

AGENDA
SAN ELIJO JOINT POWERS AUTHORITY
MONDAY JULY 10, 2017 AT 9:00 AM
SAN ELIJO WATER RECLAMATION FACILITY – CONFERENCE ROOM
2695 MANCHESTER AVENUE
CARDIFF BY THE SEA, CALIFORNIA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ORAL COMMUNICATIONS (NON-ACTION ITