%	2.66%
CIP Reserve - Money Market Fund Balance	283,851	0.23%	5.23%
Stage 2 Capacity Reserve* - Securities	12,744,055	10.23%	1.78%
Stage 2 Capacity Reserve - Money Market Fund Balance	2,320,308	1.86%	5.23%
Debt Coverage Reserve - CAMP	2,521,051	2.02%	5.56%
Total Market Value: Operating and Reserve Accounts	\$ 43,930,553	35.3%	2.77%
Total Accrued Interest: Operating and Reserve Accounts	188,914		
GRAND TOTAL, RESERVE ACCOUNTS	\$ 44,119,466		
<u>Trustee Accounts:</u>			
2018 Bond Project Fund Account - CAMP	\$ 6,685,086	5.37%	5.56%
2018 Bond Revenue Account	4,758	0.00%	5.00%
2019A Notes WIFIA - Money Market Fund	23,500	0.02%	5.00%
2019A Notes Capitalized Interest Account - Money Market Fund	-	0.00%	4.99%
2019A Notes Capitalized Interest Account* - Securities	-	0.00%	2.16%
2021 Refunding Bonds Revenue Account	6,989	0.01%	5.00%
2021A Notes (RESCU) - Money Market Fund	240	0.00%	5.00%
2021A Notes (RESCU) - LAIF**	1,385,070	1.11%	3.67%
2021B Notes (WWTP) - Money Market Fund	18,381,545	14.76%	5.00%
2021B Notes (WWTP) - CAMP	12,986,495	10.43%	5.56%
2021B Notes (WWTP)* - Securities	3,639,561	2.92%	2.94%
2021B Notes (WWTP) - LAIF**	23,247,203	18.66%	3.67%
2021 Notes Capitalized Interest Account - Money Market Fund	1,075,566	0.86%	5.00%
Total Market Value, Trustee Accounts	\$ 67,436,014	54.13%	4.57%
Accrued Interest:	214,461		
Operating Cash (includes outstanding checks)	2,246,160	1.80%	0.00%
Local Agency Investment Funds (LAIF) Balance	10,957,491	8.80%	3.67%
Total Cash & Investments	\$ 124,973,593	100.00%	3.77%


Matthew P Anderson

Chief Financial Officer / Assistant Manager

* Monthly report of security transactions and interest available upon request

**Market value of LAIF based on the most available Fair Value factor

11/14/2023

Date

Silicon Valley Clean Water
Operating and Reserve Funds - Sector Allocation & Compliance October 31, 2023

Security Type	Operating Reserve	CIP Reserve	Capacity Reserve	Debt Coverage Reserve	Total Market Value	% of Total Portfolio	% Allowed by Policy	In Compliance	% Change vs. Prior Month
U.S. Treasury	\$ 1,556,098	\$ 10,220,121	\$ 5,679,488	\$ -	\$ 17,455,707	40%	100%	✓	(5.8%)
Supranationals	173,969	-	-	-	173,969	0%	15%	✓	(0.0%)
Federal Agency/GSE	99,928	1,035,803	726,000	-	1,861,731	4%	100%	✓	(0.3%)
Federal Agency/CMBS	-	2,375,515	733,299	-	3,108,814	7%	100%	✓	0.8%
Federal Agency CMO	-	681,160	377,144	-	1,058,304	2%	100%	✓	(0.1%)
Federal Agency MBS	-	2,029,619	1,310,993	-	3,340,612	8%	100%	✓	(0.2%)
Municipal	-	851,213	689,391	-	1,540,604	3%	30%	✓	(0.0%)
Corporate Notes	390,029	4,555,517	3,015,894	-	7,961,440	18%	30%	✓	0.6%
Asset-Backed Securities	60,143	280,096	211,846	-	552,085	1%	10%	✓	(0.1%)
Securities Sub-Total	2,280,166	22,029,044	12,744,055	-	37,053,266	84%			
Accrued Interest	6,573	112,394	58,104	-	177,071				
Securities Total	2,286,740	22,141,438	12,802,160	-	37,230,337				
Money Market Fund	1,752,077	283,851	2,320,308	-	4,356,236	10%	20%	✓	5.1%
CAMP	-	-	-	2,521,051	2,521,051	6%	100%	✓	0.0%
Accrued Interest - CAMP	-	-	-	11,843	11,843				
CAMP Sub-Total	-	-	-	2,532,894	2,532,894	6%	100%	✓	0.0%
Total Investments	\$ 4,038,817	\$ 22,425,289	\$ 15,122,468	\$ 2,532,894	\$ 44,119,466	100%			
<i>As % of 6/30/24 Target:</i>	<i>96.5%</i>	<i>90.7%</i>	<i>100.0%</i>	<i>100.0%</i>	<i>94.8%</i>				

This report contains financial information which has not been reviewed or audited by an independent auditor, does not reflect the application of generally accepted accounting principles in all instances and is subject to future revision. This report has not been prepared with a view to informing an investment decision in any of the Authority's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in this report are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of the Authority's bonds, notes or other obligations and investors and potential investors should rely only on information filed by the Authority on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and website, maintained at <https://emma.msrb.org>

- 1. All operating fund accounts are in compliance with SVCW's Investment Policy, and all bond proceeds accounts are in compliance with the relevant bond documents.*
- 2. SVCW has adequate funding levels for more than six months of operations and claim payments, as referenced in CA Code Section 53646.*
- 3. Market valuations for the Operating and Reserve accounts along with the 2018 bond, 2019A note, 2021 bond, 2021A and 2021B notes proceeds accounts are provided by PFM Asset Management LLC (PFM). Generally, PFM's market prices are derived from closing bid prices as of the last business day of the month as supplied by ICE Data Services or Bloomberg. Where prices are not available from generally recognized sources the securities are priced using a yield-based matrix system to arrive at an estimated market value. Prices that fall between data points are interpolated. Non-negotiable FDIC-insured bank certificates of deposit are priced at par. Although PFM believes the prices to be reliable, the values of the securities do not always represent the prices at which the securities could have been bought or sold.*
- 4. In accordance with Generally Accepted Accounting Principles (GAAP), month-end holdings and information are reported on a trade date basis.*
- 5. The yields shown for securities portions of the operating and reserve accounts and the 2019A and 2021A&B notes proceeds accounts are the yields to maturity at cost.*
- 6. The yield for LAIF is the average monthly effective yield. Source: https://www.treasurer.ca.gov/pmia-laif/historical/avg_mn_ylds.asp*
- 7. The yields shown for the PFM-managed money market funds are the Yield to Maturity at Cost, and the Yield to Maturity at Market sourced from the respective fund providers' statements. Yields for BNY-managed funds are Market Yields sourced from the respective fund providers' statements.*
- 8. Yield shown for CAMP is the monthly distribution yield.*
- 9. Amounts will slight differ due to timing of custodian account reports.*

AGENDA ITEM 5D

**ENGINEERING REPORT: NOVEMBER 2023
CAPITAL IMPROVEMENT PROGRAM**

UPCOMING COMMISSION ACTIONS:

Digester No. 1 Rehabilitation (9215): Rehabilitate Digester No. 1

This project includes repair of coatings and structural elements in Digester No. 1. Construction is complete.

Planned Commission Actions: Accept the Project and File Notice of Completion – December 2023

Diesel Aboveground Storage Tank Project (329): Install an aboveground Diesel Tank for Standby Generators

This project includes replacement of the existing underground single wall diesel tank with an aboveground double walled diesel tank as mandated by the State of California. The aboveground tank has been installed and in operation. The underground storage tank now (UST) can be decommissioned.

Planned Commission Actions: Accept the Project and File Notice of Completion - January 2024
Approve UST Decommissioning Purchase Order – January 2024

2024 CIP Update: Approve CIP 2024 Update

SVCW engineering division updates the CIP every two years to mark the completed projects and revise the list of projects. CIP 2024 will also update the total CIP budget.

Planned Commission Actions: Approve the CIP 2024 Update – January 2024

Food Waste Improvements: Construct Capital improvements to increase reliability and efficiency of Food Waste Acceptance Facility.

This project is in the design phase and will consist of the construction of additional storage tanks to improve capacity and flexibility of operation.

SVCW staff is working with City of Sunnyvale to establish a Memorandum Of Agreement (MOA) to allow accepting organic slurry from the city's Sunnyvale Materials Recovery and Transfer Station (SMaRT Station). This agreement will provide the ability for SVCW to diversify its suppliers of food waste.

Planned Commission Actions: Approve MOA – February 2024

Final Effluent Pump Project (CIP#9257): Replace Final Effluent pumps, motors, and electrical system.

The Final Effluent Pump project will replace all five pumps that pump the final treated effluent into the San Francisco Bay. These pumps were installed as part of the initial plant construction and have been operational since the Plant was commissioned in 1982. SVCW staff is working with the design-build team for its first Stage 2 amendment to allow for early procurement of long lead time equipment.

Planned Commission Actions: Award Stage 2 amendment to Progressive Design-Build Agreement – February 2024

ONGOING PROJECTS IN CONSTRUCTION:

SAF-MBR (9236): Pilot Testing New Treatment Systems in Conjunction with Stanford University

SAF-MBR is operational with particular equipment being tested. Additional equipment continues to be procured to further test different scenarios of treatment.

RESCU Program (6008, 9501, 9502): Design and Construct Conveyance System Improvements

SVCW awarded progressive design build contracts to Barnard Bessac Joint Venture for the Gravity Pipeline (GP) Project and Shea Parsons Joint Venture for the Front of Plant (FoP) and Pump Stations Improvements (PSI) Projects. SVCW staff and consultant project team are intricately involved in all stages of work.

GP project construction is complete. Construction continues on the PSI and FoP projects. Acceptance testing of the FoP project is ongoing, with the processes receiving flow from West Bay and Redwood City through the gravity pipe. The FoP and PSI Projects are expected to be substantially complete in late 2023 and late 2024 respectively. Refer to Commission Item 5F for status updates.

TASK ORDERS APPROVED CALENDAR YEAR 2023:

Task orders approved throughout the calendar year are shown in the attached table.

SVCW Engineering Division - Task Order Summary 01/01/2023-11/13/2023

Task Order Date	Consultant	TO Amt.	Project #	Project Name	Scope of Work
Commission-Approved Date Task Orders:		\$18,259,967			
12/22/2022	Kennedy Jenks	\$281,100	9120	RAS Rehabilitation	Engineering Services During Construction
12/12/2022	Brown & Caldwell	\$607,033	9600	Buried & Exposed Process Pipe Repair	Engineering Planning Services
3/13/2023	Beecher Engineering	\$251,702	9247	SHB Electrical Rehabilitation	Electrical Engineering for Kohler Standby Power
3/13/2023	CDM Smith	\$200,000	9223	Final Effluent Pump Replacement	Phase I Owner's Advisory Services - Progressive Design Build
4/10/2023	Tanner Pacific, Inc.	\$37,000	362	Emergency Force Main Leak Repair @ RWS	Construction Management Support
4/10/2023	Brown & Caldwell	\$395,630	9600	Buried Exposed Pipe Repair	Engineering Design Services
4/10/2023	WET Water Environment Technical	\$400,000	9130	Capital Improvements Engineering	CIP/Operations Technical & Advisory Consulting Services
9/11/2023	W.M. Lyles Co	\$1,350,917	9223	Final Effluent Pump Station Improvements	Design Build
9/11/2023	CDM Smith	\$190,280	9223	Final Effluent Pump Station Improvements	Owner's Advisor Services
9/11/2023	Tanner Pacific, Inc.	\$247,500	9223	Final Effluent Pump Station Improvements	Construction Quality Assurance
9/11/2023	Tanner Pacific	\$1,430,000	9501	Pump Stations Improvements	Construction Management and Quality Assurance Services
9/11/2023	Collaborative Strategies	\$280,000	9501	Pump Stations Improvements	Project Management
9/11/2023	Beecher Engineering	\$20,000	9501	Pump Stations Improvements	Electrical Engineering owner's Advisory Services
9/11/2023	Tanner Pacific, Inc.	\$510,000	9502	Front of Plant	Construction Management and Quality Assurance Services
9/11/2023	CDM Smith	\$190,280	9223	Final Effluent Pump Station Improvements	Owner's Advisor Services
9/11/2023	Tanner Pacific, Inc.	\$247,500	9223	Final Effluent Pump Station Improvements	Construction Management and Quality Assurance Services
10/9/2023	Tanner Pacific, Inc.	\$9,022,000	9130	Global TO CIP & Capital Projects	Construction Management Services
11/13/2023	Brown & Caldwell	\$1,175,092	9401	Sidestream Treatment Project	Engineering Design Services
11/13/2023	Brown & Caldwell	\$1,117,409	9242	Fixed Film Reactor & 3 Water Rehabilitation	Engineering Services During Construction
11/13/2023	Cascade Integration & Development	\$306,524	9242	Fixed Film Reactor & 3 Water Rehabilitation	System Integration Services
Manager-Approved Task Orders*:		\$1,087,100			
1/19/2023	Zenith Engineers	\$11,840	341	Rotary Drum Thickener Process Pipe Upgrades	Structural Engineering Services
2/15/2023	West Yost	\$38,942	9223	Final Effluent Pump Replacement	Owner's Advisor (OA) Services
2/21/2023	CDM Smith	\$74,109	9257	Food Waste Improvements	Geotechnical Investigation and Reports
2/21/2023	Freyer & Laureta	\$68,140	9232	Long Term Strategic Recycled Water Planning	WWTP Consulting Services
2/24/2023	Freyer & Laureta	\$12,000	9257	Food Waste Improvements	Topography Survey
3/9/2023	JHS Consulting	\$5,200	810	As Needed Services FY 22-23	As-Needed Environmental Review/CEQA Services
3/20/2023	Kennedy Jenks	\$36,000	810	As Needed Services FY 22-23	As-Needed Engineering Services
4/7/2023	Cascade Integration & Development	\$25,272	9242	Fixed Film Reactor Rehabilitation	Control Narrative Review & Control Strategies Dev. Svcs. Design Phase I
4/10/2023	Kennedy Jenks	\$71,291	9244 @ 50% 9245 @ 50%	Digester 2 & 3 Cleaning & Rehabilitation	Condition Assessment/Evaluation Engineering Support Services
4/28/2023	Zenith Engineers	\$7,680	9014	Process Tanks Concrete & Steel Protective Coatings Replacement	Structural Engineering Services for RCPS
5/8/2023	DHI Water Environment	\$38,000	9401	Side Stream Treatment	Plant Stress Testing, WEST Software License, Extended Support Agreement
6/26/2023	Zenith Engineers	\$3,060	810	As Needed Services FY 22-23	Structural Engineering Services for Pipe Support
6/27/2023	Kennedy Jenks	\$12,491	810	As Needed Services FY 22-23	As-Needed Engineering Services: Digester Foaming Evaluation
8/1/2023	Beecher Engineering	\$40,000	810	As-Needed Services FY 23-24	Electrical Engineering Support
8/1/2023	Cascade Integration & Development	\$98,000	810	As-Needed Services FY 23-24	IAP, SCADA, PLC, Network Support
8/3/2023	Sierra Research/Trinity Consultants	\$10,000	810	As-Needed Services FY 23-24	Air Quality Permitting & Consulting Services
8/4/2023	Zenith Engineers	\$4,400	9107	CCT Concrete & Steel Protective Coating Replc.	Design Structural Modifications Eng. Svcs.
8/4/2023	Pagilla, Krishna	\$5,000	810	As-Needed Services FY 23-24	Advisory Consulting Services
8/7/2023	Tanner Pacific, Inc.	\$40,000	810	As-Needed Services FY 23-24	Construction Management General Support Services
8/7/2023	Tanner Pacific, Inc.	\$5,000	810	As-Needed Services FY 23-24	Contract Advisory Services, Record Drawings
8/7/2023	Larry Walker Associates	\$8,000	810	As-Needed Services FY 23-24	As-Needed Support Services NPDES Permit
8/7/2023	Stemstrom, Michael	\$5,000	810	As-Needed Services FY 23-24	Advisory Consulting Services
8/7/2023	Tchobanoglous, George	\$5,000	810	As-Needed Services FY 23-24	Advisory Consulting Services
8/7/2023	Kennedy Jenks	\$30,000	810	As-Needed Services FY 23-24	As-Needed Engineering Services
8/15/2023	Kennedy Jenks	\$74,790	9223	Final Effluent Pump Replacement	Design Build Early Work Engineering Services
9/13/2023	Beecher Engineering	\$75,000	9223	Final Effluent Pump Replacement	Design Build Early Work Electrical Eng. Support Svcs.
9/29/2023	Cascade Integration & Development	\$28,480	9240	Standby Generators Feed Relocation & Elec. Panel Project	12kV Wonderware Clean-up
9/29/2023	JDH Corrosion Engineering Services	\$50,920	9600	Buried & Exposed Process Pipe Services	Corrosion Control Consulting Services

10/5/2023	Cascade Integration & Development	\$46,700	9223	Final Effluent Pump Replacement	FEP Stage 1 Consulting Support Services
10/9/2023	Schaaf & Wheeler	\$58,120	9237	Radio Road Habitat Grading Project	Flood Hazards & Sea Level Rise Resilience Evaluation Services
10/30/2023	Freyer & Laureta	\$44,577	9131	Plant Service Road Resurfacing-Phase 2	5 Corners Intersection Improvements - Design and Bid Services
11/2/2023	Brown & Caldwell	\$54,089	342	Chiller Replacement Project	Engineering Services During Bid and Construction

*JPA level of Manager approval is \$75,000

AGENDA ITEM 5E

Silicon Valley Clean Water
Commissioners' Requested Action Items

DECEMBER 11, 2023
AGENDA ITEM 5E

Updated: 11/30/2023

Commission Meeting Date		Action Item	Requested or Estimated Date for Completion	Status			Date of Completion	Notes
				Ongoing	In Progress	Complete		
11/13/2023		Recycled Water and Energy Management	N/A	✓				Bring regular updates to meetings. Will begin with presentation on SPRP for December 2023 meeting.
10/9/2023	1	Investment Portfolio	N/A			✓	11/13/2023	Bring information on expected returns and administrative fees re: investing in ESG companies.
	2	Public Comments during Meetings	N/A		✓			Changes discussed at November meeting. Possible policy will be brought to the Commission at January 2024 meeting.
9/11/2023		Strategic Planning	1/1/2024		✓			Appoint subcommittee (Commissioners Aguirre and Otte) to develop new strategic plan
7/17/2023		Bylaws - Election/Appointment of Officers						Suggested to change bylaws such that new officers elected in February of each year. Decided against and will keep to July.
5/8 & 6/12 2023		No Action Items						
4/10/2023		Financial Funds	N/A			✓	6/12/2023	Described the various funds and reserves contained within SVCW's budget. Next CIP Update will include projects supporting sustainability
3/13/2023		Sustainability Efforts	N/A		✓			Present to Commission efforts related to sustainability, decarbonization, sea level rise, etc. Investigate grants available for EV fleet conversion.
2/13/2023		Meeting Cancelled						
1/9/2023		Water Feature - Avian Habitat	N/A			✓	11/13/2023	Reach out to Audubon and other potential community partners. Sent pre-applications for grant funding. Reported to Commission in November 2023.
> One Year		8E - JPA Amendment; re-initiate "clean up" to JPA	N/A		✓			Manager presented a pathway to address critical changes to the JPA at the April 2023 meeting. Commission concurred; Manager following up with Members.
		Project Changes/Commission Notification	N/A	✓			Ongoing	Ensure Commission is kept apprised of possible/potential project cost and/or schedule increases.

Silicon Valley Clean Water
Commissioners' Requested Action Items

DECEMBER 11, 2023
AGENDA ITEM 5E

Updated: 11/30/2023

Commission Meeting Date	Action Item		Requested or Estimated Date for Completion	Status			Date of Completion	Notes
				Ongoing	In Progress	Complete		
		Pump Stations Improvements - Capital vs Life Cycle Costs	N/A		✓			Reducing pump stations from 5 to 2 have been reported to save long-term costs; provide analysis results to Commissioners.

AGENDA ITEM 5F

Overview



RESCU Program describes eleven projects which constitute full replacement and rehabilitation of SVCW's conveyance system. RESCU includes the Gravity Pipeline, Front of Plant, Pump Stations, and Belmont Force Main projects. The Front of Plant includes six and Pump Stations includes four of the eleven projects. The Conveyance System Improvements Environmental Impact Report completed and adopted by the SVCW Commission in April 2017 covers work to be done under all the RESCU Program projects.

Available Budget

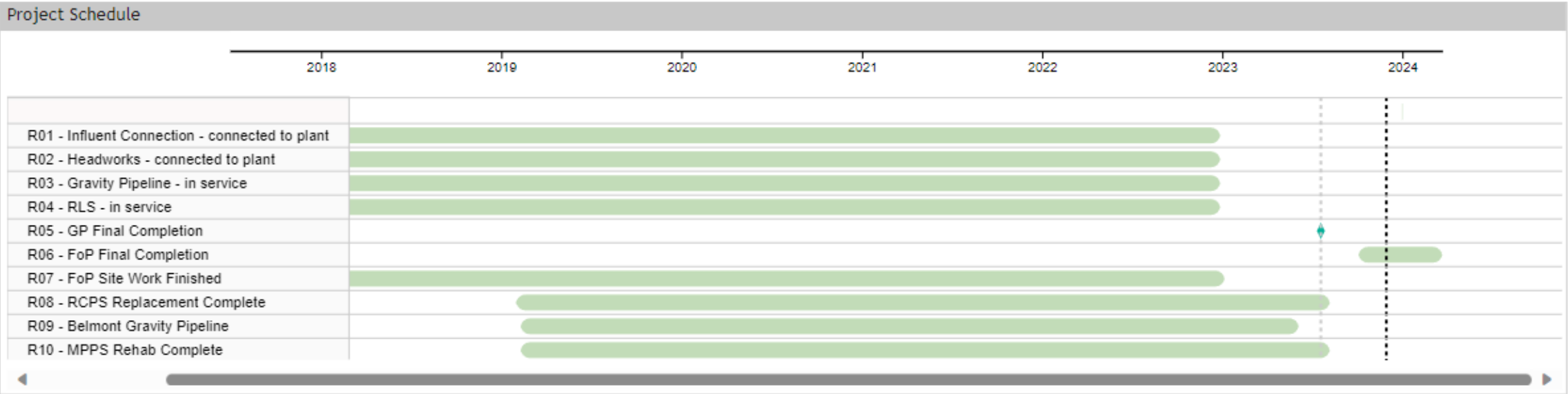
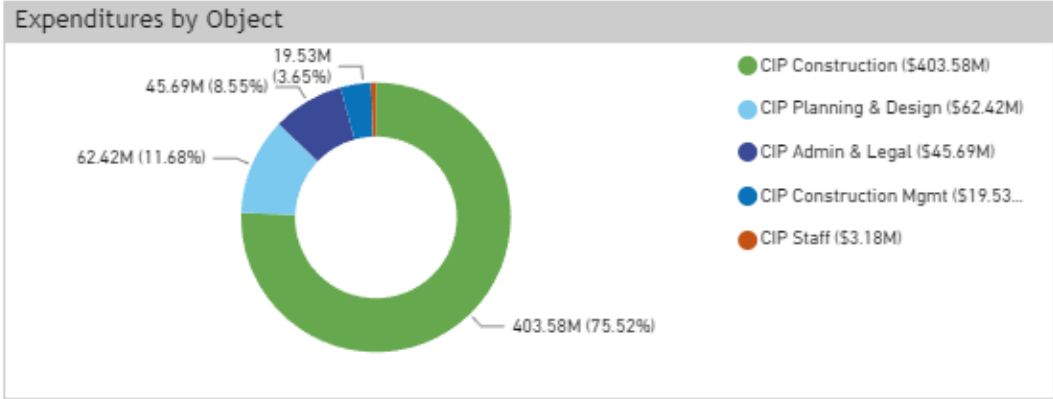
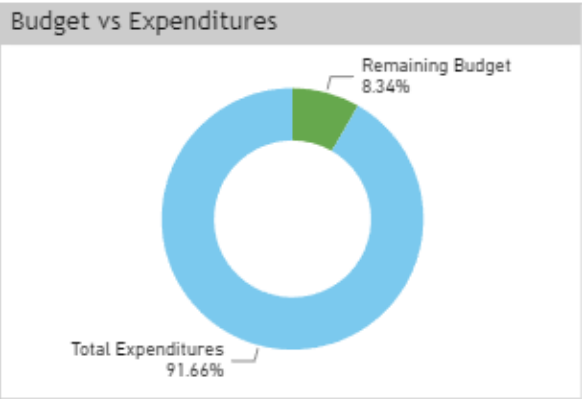
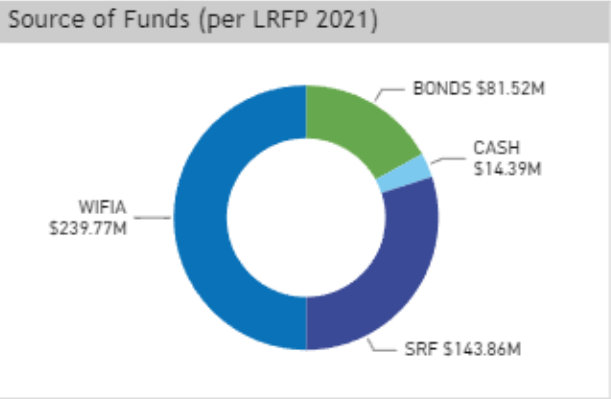
\$582.56M

Total Expenditure

\$534.00M

Remaining Budget

\$48.56M



Startup Overview



Startup Progress

Project	PreCommissioning	Functional Testing (Design verification)	Functional Testing (Dry verification)	Functional Testing (Wet verification)	Acceptance Testing
FoP	100%	100%	100%	100%	100%
GP	100%	0%	0%	0%	0%
MPPS A side	70%	0%	0%	0%	0%
MPPS B side	100%	100%	100%	100%	100%
BGP	0%	0%	0%	0%	0%
RCPS	0%	0%	0%	0%	0%

Major Accomplishments To Date

Front of Plant	<ul style="list-style-type: none"> - FoP Control Strategies completed. - FoP Design Intent presentation completed. - Acceptance Testing plan completed. - All vendor trainings completed. - Headworks and SFS/RLS Functional Testing completed.
Gravity Pipeline	<ul style="list-style-type: none"> - GP Design Intent presentation completed. - Acceptance Testing plan completed. - FM to GP switchover completed.
Pump Stations Improvements	<ul style="list-style-type: none"> - MPPS B Side Acceptance Testing completed. - MPPS Design Intent presentation completed. - MPPS Acceptance Testing plan completed. - Control Strategies workshop completed. - MPPS Equipment Tags finalized.
Program	<ul style="list-style-type: none"> - RESCU Commissioning Risk Register workshop completed. - Bi-weekly Risk Register meeting ongoing.

3 - Month Look Ahead

	Start	End	December	January	February
MPPS A Side Functional Testing	December 13, 2023	December 19, 2023	X		
MPPS Start-Up 30 Day Acceptance Testing	December 19, 2023	January 18, 2024	X	X	
San Carlos Connecting Piping Startup	January 26, 2024	February 25, 2024		X	X
Bair Island Connecting Piping Startup	December 8, 2023	January 7, 2024	X	X	
BGP Start-up	January 26, 2024	February 25, 2024		X	X



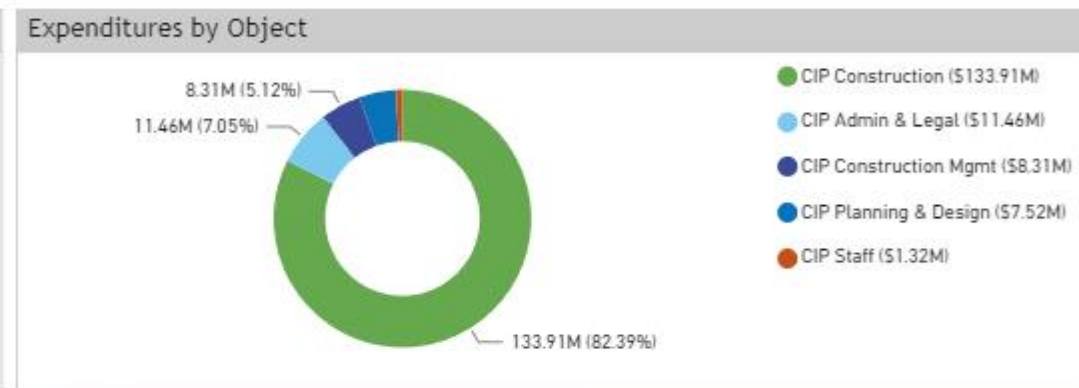
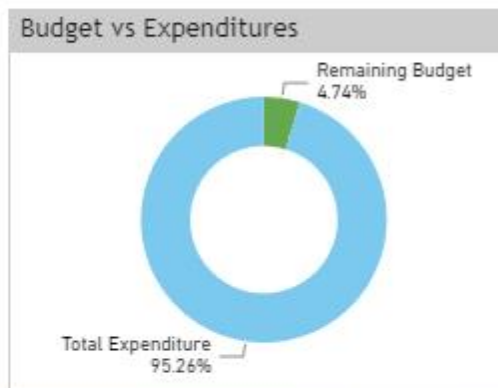
Front of Plant Progressive DB Project (CIP 9502)

The Front of Plant (FoP) Project consists of the design, construction, permitting, start-up, commissioning, and final acceptance for the Receiving Lift Station (RLS), Surge and Flow Splitter (SFS), Headworks Facility, Odor Control System, Influent Connector Pipe, Emergency Overflow pipe to an existing storage basin and other related process support systems. Work is being implemented under a Progressive Design-Build procurement process in stages.

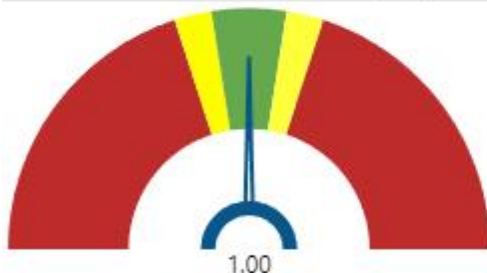
Available Budget	Total Expenditure	Remaining Budget
\$168.71M	\$160.72M	\$7.99M

Milestone Schedule		
	Start	Finish
Interconnection Pipe Completed	7/24/2020	8/1/2023
Headworks Facility Completed	12/6/2018	11/30/2022
SFS/RLS Completed	12/6/2018	2/22/2023
Bair Island Connecting Piping Startup	10/3/2022	1/7/2024
San Carlos Connecting Piping Startup	8/5/2022	2/25/2024
Substantial Completion*		2/22/2024

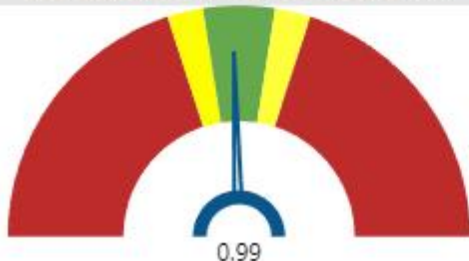
* Schedule extension is currently in discussion



Cost Performance Index (CPI)



Schedule Performance Index (SPI)



Major Accomplishments this Period

Construction	<ul style="list-style-type: none"> - SPJV completed the Influent CFRP and channel coating scopes. - SPJV began site paving. The Grassili lot was completed and reopened. 6" AC paving was completed on the FoP South Rd. - Vendor training is complete. - The 30-day acceptance testing of the Headworks, SFS, and RLS was completed. -SPJV began work on the permanent connection of the force main to the drop structure at Bair Island.
Design	- SPJV continues design of various site improvements.
Procurement of Trade Packages	- Front of Plant Trade Procurement is complete.

Potential Issues

Utilidor extension for piping
 Plant water pipeline size upgrade and related fixtures
 Odor control fan
 Air permit coordination
 Additional cost due to changes to the temporary ILS bypass and procurement delays

Approved Project Changes

San Carlos and Bair Island Connecting Piping
 Project Management past December 2021
 Power Loss and Recovery and Other Electrical Improvements
 New County/Local Sales Tax
 Miscellaneous Site Improvements
 ILS Pipe Repair
 Extended Overhead Costs Associated with CFRP Delays
 Extended Overhead Costs Associated with 54-inch Valve Delays
 Electrical System
 Credit for the deletion of the chemical storage system
 Credit for deletion of 48" bypass from 54" force main
 Change order for odor control system
 Bair Island and San Carlos Pump Station Pipe Connection Work - mechanical
 3 Water and Utilidor Improvements

3 - Month Look Ahead

	Start	End	December	January	February
12" Storm Drain Installation - SVCW Pond Area	December 4, 2023	December 20, 2023	X		
SCGL Connecting Piping	August 5, 2022	March 1, 2024	X	X	X
Bair Island Connecting Piping	October 3, 2022	January 25, 2024	X	X	
Final Site Improvements	December 14, 2022	February 9, 2024	X	X	X
Project Closeout	February 7, 2024	March 22, 2024			X

Safety Spot Light

Lost Time	0
Near Misses	5
Recorded Losses	2

Gravity Pipeline Progressive DB Project (CIP 6008)



The Gravity Pipeline (GP) Project consists of the design, construction, permitting, start-up, commissioning, and closeout of approximately 17,600 feet of wastewater gravity FRP pipe inside a concrete-segment tunnel. The work includes three shafts and will interface directly with the Front of Plant (FoP) Project at the Surge & Flow Shaft (SFS). Work is being implemented under a Progressive Design-Build procurement process.

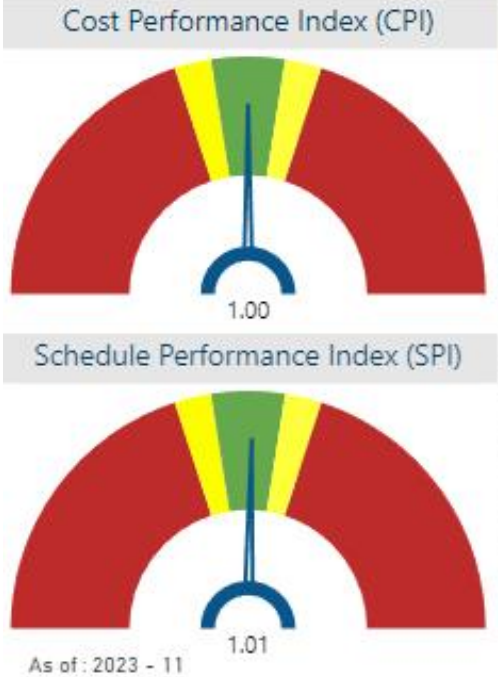
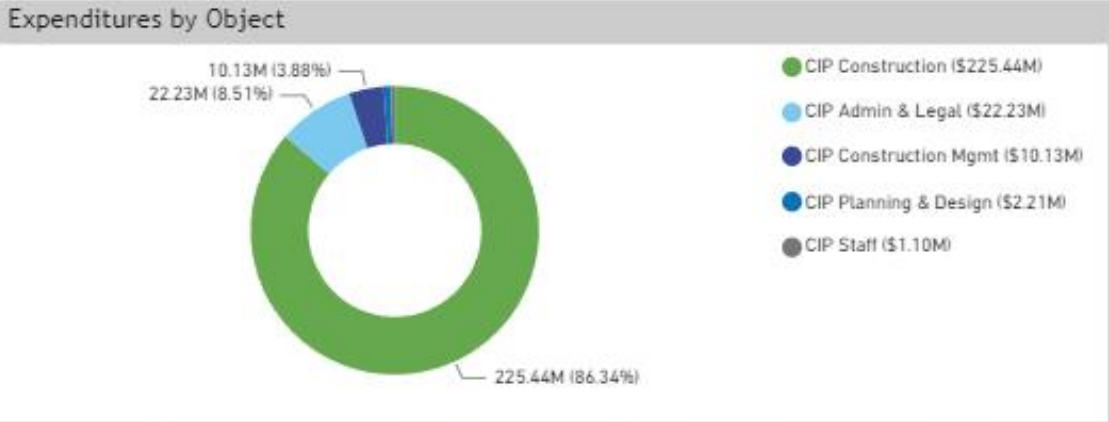
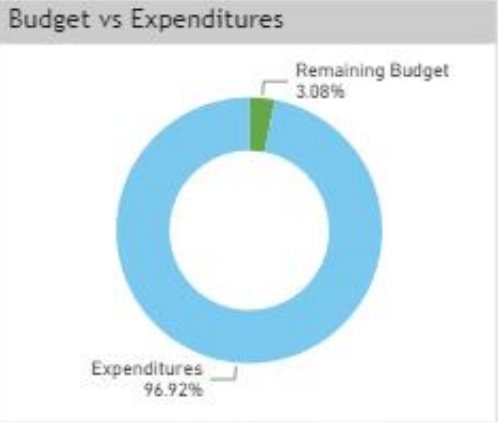
Available Budget
\$264.36M

Total Expenditure
\$256.21M

Remaining Budget
\$8.15M

Milestone Schedule		
	Start	Finish
Conditional Substantial Completion		7/1/2022
Final Completion*		3/20/2024

* Schedule extension is currently in discussion



Potential Issues

Construction	<ul style="list-style-type: none"> - BBJV completed backfill of the Airport Access Shaft. - BBJV completed site restoration at the AAS.
Design	<ul style="list-style-type: none"> - Gravity Pipeline design is complete.
Muck Disposal	<ul style="list-style-type: none"> - 79% of Muck Disposal Amendment spent - 21% of Muck Disposal Amendment remaining. Credit was issued for remaining funds.
Procurement of Trade Packages	<ul style="list-style-type: none"> - Gravity Pipeline Trade Procurement is complete.

Approved Project Changes

Soil Conditioner Leak at CPT Hole STA 171 + 80
SFS Slurry Wall Hardness DSC
SCPS Basement Connection
San Carlos Shaft Ammonia Mitigation
San Carlos Adit Ammonia Mitigation
Redwood City Sales Tax Increase 2021
New County/Local Sales Tax and US Tariffs
Exceedence of Muck Offhaul Allowance
Bair Island Weir Optimization
Bair Island Force Main Exposure and Additional Monitoring
Additional Survey at Governors Bay
Acceptance Testing Time Extension

Safety Spot Light	
Lost Time	1
Near Misses	4
Recorded Losses	5

Pump Stations Improvement Progressive DB Project (CIP 9501)



All SVCW pump stations require replacement or rehabilitation. Menlo Park PS will be rehabilitated. Redwood City PS will be replaced. Belmont PS will be replaced with a gravity pipeline. San Carlos PS is no longer needed due to the new gravity pipeline; flows from San Carlos and Belmont will enter into the gravity pipeline via a drop structure at the current San Carlos pump station site. Flows from MPPS and RCPS will flow through the new 48-inch force main to a drop structure at Inner Bair Island. RCPS pumps MPPS flows during wet weather events.

Available Budget

\$133.59M

Total Expenditure

\$102.16M

Remaining Budget

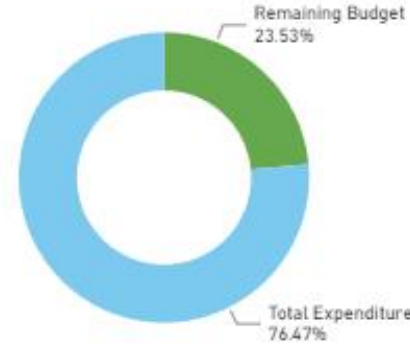
\$31.43M

Milestone Schedule

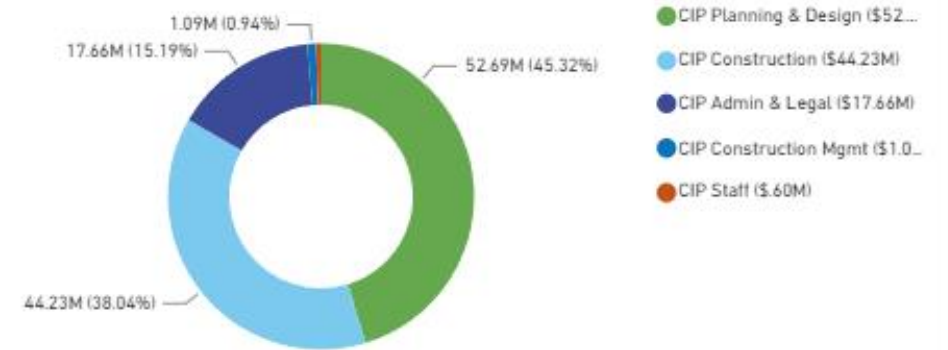
	Start	Finish
MPPS - B-side Pumps Completed	3/15/2022	10/13/2022
MPPS - A-side Pumps Completed	10/4/2022	2/18/2024
BGP - Gravity Pipe Installed	11/22/2023	1/22/2024
BGP - Shaft/Tunneling Work on Shoreway Road	4/12/2021	4/18/2023
RCPS - PG&E Service Work	5/4/2021	1/11/2024
RCPS - Wet Well & Screening Building Completed	4/17/2022	7/10/2024
RCPS - Electrical Building Completed	2/8/2021	1/19/2024
Substantial Completion - MPPS*		8/7/2023
Substantial Completion - RCPS*		8/7/2023
Substantial Completion - BGP*		6/5/2023

* Schedule extension is currently in discussion

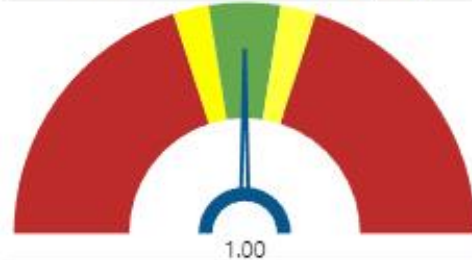
Budget vs Expenditures



Expenditures by Object



Cost Performance Index (CPI)



Schedule Performance Index (SPI)



As of: 2023 - 11



Pump Stations Improvement Progressive DB Project (CIP 9501)



Major Accomplishments this Period

Construction	<p>▲</p> <ul style="list-style-type: none"> - BGP: The new MCC was installed and started up. SPJV began demo of the existing pumps and piping inside the San Carlos Pump Station. - RCPS: Slide Gates were installed. Bar Screens were received, and installed in their respective screening channel. New PLC and Switchboard with PG&E Meter received and anchored in the Electrical Building. PG&E Duct Banks were set and installed. Wet Well perimeter was backfilled to-grade. - MPPS: New Wet Well exhaust fan and Slide Gate were connected to permanent MCC power. CARV System and supports were fully installed. Site was paved, and Contractor demobilized connexes, equipment and materials. FM Discharge Header was repaired.
Design	<ul style="list-style-type: none"> - BGP: SPJV provided declassification drawings, including changes to transmitter screen locations.

Potential Issues

RS2 Recology Changes (Single Lane Closure)
Redwood City 60-inch Pipe Installation/Connection
Redwood City 48-Inch Pipe Rehabilitation and condition of existing inflent pipe
MPPS CARV Installation
MPPS and RCPS PG&E Related-Changes
Izzys Fence
Contract time extension
Challenges from permitting and land acquisition conditions at RCPS

Approved Project Changes

Traffic Control Changes Allowance Release
Stage 2 Baseline Schedule Revision
Segment 1 Force Main Junction Box Repairs
SCPS Electrical
PSI Catch-up: Revised BGP Piping, Phase Loss Relay, Autostart for Portable Generator (RCPS and MPPS), MPPS Bathroom Items, RCPS Pump Protection Panel Reset Button, Additional Paving Thickness in San Carlos
Differing Site Conditions and MPPS Generator Warranty Release
Credit for installation of Segment 2 FM ARV/VRV, Monitoring Off Position, RCPS Standby Generator Cost Increase, RCPS CARVs, Credit for 12" Water Relocation and Calwater Costs
BGP Design Development
Bair Island and San Carlos Pump Station Pipe Connection Work - electrical/instrumentation
Allowance Release, JS-4 Unforeseen Fiber Optic Utility Impacts

3 - Month Look Ahead

	Start	End	December	January	February
MPPS - Electrical Room Improvements	July 6, 2021	December 6, 2023	X		
BGP - SCPS Connection to GP (Demo + Piping Installation)	November 13, 2023	January 12, 2024	X	X	
BGP - Belmont Pump Station Demo	January 29, 2024	April 15, 2024		X	X
RCPS - PG&E Service	May 4, 2021	January 11, 2024	X	X	
RCPS - Structural Concrete	September 8, 2021	January 30, 2024		X	
RCPS - Mechanical - Wet Well	November 28, 2022	July 10, 2024	X	X	X
RCPS - Mechanical - Screening Structure	October 31, 2022	March 6, 2024	X	X	X
RCPS - Electrical / I&C	July 6, 2023	March 27, 2024	X		X
RCPS - Electrical Building & Restroom	February 8, 2021	January 19, 2024	X	X	
RCPS - 36" MPPS Force Main and Valve Vaults	February 12, 2024	June 5, 2024			X
RCPS - Site Utilities	September 28, 2023	June 25, 2024	X		X
RCPS - Effluent Piping and Meter Vault	December 5, 2023	June 5, 2024	X	X	X

Safety Spot Light

Lost Time	0
Near Misses	0
Recorded Losses	0

AGENDA ITEM 6A

Strategic Plan Sustaining Excellence 2024-2029

In an environment where wastewater agencies are facing converging challenges, SVCW's unwavering commitment remains to its mission to protect public health and the environment by providing wastewater conveyance and treatment for reuse or disposal in a safe and sustainable manner.

SVCW is an agency where safety is inherent in everything we do and where we perform our work collaboratively, respectfully, and with the highest technical and ethical standards.

Our Actions revolve around our core priorities:

Safety



Regulatory Compliance



Sustainability



Emphasis

SVCW recognizes that, to maintain our excellence, proactive emphasis is needed. To meet this end, we take action on our core priorities:

Safety: All activities performed will keep safety as the top priority. Our front-line staff, management, and the Commission are committed to ensuring our strong safety culture is maintained.

Regulatory Compliance: By holding the principle of ethics in the forefront, complying with laws and regulations comes naturally. This ensures stewardship of resources and natural environments entrusted by the communities we serve is maintained.

Sustainability: All endeavors require that they are envisioned with sustainability at their core. This translates to growing leaders within our high-performing workforce, seeking technological advancements, and maintaining our assets' functionality.

Our Commitment to Sustaining Excellence

SVCW is a leader in the wastewater community and every action we take supports our leadership stance. Our ongoing strategy is to continually excel, to sustain our leadership role, and to meet looming challenges with unwavering commitment.

svcw.org/sustainingexcellence

Silicon Valley Clean Water Strategic Plan

Sustaining Excellence

2024-2029

INTRODUCTION

SVCW's Strategic Plan is a top-level planning document intended to communicate clear direction over all aspects of the agency. It serves as a framework for decision making over a five-year period and shapes what this agency plans to accomplish by matching a rational course of action with top agency priorities. It provides policy guidance for future Commissioners and Managers to ensure a sustainable business environment and is revisited annually for updates.

The Commission of SVCW represents the four member agencies that make up SVCW and is committed to working together to further the mission and priorities in this Strategic Plan.

MISSION STATEMENT

SVCW protects public health and the environment by providing wastewater conveyance and treatment for reuse or disposal in a safe and sustainable manner.

VISION STATEMENT

SVCW will be an agency where safety is inherent in everything we do and where we perform our work collaboratively, respectfully, and with the highest technical and ethical standards.

SVCW PRIORITIES

Silicon Valley Clean Water's top priorities¹ are:

Safety - - - Regulatory Compliance - - - Sustainability

1. All activities performed will keep safety as the top priority.
2. Regulatory compliance ensures stewardship of resources and natural environments entrusted by the communities served.
3. Sustainability (inclusive of all aspects) is a guiding principle for all endeavors.

STRATEGIC PLAN ELEMENTS

The Strategic Plan Elements consider SVCW's Mission, Vision, and Priorities; all interconnected to create a holistic Plan. The following section outlines which division and staff are responsible for ensuring each priority of the agency is met.

¹ Appendix expands on what each priority encompasses.

Priority 1 – Safety

Inherent in every action & decision, Safety is Always

Pertinent Divisions	Primary Responsibilities	Secondary Responsibilities	Goals
All	All Staff	H&S Director, Manager	Have the best safety record in CA; measure by annual LTIR & EMR

Priority 2 – Regulatory Compliance

SVCW operates under a myriad of regulations and laws, as follows:

NPDES / Biosolids / Air Permit		
Primary Responsibilities	Secondary Responsibilities	Goals
Operations/COO	Engineering, Environmental Services, Laboratory, Maintenance	Meet all permit requirements; all reports submitted accurately, complete, and on time

Finances

Primary Responsibilities	Secondary Responsibilities	Goals
Finance/CFO	Division Directors (Budget)	Meet all fiscal requirements; Meet debt reporting & coverage requirements, GASB, satisfy audit, Form 700s submitted

Laboratory Accreditation

Primary Responsibilities	Secondary Responsibilities	Goals
Laboratory/ Authority Engineer	None	Maintain Accreditation; measure by ability to continue as a CA certified laboratory

Capital Projects		
Primary Responsibilities	Secondary Responsibilities	Goals
Engineering / Authority Engineer	None	<p>Meet all legal requirements of capital projects, including EIR, public contract codes, permit requirements, contractual obligations.</p> <p>Projects completed with no claims or lapse in ethics; no fraud or embezzlement.</p>

Labor		
Primary Responsibilities	Secondary Responsibilities	Goals
Human Resources/SVCW Manager	All Management staff	<p>Provide resources to management and staff required by law and Union MOU; No harassment claims, all required training provided</p>

Priority 3 – Sustainability

Foci of Sustainability is multi-faceted:

Staffing		
Primary Responsibilities	Secondary Responsibilities	Goals
Human Resources/ SVCW Manager	None	Meet succession planning requirements to ensure all SVCW staffing needs are met; measure by no vacancies over 6 months in duration

Fiscal Stance		
Primary Responsibilities	Secondary Responsibilities	Goals
Accounting/CFO	Division Directors (Budget)	<p>Maintain adequate funding for all required agency spending needs, including labor, materials, and projects.</p> <p>Pay bills accurately & on time.</p> <p>Refinance/Pay off bonds by _____</p> <p>Keep to 4% or less annual increase in budget</p>

SVCW Assets		
Primary Responsibilities	Secondary Responsibilities	Goals
Maintenance/ COO	Engineering (Capital projects)	<p>Maintain SVCW's assets in workable condition via preventive maintenance & proactive asset management system</p> <p>Minimal breakdown of equipment:</p> <ul style="list-style-type: none"> • 100% uptime on process • 70% uptime on cogeneration

Process Improvements		
Primary Responsibilities	Secondary Responsibilities	Goals
Engineering/ Authority Engineer	Operations/COO	<p>Consistently seek ways to improve the overall process of SVCW treatment facilities</p> <p>Alternatives to Cogen Engines for power production</p> <p>Fully utilize digester capacity</p> <p>Identify innovative technologies</p>

Climate Actions & Effects		
Primary Responsibilities	Secondary Responsibilities	Goals
Engineering/ Authority Engineer	Division Directors	<p>Ensure agency facilities are protected from sea level rise.</p> <p>Investigate feasibility of horizontal levee for nutrients removal</p> <p>Continue to make progress on and support Potable Reuse program</p>

Regulations & Legislative Advocacy		
Primary Responsibilities	Secondary Responsibilities	Goals
Senior Management	Division Directors	<p>Proactively engage with regulators and legislators for the benefit of SVCW and all CA wastewater agencies</p> <p>Sit on boards and committees to be influencers in any new regulations and legislation statewide</p>

APPENDIX - DEFINITIONS

Safety Encompasses:

- Culture of Safety – Ensure staff works safely
- Engineered solutions – to keep the workplace and work tasks safe
- OSHA, HazMat County, and Insurance Requirements

Regulatory Compliance Encompasses:

- NPDES, Biosolids, and Air Permits, Industrial Pretreatment, HazMat
- Financial Statutes
- Laboratory Accreditation
- EIR Mitigations
- Employment Laws

Sustainability Encompasses:

- Staffing – Adequate Number, Certifications, Competency, Succession Planning
- Fiscal Stance – Adequate finances to cover expenditures (labor, materials, projects, loans)
- SVCW Assets – Preventive Maintenance, proactive asset management
- Process Improvements – Energy Management, innovative technologies
- Climate Actions & Effects – in light of climate change, ensuring facilities are protected
- Regulations and Legislation Advocacy – Proactively engage with regulators and legislative actions.

AGENDA ITEM 7A

**MINUTES OF SILICON VALLEY CLEAN WATER
REGULAR MEETING – November 13, 2023
8:00 a.m.**

Place: Pelican Conference Room
Silicon Valley Clean Water
1400 Radio Road, 2nd Floor
Redwood City, California

Members of the public and SVCW staff and consultants were also able to observe and participate remotely per instructions provided in the agenda.

ITEM 1

CALL TO ORDER

The meeting was called to order at 8:01 a.m.

ITEM 2

ROLL CALL - Commissioners Duly Appointed by Each Agency

Council Member Alicia Aguirre, Redwood City – Chair
Board Member George Otte, West Bay Sanitary District – Vice-Chair
Vice Mayor, Davina Hurt, Belmont – Member

Staff, Consultants and Visitors Present

Teresa A. Herrera, SVCW Manager
Christine C. Fitzgerald, SVCW Legal Counsel
Matt Anderson, SVCW Chief Financial Officer/Assistant Manager
Monte Hamamoto, SVCW Chief Operating Officer
Kim Hackett, SVCW Authority Engineer
Jennifer Flick, SVCW Human Resources Director
Arvind Akela, SVCW Engineering & Environmental Services Director
Jessica Mangual, SVCW Secretary Pro Tem
Anir Bhagwat – SVCW Senior Engineer
Jane Kao - SVCW Senior Engineer
Cindy Hui – SVCW Finance Supervisor
Kiki Newberry – SVCW Financial Analyst
Mark Minkowski – Kennedy Jenks
Bill Tanner – Tanner Pacific
Aren Hansen – Brown & Caldwell
EJ Shalaby – DNS Strategies
Grace Zhang – Maze & Associates
Allison Kuane – PFM

ITEM 3

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by those in attendance

ITEM 4**PUBLIC COMMENT**

There was no Public Comment

ITEM 5**SAFETY MOMENT AND REPORTS**

Instructions for enabling live captioning and providing public comment during the remote meeting site were provided.

Item 5A Safety Moment concerned tips on knife safety.

Item 5B Manager's Report, Manager presented two national awards received from DBIA. Proposed RESCU ribbon-cutting date in May 2024 was discussed.

For other written reports contained within the agenda packet, there were no questions or comments.

ITEM 6**MATTERS OF COMMISSION MEMBER'S INTEREST****ITEM 7****CONSIDERATION OF MOTION APPROVING CONSENT CALENDAR ITEMS 7A THROUGH 7E**

- A. APPROVAL OF MINUTES – October 9, 2023 - Regular Meeting (pg. 35)
- B. CONSIDERATION OF MOTION APPROVING CLAIMS AND CHECKS DATED SEPTEMBER 6, 2023 – OCTOBER 2, 2023 AND NECESSARY PAYMENTS THROUGH OCTOBER 2, 2023
- C. CONSIDERATION OF RESOLUTION TO AWARD CONSTRUCTION CONTRACT FOR CHILLERS REPLACEMENT PROJECT (CAPITAL PROJECT #0342)

Proposed Action:

Move adoption of RESOLUTION APPROVING CONSTRUCTION CONTRACT DOCUMENTS FOR THE CHILLERS REPLACEMENT PROJECT (CAPITAL PROJECT #0342); ACCEPTING BID OF LOWEST RESPONSIBLE BIDDER; REJECTING ALL OTHER BIDS; AUTHORIZING EXECUTION OF AGREEMENT AND DIRECTING RETURN OF SECURITY DEPOSITS AND AUTHORIZING MANAGER TO APPROVE CONTRACT CHANGE ORDERS UP TO TEN PERCENT OF THE CONTRACT PRICE FOR SAID PROJECT – MARINA MECHANICAL SERVICES (\$286,174)

D. CONSIDERATION OF MOTION TO APPROVE TASK ORDER FOR NEXINITE LLC SCOPE OF WORK AND BUDGET FOR CAPITAL PROJECTS' MANAGEMENT APPLICATION (CIP #9130)

Proposed Action:

Move approval of TASK ORDER FOR CIP MANAGEMENT APPLICATION DEVELOPMENT (CIP #9130) IN AN AMOUNT NOT TO EXCEED \$476,600 AND AUTHORIZE MANAGER TO APPROVE UP TO A TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – NEXINITE LLC

E. CONSIDERATION OF RESOLUTIONS TO APPROVE CONTRACT CHANGE ORDERS TO RESCU PROJECTS (CIP #6008, 9501, AND 9502)

Proposed Actions:

- i. Move adoption of RESOLUTION AUTHORIZING THE SILICON VALLEY CLEAN WATER MANAGER TO APPROVE A CONTRACT CHANGE ORDER FOR THE GRAVITY PIPELINE PROJECT IN AN AMOUNT NOT TO EXCEED \$850,000.
- ii. Move adoption of RESOLUTION AUTHORIZING THE SILICON VALLEY CLEAN WATER MANAGER TO APPROVE A CONTRACT CHANGE ORDER FOR THE FRONT OF PLANT PROJECT IN AN AMOUNT NOT TO EXCEED \$707,866.
- iii. Move adoption of RESOLUTION AUTHORIZING THE SILICON VALLEY CLEAN WATER MANAGER TO APPROVE A CONTRACT CHANGE ORDER FOR THE PUMP STATIONS IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$2,173,911.

Motion/Second: Mr. Collins / Ms. Hurt

The Motion carried by Unanimous Vote

ITEM 8A

CONSIDERATION OF MOTION TO RECEIVE AND ACCEPT SILICON VALLEY CLEAN WATER BASIC FINANCIAL STATEMENTS AND AUDITOR'S REPORT FOR FISCAL YEAR 2022-23

Proposed Action:

Move approval of RECEIPT AND ACCEPTANCE OF BASIC FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT FOR FISCAL YEAR ENDED JUNE 30, 2023

Motion/Second: Ms. Hurt / Mr. Collins

The Motion carried by Unanimous Vote

ITEM 8B

RECEIVE INFORMATION ON ENVIRONMENTAL, SOCIAL, AND GOVERNANCE (ESG) INVESTMENT OPTIONS

Proposed Action:

PROVIDE DIRECTION TO STAFF AS TO THE INCORPORATION OF ESG CRITERIA INTO SVCW'S INVESTMENT POLICY

No action was taken, and direction was provided to staff.

ITEM 8C

CONSIDERATION OF RESOLUTIONS AND MOTIONS TO AWARD CONSTRUCTION CONTRACT; APPROVE ENGINEERING SERVICES DURING CONSTRUCTION TASK ORDER; APPROVE INTEGRATION SERVICES FOR FIXED FILM REACTOR REHABILITATION AND 3W UPGRADES PROJECT (CIP #9242)

Proposed Actions:

- i. Move adoption of RESOLUTION APPROVING CONSTRUCTION CONTRACT DOCUMENTS FOR FIXED FILM REACTOR REHABILITATION AND 3W UPGRADES (CIP #9242); ACCEPTING BID OF LOWEST RESPONSIBLE BIDDER; REJECTING ALL OTHER BIDS; AUTHORIZING EXECUTION OF AGREEMENT AND DIRECTING RETURN OF SECURITY DEPOSITS AND AUTHORIZING MANAGER TO APPROVE CONTRACT CHANGE ORDERS UP TO TEN PERCENT OF THE CONTRACT PRICE FOR SAID PROJECT – J.F. SHEA CONSTRUCTION INC. (\$35,174,000)
- ii. Move approval of TASK ORDER FOR ENGINEERING SERVICES DURING CONSTRUCTION FOR FIXED FILM REACTOR REHABILITATION AND 3W UPGRADES PROJECT (CIP #9242) IN AN AMOUNT NOT TO EXCEED \$1,117,409 AND AUTHORIZE MANAGER TO APPROVE UP TO A TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – BROWN AND CALDWELL.
- iii. Move approval of TASK ORDER FOR SYSTEM INTEGRATION SERVICES FOR FIXED FILM REACTOR REHABILITATION AND 3W UPGRADES PROJECT (CIP #9242) IN AN AMOUNT NOT TO EXCEED \$306,524 AND AUTHORIZE MANAGER TO APPROVE UP TO A TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – CID TECHNOLOGIES.
- iv. Move approval of INCREASE IN BUDGET TO CAPITAL IMPROVEMENT PROGRAM PROJECT #9242 TO \$48,190,00

Motion/Second: Mr. Otte / Mr. Collins

The Motion carried by Unanimous Vote

ITEM 8D

CONSIDERATION OF RESOLUTIONS TO CHANGE COMMISSION MEETING LOCATION, RESCIND RESOLUTION NO. 22-01, REVISE ADMINISTRATIVE POLICY 1980-01, AND ADOPT 2024 MEETING SCHEDULE

Proposed Actions

- i. Move adoption of RESOLUTION ESTABLISHING DAY, TIME, AND PLACE OF REGULAR MEETINGS OF THE COMMISSION OF SILICON VALLEY CLEAN WATER AND RESCINDING RESOLUTION NO. SVCW 22-01
- ii. Move adoption of RESOLUTION APPROVING AND ADOPTING REVISION F TO ADMINISTRATIVE POLICY 1980-01 ESTABLISHING COMMISSION AGENDA PREPARATION PROCEDURE AND IMPLEMENTATION OF BROWN ACT
- iii. Move adoption of RESOLUTION ESTABLISHING AND ADOPTING COMMISSION'S REGULAR MEETING SCHEDULE FOR CALENDAR YEAR 2024

Motion/Second: Ms. Hurt / Mr. Collins

The Motion carried by Unanimous Vote

ITEM 9

Closed Session was called to order at 9:17 am

ITEM 10

RECONVENE IN OPEN SESSION

Open Session reconvened at 10:03 am

Ms. Fitzgerald reported that, as to closed session item 9A, no action was taken.

ITEM 11

ADJOURN

There being no further business, the meeting adjourned at 10:04 a.m.

Minutes prepared by Teresa A. Herrera

Reviewed by General Counsel

Ron Collins, Secretary

AGENDA ITEM 7B

SVCW WARRANT REGISTER

SVCW Warrant Registers dated October 3, 2023 - November 27, 2023, were scanned and a copy was emailed to Commissioners and Legal Counsel on December 6, 2023.

AGENDA ITEM 7C

**DIGESTER NO. 1 REHABILITATION PROJECT (CIP #9215)
FINAL PROJECT ACCEPTANCE**

ISSUE

Final Acceptance and Authorization to File Notice of Completion for the Digester No. 1 Rehabilitation Project (CIP# 9215)

BACKGROUND

SVCW has three anaerobic digesters that have been in service since 1982. The digesters provide anaerobic (absence of oxygen) conditions for microorganisms to break down organic solids removed in the wastewater treatment process. The microorganisms produce biogas that is used in SVCW's cogeneration engine-generators to produce electricity and offset utility power. The digested solids are then dewatered and hauled away for further use as compost material or land applied as fertilizers. The capacity of each digester is 1.6 million gallons. The three digesters are the same in terms of their general configuration with fixed covers and full mixing and heating capabilities. Since their original construction, the digesters have undergone various rehabilitations and upgrades to keep them operational.

Typically, two of the three digesters are in service at any given time. Digester Nos. 3 and 2 were rehabilitated and upgraded in 2011 and 2013, respectively, and are currently in service. Rehabilitation of a digester includes removal of rags and grit that accumulate over the years, replacement of gas collection and conveyance equipment, water seals, sludge conveyance piping and valves, and repair of any concrete and coatings that have degraded over time. Digester No. 1 has been offline for nearly ten years, since 2013 and needed significant rehabilitation of concrete, equipment, and piping prior to being brought back into service.

DISCUSSION

In 2017, SVCW engaged Kennedy Jenks Inc. (KJ) to provide engineering services to design and develop construction documents for the Digester No. 1 Rehabilitation Project ("Project") under CIP #9215. The design included replacement of deteriorated mix piping and nozzles, replacement of coatings and insulation, piping improvements, construction of a new sump, electrical and control modifications, and other miscellaneous repairs within the digester, valve pit, and pipe gallery. Kennedy Jenks prepared the design documents for the project, and the final bid documents were publicly advertised on January 18, 2022. In April 2022, the Commission awarded the contract to Trinet Construction, Inc.

The Contractor received the Notice to Proceed on April 28, 2022, and achieved substantial completion, as evidenced by the attached Substantial Completion Certificate, on August 31, 2023. The project spanned a total of 490 days. The total contract amount, encompassing change orders, stands at \$3,263,422.51. Nineteen contract change orders were issued, totaling \$724,153.51. However, a significant portion of this amount, \$552,590, corresponds to a singular contract change order (CCO #1) related to pipe rehabilitation. This change order, funded by the Buried and Exposed Process Pipe Repair

CIP Project (9600), was outside the original scope of the project, but took advantage of the out-of-service digester to provide needed rehabilitation of the piping. Excluding this commission-approved change order, the total changes equaled 6.76% of the original contract amount.

The quality of work by the Contractor on the project is excellent and Digester No. 1 is now in operation. Staff recommends the project be accepted and Notice of Completion for the project be issued.

CLIMATE EFFECTS

The project will result in a more reliable anaerobic digestion process translating to 1) reducing the amount of energy required to operate the digesters and 2) producing more biogas to be used to offset fossil-fuel based energy purchases.

FINANCES

Funding for this project comes from CIP #9215: Digester 1 Rehabilitation Project, which has an allocated budget of \$3,400,000 in the CIP 2022 Update. This budget reflected the project understanding and the construction market conditions present in 2021. It is insufficient to cover the costs associated with this project today and staff recommends that the Commission increase the budget to cover the anticipated costs for CIP #9215.

The total project expenditure to date is \$4,305,795 including construction, engineering, and construction management costs. Remaining costs on the project are anticipated to be less than \$100,000. Staff recommend increasing the budget of the project to \$4,400,000 to cover closeout costs.

RECOMMENDATION

- i. Move approval to ACCEPT DIGESTER #1 REHABILITATION PROJECT (CIP #9215) AND AUTHORIZE FILING NOTICE OF COMPLETION – Trinet Construction, Inc.
- ii. Move approval of INCREASE IN BUDGET TO CAPITAL IMPROVEMENT PROGRAM PROJECT #9215 TO \$4,400,000

**Silicon Valley Clean Water
Digester #1 Rehabilitation (CIP #9215)
SUBSTANTIAL COMPLETION CERTIFICATE**

The following portions of the Digester #1 Rehabilitation are accepted as Substantially Complete in accordance with Specification Sections 00700-8.6 and 00800-1.5 and as defined herein.

As of August 31, 2023, these portions of the Project are accepted:

1. All work on the Project except as noted below:
 - a. All work on the attached Punch List, dated August 31, 2023.

As of the above dates the following responsibilities are agreed to:

1. Authority:
 - a. The Authority assumes responsibility for security, maintenance (except as noted below), heat, utilities, damage to the Work (except as caused by the Contractor's actions) and insurance for the facilities.
2. Trinet Construction:
 - a. The Contractor shall maintain and provide proof of insurance as required by Specification Section 00800-3.1.4 for all work required to complete the Punch List and for five years following Final Completion as required by Specification Section 00800-3.2 or as otherwise referenced in the technical specifications.
 - b. The Contractor shall be responsible for repairs or maintenance, as necessary, until the Contractor has submitted, and the Authority has accepted all Record Documents and Operation & Maintenance Manuals.
 - c. The Contractor shall work in an expeditious manner to the complete the remaining work and administrative requirements on the Project including the items on the Punch List, dated August 31, 2023, within sixty (60) days from the date of this certificate.

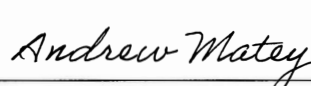
This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents. The one-year (365 Calendar Days) warranty for the accepted Work shall commence per Specification Section 01740-1.0 on the date of Acceptance by Silicon Valley Clean Water.

The undersigned hereby acknowledge agreement to the above provisions:

Contractor: Trinet Construction

Construction Manager: Tanner Pacific, Inc.

By: 
Jack Kelliher.

By: 
Andrew Matey, P.E.

Title: General Manager

Title: Construction Manager

Date: 8/31/2023

Date: 9/1/2023

AGENDA ITEM 7D

**CONSIDER REVISION TO COMMISSION POLICY 2016-01
IMPLEMENTING DESIGN-BUILD PROJECTS**

ISSUE

Approval of Revision D to Commission Policy No. 2016-01 for Implementing Design-Build and Progressive Design-Build Projects

BACKGROUND

In January 2016, the SVCW Commission adopted Policy 2016-01 establishing implementation procedures for delivery of projects using the Design-Build process in accordance with provisions of Public Contract Code Division 2, Part 3, Chapter 4.

Recently, two new senate bills were passed that provide a framework for delivering progressive-design-build projects. SB 991 authorizes local agencies to use the progressive design-build process for up to 15 public works projects per agency valued at \$5 million or more. SB 706 provides additional authority to use progressive design-build process for up to 10 public works projects each valued at \$5 million or more.

DISCUSSION

In a significant legislative development, Senate Bill 991, passed on September 2, 2022, introduced amendments to Public Contract Code Division 2, Part 3, Chapter 4.1 (commencing with Section 22170). Similarly, Senate Bill 706, enacted on October 8, 2023, brought about changes in Public Contract Code Division 2, Part 3, Chapter 4.7 (commencing with Section 22185). These legislative updates have far-reaching implications, particularly in the realm of project delivery methods and the operational capacity of entities affected by the bills.

In response to the new senate bills, staff proposes three changes to SVCW's Design-Build Policy as follows.

1. Restriction on number of projects
The newly enacted laws impose restrictions on the use of the progressive-design build delivery method for projects exceeding \$5 million. Additionally, there is a cap on the number of projects permitted, with a specific provision limiting entities like SVCW to 25 projects before January 1, 2030.
2. Removal of authority to commence projects
The new legislation does not require approval from the governing body to commence a progressive-design-build project. Hence, the new policy amendment will allow the SVCW Manager to decide if progressive-design-build method can be used for a particular project. Potential candidate projects for PDB delivery method will be indicated in the CIP update to the commission. Approval of PDB agreements will continue to be under Commission authority.

3. Change in procurement method of Design-Builder

The legislative amendments allow SVCW the flexibility to employ a one-step method for Design-Build entity procurement through the issuance of a Request for Qualifications (RFQ). While an RFQ alone may suffice for less complex projects, the legislation recognizes the need for a more nuanced approach for intricate endeavors. SVCW has the option to choose between a one-step selection process, issuing only an RFQ, or a two-step process, where a Request for Proposals (RFP) is issued after evaluating and ranking RFQ submissions. This adaptability enhances SVCW's ability to tailor procurement strategies based on the complexity and specific requirements of each project, fostering a more agile and responsive project delivery framework.

CLIMATE EFFECTS

There are no impacts to climate resulting from this action.

FINANCIAL IMPACT

There are no direct financial impacts as a result of this action.

RECOMMENDATION

Move adoption of RESOLUTION APPROVING AND ADOPTING REVISION D TO COMMISSION POLICY 2016-01, FOR IMPLEMENTING DESIGN-BUILD AND PROGRESSIVE-DESIGN-BUILD PROJECTS

SUBJECT: DESIGN-BUILD AND PROGRESSIVE-DESIGN-BUILD PROJECTS**APPLICABLE CODES AND REGULATIONS:**

California Public Contract Code Section 22160 et seq. (SB 785), California Public Contract Code Section 22170 et seq. (SB 991), and California Public Contract Code Section 22185 et seq. (SB 706).

PURPOSE:

The purpose of this policy is to establish procedures for implementing the Design-Build process for delivery of projects in accordance with the provisions of Public Contract Code Division 2, Part 3, Chapter 4 (commencing with Section 22160; the “DB Act”), Progressive Design-Build process for delivery of projects in accordance with the provisions of Public Contract Code Division 2, Part 3, Chapter 4.1 (commencing with Section 22170; the “PDB Act ~~One~~I”) and the Progressive Design-Build process for delivery of projects in accordance with the provisions of Public Contract Code Division 2, Part 3, Chapter 4.7 (commencing with Section 22185; the “PDB Act ~~Two~~II”).¹ As defined in the DB Act, “Design-Build” means a project delivery process in which both the design and construction of a project are procured from a single entity. As defined in the PDB Acts ~~One~~I and ~~Two~~II, “Progressive design-build” means a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project.

POLICY:

It is the policy of Silicon Valley Clean Water (“SVCW”) to employ the Design-Build method of project delivery in accordance with the DB Act for any project delineated in Public Contract Code Section 22160(g)(1), the estimated cost of which exceeds one million dollars (\$1,000,000), and for which the Commission determines that the Best Value may so be achieved. As provided in the DB Act, “Best Value” means a value determined by evaluation of objective criteria that may include, but not be limited to price, features, functions, life-cycle costs, experience, and past performance. The Best Value determination may involve the selection of the lowest cost proposal meeting the interests of SVCW and meeting the objectives of the project, selection of the best proposal for a stipulated sum established by SVCW, or a tradeoff between price and other specified factors. A component of the best value determination can be cost attributes of the project.

It is the policy of SVCW to employ the Progressive Design-Build method of project delivery in accordance with the PDB Acts ~~One~~I and ~~Two~~II, -when the estimated cost exceeds five million dollars (\$5,000,000), and for which the Manager determines that the Best Value may so be achieved. SVCW may utilize the Progressive Design-Build method of project delivery for up to 15 projects under PDB Act I and 10 projects under PDB Act II. As provided in the Act, “Best Value” means a value determined by evaluation of objective criteria that may include, but are not limited to, price, features, function, life-cycle costs, experience, and past performance. The Best

¹ Capitalized terms in this Policy have the meanings defined in the DB Act, PDB Act ~~One~~I and PDB Act ~~Two~~II, as applicable.

Value determination may involve the selection of the lowest cost proposal meeting the interests of SVCW and meeting the objectives of the project, selection of the best proposal for a stipulated sum established by SVCW, or a tradeoff between price and other specified factors. A component of the best value determination can be cost attributes of the project.

At the Manager's discretion, a one or two-step procurement process may also be implemented. A one-step process will consist of issuance of a RFQ. A two-step process will consist of an additional step where an RFP is issued after the RFQ submissions are evaluated and ranked.

ORGANIZATIONAL CONFLICT OF INTEREST POLICY: The attached Organizational Conflict of Interest Policy, incorporated herein by reference, shall serve as guidelines regarding the ability of a person or entity that performs services for SVCW related to the solicitation of a Design-Build project to submit a proposal as a Design-Build Entity or to join a Design-Build Team.

ATTACHMENT

Organizational Conflict of Interest Policy for Design-Build Projects

PURPOSE

This policy establishes the organizational conflict of interest guidelines applicable to Design-Build projects procured pursuant to Public Contract Code Section 22160 et seq. (SB 785), [California Public Contract Code Section 22170 et seq. \(SB 991\)](#), and [California Public Contract Code Section 22185 et seq. \(SB 706\)](#).

APPLICABILITY

This policy applies to all Consultants and Contractors that have entered into or wish to enter into contracts with SVCW to perform design-build work.

POLICY

Contractors and consultants participating as proposers (“Proposers;”) on a Design-Build project or joining a Design-Build team may not have an organizational conflict of interest.

Organizational conflicts of interest are created by circumstances arising out of consultants’ or contractors’ existing or past activities, business or financial interests, familial relationships, contractual relationships, or organizational structure (e.g., parent entities, subsidiaries, affiliates) that result in (i) impairment or potential impairment of consultants’ or contractors’ ability to render impartial assistance or advice to SVCW or of their objectivity in performing work for SVCW, (ii) an unfair competitive advantage for any bidder or Proposer with respect to SVCW’s procurement, or (iii) a perception or appearance of impropriety with respect to any of SVCW’s procurements or contracts or perception or appearance of unfair competitive advantage with respect to a procurement by SVCW (irrespective of whether such perception is accurate).

This Policy neither purports to address every situation that may arise in the context of SVCW’s procurements and contracts, nor to mandate a particular decision or determination by SVCW. SVCW retains the ultimate and sole discretion to determine, on a case by case basis, whether an organizational conflict of interest exists. An organizational conflict of interest may exist in the following instances:

- a. A Proposer is SVCW’s general engineering or architectural consultant for the Design-Build project, except that a sub-consultant of the general engineering or architectural consultant that has not yet performed work on the contract to provide services for the Design-Build project may participate as a Proposer or join a Design-Build team if the Proposer terminates the agreement to provide work and provides no work for SVCW’s general engineering or architectural consultant on the Design-Build project.
- b. A Proposer has assisted or is assisting SVCW in the management of the Design-Build project, including the preparation of the request for proposals, evaluation criteria, or any other aspect of the procurement.

- c. A Proposer has conducted preliminary design services for the Design-Build project such as conceptual layouts, preliminary design, or preparation of bridging documents.
- d. A Proposer performed design work related to the Design-Build project for other stakeholders in the Design-Build project.
- e. A Proposer performed design work on a previous contract that specifically excludes the Proposer from participating as a Proposer or joining any Design-Build team for the design-build project.
- f. A Proposer is under contract with any other entity or stakeholder to perform oversight of the Design-Build project.

Any circumstances that would violate California Government Code Section 1090, et seq. (Contractual Conflicts).

SVCW may be required to comply with requirements and regulations applicable to federally funded procurements and contracts. Nothing in this Policy is intended to limit, modify or otherwise alter the effect of other relevant federal, state, or local regulations, statutes or rules.

Consultants responsible for preparing documents under the California Environmental Quality Act (“CEQA”) are required to comply with all state laws and regulations applicable to such services, including requirements relating to organizational conflicts of interest. For federally funded projects subject to NEPA compliance, Consultants involved in the preparation of an Environmental Impact Statement (EIS) must disclose whether or not they have a financial or other interest in the outcome of the project. A Consultant involved in the preparation of an EIS may propose on work connected with the project only after the EIS is completed. (See 40 CFR 1506.5(c).)

Proposers’ Obligations

Proposers having a conflict must immediately make a full written disclosure of the conflict to the SVCW Manager and shall have a continuing obligation to do so until they are no longer Proposers.

If a Proposer determines that a potential conflict of interest exists, the Proposer’s disclosure will not necessarily disqualify the Proposer from being awarded a contract. The Proposer shall submit proposed measures to avoid, neutralize, or mitigate all potential or actual conflicts. SVCW, at its sole discretion, shall determine whether an organizational conflict of interest exists and whether the proposed measures are sufficient to overcome the conflict or potential conflict and whether the Proposer may continue with the procurement process.

Obligations after Contract Award

The successful Proposer to whom the contract is awarded (“Contractor”) has an ongoing obligation to monitor and disclose conflicts or potential conflicts of interest. SVCW has the right to ongoing enforcement of this policy. If an organizational conflict of interest is discovered after the contract has been awarded, the Contractor must make an immediate and full written disclosure to SVCW that includes a description of the action that the Contractor has taken or proposes to take to avoid or mitigate the conflict. If an organizational conflict of interest is determined to exist and the Contractor was aware of the organizational conflict of interest prior to award of the contract and

did not disclose the conflict, SVCW may terminate the contract. If a conflict of interest arises after the contract award and the Contractor's proposed measures to avoid or mitigate the conflict are determined by SVCW to be inadequate to protect SVCW, SVCW may terminate the contract. If the contract is terminated, SVCW assumes no obligation, responsibility or liability to reimburse all or part of the costs incurred or alleged to have been incurred by the Contractor, and SVCW shall be entitled to pursue any and all appropriate legal remedies.

Incorporation by Reference

This policy shall be incorporated by reference into all Design-Build contracts executed by SVCW.

SUBJECT: DESIGN-BUILD AND PROGRESSIVE-DESIGN-BUILD PROJECTS**APPLICABLE CODES AND REGULATIONS:**

California Public Contract Code Section 22160 et seq. (SB 785), California Public Contract Code Section 22170 et seq. (SB 991), and California Public Contract Code Section 22185 et seq. (SB 706).

PURPOSE:

The purpose of this policy is to establish procedures for implementing the Design-Build process for delivery of projects in accordance with the provisions of Public Contract Code Division 2, Part 3, Chapter 4 (commencing with Section 22160; the “DB Act”), Progressive Design-Build process for delivery of projects in accordance with the provisions of Public Contract Code Division 2, Part 3, Chapter 4.1 (commencing with Section 22170; the “PDB Act I”) and the Progressive Design-Build process for delivery of projects in accordance with the provisions of Public Contract Code Division 2, Part 3, Chapter 4.7 (commencing with Section 22185; the “PDB Act II”).¹ As defined in the DB Act, “Design-Build” means a project delivery process in which both the design and construction of a project are procured from a single entity. As defined in the PDB Acts I and II, “Progressive design-build” means a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project.

POLICY:

It is the policy of Silicon Valley Clean Water (“SVCW”) to employ the Design-Build method of project delivery in accordance with the DB Act for any project delineated in Public Contract Code Section 22160(g)(1), the estimated cost of which exceeds one million dollars (\$1,000,000), and for which the Commission determines that the Best Value may so be achieved. As provided in the DB Act, “Best Value” means a value determined by evaluation of objective criteria that may include, but not be limited to price, features, functions, life-cycle costs, experience, and past performance. The Best Value determination may involve the selection of the lowest cost proposal meeting the interests of SVCW and meeting the objectives of the project, selection of the best proposal for a stipulated sum established by SVCW, or a tradeoff between price and other specified factors. A component of the best value determination can be cost attributes of the project.

It is the policy of SVCW to employ the Progressive Design-Build method of project delivery in accordance with the PDB Acts I and II, when the estimated cost exceeds five million dollars (\$5,000,000), and for which the Manager determines that the Best Value may so be achieved. SVCW may utilize the Progressive Design-Build method of project delivery for up to 15 projects under PDB Act I and 10 projects under PDB Act II. As provided in the Act, “Best Value” means a value determined by evaluation of objective criteria that may include, but are not limited to, price, features, function, life-cycle costs, experience, and past performance. The Best Value

¹ Capitalized terms in this Policy have the meanings defined in the DB Act, PDB Act I and PDB Act II, as applicable.

determination may involve the selection of the lowest cost proposal meeting the interests of SVCW and meeting the objectives of the project, selection of the best proposal for a stipulated sum established by SVCW, or a tradeoff between price and other specified factors. A component of the best value determination can be cost attributes of the project.

At the Manager's discretion, a one or two-step procurement process may also be implemented. A one-step process will consist of issuance of a RFQ. A two-step process will consist of an additional step where an RFP is issued after the RFQ submissions are evaluated and ranked.

ORGANIZATIONAL CONFLICT OF INTEREST POLICY: The attached Organizational Conflict of Interest Policy, incorporated herein by reference, shall serve as guidelines regarding the ability of a person or entity that performs services for SVCW related to the solicitation of a Design-Build project to submit a proposal as a Design-Build Entity or to join a Design-Build Team.

ATTACHMENT

Organizational Conflict of Interest Policy for Design-Build Projects

PURPOSE

This policy establishes the organizational conflict of interest guidelines applicable to Design-Build projects procured pursuant to Public Contract Code Section 22160 et seq. (SB 785), California Public Contract Code Section 22170 et seq. (SB 991), and California Public Contract Code Section 22185 et seq. (SB 706).

APPLICABILITY

This policy applies to all Consultants and Contractors that have entered into or wish to enter into contracts with SVCW to perform design-build work.

POLICY

Contractors and consultants participating as proposers (“Proposers;”) on a Design-Build project or joining a Design-Build team may not have an organizational conflict of interest.

Organizational conflicts of interest are created by circumstances arising out of consultants’ or contractors’ existing or past activities, business or financial interests, familial relationships, contractual relationships, or organizational structure (e.g., parent entities, subsidiaries, affiliates) that result in (i) impairment or potential impairment of consultants’ or contractors’ ability to render impartial assistance or advice to SVCW or of their objectivity in performing work for SVCW, (ii) an unfair competitive advantage for any bidder or Proposer with respect to SVCW’s procurement, or (iii) a perception or appearance of impropriety with respect to any of SVCW’s procurements or contracts or perception or appearance of unfair competitive advantage with respect to a procurement by SVCW (irrespective of whether such perception is accurate).

This Policy neither purports to address every situation that may arise in the context of SVCW’s procurements and contracts, nor to mandate a particular decision or determination by SVCW. SVCW retains the ultimate and sole discretion to determine, on a case by case basis, whether an organizational conflict of interest exists. An organizational conflict of interest may exist in the following instances:

- a. A Proposer is SVCW’s general engineering or architectural consultant for the Design-Build project, except that a sub-consultant of the general engineering or architectural consultant that has not yet performed work on the contract to provide services for the Design-Build project may participate as a Proposer or join a Design-Build team if the Proposer terminates the agreement to provide work and provides no work for SVCW’s general engineering or architectural consultant on the Design-Build project.
- b. A Proposer has assisted or is assisting SVCW in the management of the Design-Build project, including the preparation of the request for proposals, evaluation criteria, or any other aspect of the procurement.

- c. A Proposer has conducted preliminary design services for the Design-Build project such as conceptual layouts, preliminary design, or preparation of bridging documents.
- d. A Proposer performed design work related to the Design-Build project for other stakeholders in the Design-Build project.
- e. A Proposer performed design work on a previous contract that specifically excludes the Proposer from participating as a Proposer or joining any Design-Build team for the design-build project.
- f. A Proposer is under contract with any other entity or stakeholder to perform oversight of the Design-Build project.

Any circumstances that would violate California Government Code Section 1090, et seq. (Contractual Conflicts).

SVCW may be required to comply with requirements and regulations applicable to federally funded procurements and contracts. Nothing in this Policy is intended to limit, modify or otherwise alter the effect of other relevant federal, state, or local regulations, statutes or rules.

Consultants responsible for preparing documents under the California Environmental Quality Act (“CEQA”) are required to comply with all state laws and regulations applicable to such services, including requirements relating to organizational conflicts of interest. For federally funded projects subject to NEPA compliance, Consultants involved in the preparation of an Environmental Impact Statement (EIS) must disclose whether or not they have a financial or other interest in the outcome of the project. A Consultant involved in the preparation of an EIS may propose on work connected with the project only after the EIS is completed. (See 40 CFR 1506.5(c).)

Proposers’ Obligations

Proposers having a conflict must immediately make a full written disclosure of the conflict to the SVCW Manager and shall have a continuing obligation to do so until they are no longer Proposers.

If a Proposer determines that a potential conflict of interest exists, the Proposer’s disclosure will not necessarily disqualify the Proposer from being awarded a contract. The Proposer shall submit proposed measures to avoid, neutralize, or mitigate all potential or actual conflicts. SVCW, at its sole discretion, shall determine whether an organizational conflict of interest exists and whether the proposed measures are sufficient to overcome the conflict or potential conflict and whether the Proposer may continue with the procurement process.

Obligations after Contract Award

The successful Proposer to whom the contract is awarded (“Contractor”) has an ongoing obligation to monitor and disclose conflicts or potential conflicts of interest. SVCW has the right to ongoing enforcement of this policy. If an organizational conflict of interest is discovered after the contract has been awarded, the Contractor must make an immediate and full written disclosure to SVCW that includes a description of the action that the Contractor has taken or proposes to take to avoid or mitigate the conflict. If an organizational conflict of interest is determined to exist and the Contractor was aware of the organizational conflict of interest prior to award of the contract and

did not disclose the conflict, SVCW may terminate the contract. If a conflict of interest arises after the contract award and the Contractor's proposed measures to avoid or mitigate the conflict are determined by SVCW to be inadequate to protect SVCW, SVCW may terminate the contract. If the contract is terminated, SVCW assumes no obligation, responsibility or liability to reimburse all or part of the costs incurred or alleged to have been incurred by the Contractor, and SVCW shall be entitled to pursue any and all appropriate legal remedies.

Incorporation by Reference

This policy shall be incorporated by reference into all Design-Build contracts executed by SVCW.

AGENDA ITEM 8A

**SF-PENINSULA REGIONAL PUREWATER (SPRP)
LONG TERM STRATEGIC RECYCLED WATER PLANNING (CIP #9232)**

ISSUE

Receive Presentation on SF-Peninsula Regional PureWater (SPRP) Project

BACKGROUND

SVCW has been collaborating with water and wastewater agencies for the past seven years on a multi-phased analysis exploring opportunities for potable reuse in the San Francisco Mid-Peninsula area. SVCW had the vision to initiate this effort in 2016 as part of SVCW's Long Term Strategic Recycled Water Planning Efforts. At that time, SVCW was anticipating new effluent regulations from the San Francisco Regional Water Quality Control Board to reduce the concentration of nutrients in SVCW's effluent. To address the anticipated regulations, SVCW recognized the potential to reduce effluent discharges and nutrient concentrations by developing recycled water as a potable water supply. Potable Reuse was seen as an opportunity to reduce discharges of nutrients to the Bay and create a new water supply source for the region. To explore this new opportunity for recycled water, SVCW began discussions with local water agencies to understand the mutual benefits that could be gained from a regional potable reuse program.

The SF-Peninsula Regional PureWater (SPRP) Project is a regional effort to resolve multiple water supply and wastewater issues, while realizing the benefits of shared infrastructure, asset recovery, economies of scale and a competitive strategy to pursue funding. SPRP Parties include seven members: Bay Area Water Supply & Conservation Agency (BAWSCA), CalWater, San Francisco Public Utilities Commission, Mid-Peninsula Water District, City of Redwood City, Silicon Valley Clean Water, and City of San Mateo.

CalWater delivers water to the City of San Carlos and unincorporated areas within SVCW's service area. The City of Belmont is served by Mid-Peninsula Water District. The WBSD service area is provided water from a variety of sources, including CalWater and BAWSCA and Redwood City is a water distributor for its own service area.

DISCUSSION

Three phases of exploratory work are complete, and work is now focused on developing a Basis of Design Report, determining governance structure, and public outreach strategy. The Commission received a presentation in July 2022; this is an update that describes work completed since that time and next steps for moving the program forward.

CLIMATE EFFECTS

There are no climate effects resulting from this agenda item.

FINANCES

There are no financial impacts resulting from this agenda item.

RECOMMENDATION

Receive presentation on SF-PENINSULA REGIONAL PUREWATER (SPRP) PROGRAM

AGENDA ITEM 8B

**POWER GENERATION NON-DISCLOSURE AGREEMENT
WITH MAINSPRING ENERGY**

ISSUE

Approve Non-Disclosure Agreement with Mainspring Energy, Inc for SVCW Power Generation

BACKGROUND

Wastewater entering SVCW's treatment facility is processed using physical, biological, and chemical methods. The physical process separates the liquid from the solids contained in the influent. Solids, in turn, go through various treatment processes, including thickening, digestion, dewatering, and drying. Specifically in the digestion process, byproducts of heat and biogas are produced. Heat is used for boilers and for heating the digesters to their requisite 98°F. Biogas is used to fuel internal combustion engines which power generators to produce electricity; these are called "cogeneration engines" or "cogen engines" or, simply, "engines".

The two cogeneration engines at SVCW were installed in 2010 and still have a long useful life. To obtain a long useful life, a high amount of maintenance is required, including "top-end" replacement every five years and "engine block" replacement every ten years. Additionally, 1.5 FTEs (Full-Time Equivalent staff) are required for day-to-day maintenance.

The amount of electricity produced by the cogen engines is approximately 70% of the electricity that the SVCW treatment facility uses in any given year. Staff consistently seek ways to maximize the amount of power produced, primarily by doing the requisite maintenance on the engines to maximize uptime. However, even with significant focus put onto the cogen engines, there inevitably are issues that require them to be taken offline for maintenance. This year alone, the engines have suffered significant downtime due to major overhauls being performed by a third-party service company.

DISCUSSION

Staff puts significant attention towards managing SVCW's energy since power is one of the highest operational cost elements. Emphasis is placed on both the power-usage side of the equation along with the power-generation side of the equation. Minimizing power usage is a consideration for every capital project put into place. Maximizing power generation is a bit more challenging as the amount of biogas produced is limited and options for generating power from biogas even more limited.

The wastewater industry has long relied on cogeneration engines for power production and new technologies for producing power from biogas have been rare. The main issue with power production technology is the "dirtiness" of biogas. SVCW puts its biogas derived from the digesters through a gas treatment technology to remove pollutants damaging to mechanical equipment. The gas treatment removes moisture, siloxane (a chemical that degrades the interior of mechanical equipment), and hydrogen sulfide (which causes significant corrosion to equipment). Other power production technologies

have been attempted in the past, most notably fuel cells and microturbines, but the contaminants in biogas foul the equipment, even after being cleaned in a gas treatment system.

Recently, a company, Mainspring Energy (“Mainspring”), has arrived in the wastewater arena offering a promising technology (linear generator) to convert biogas to electricity. Initial discussions have been held between SVCW staff and Mainspring that lead staff to view the technology as extremely promising. Mainspring claims efficiency levels of 45% with the linear generator which compares attractively with cogeneration engines which operate at a 27% efficiency level.

Currently, Mainspring has one installation at the Napa Sanitation District treatment plant which has not yet been commissioned. Upon commissioning, SVCW staff will visit Napa to view the system and obtain input from the district’s staff.

Staff seeks to further discussions with Mainspring to gain more information on the technology, gas treatment requirements, sizing, and pricing. To continue discussions, Mainspring seeks to enter into a non-disclosure agreement (NDA) to ensure that their proprietary information is protected. An NDA has been prepared and reviewed by both parties’ respective management and legal teams and agreement reached on all terms.

The Manager recommends approval of a non-disclosure agreement between Mainspring Energy and Silicon Valley Clean Water.

CLIMATE EFFECTS

Discussions are very preliminary at this point but, should the technology prove effective using biogas, there will be positive climate effects due to extremely low emissions deriving from the technology.

FINANCES

There is no financial implication to the agenda item.

RECOMMENDATION

Move adoption of RESOLUTION APPROVING NON-DISCLOSURE AGREEMENT WITH MAINSPRING ENERGY INC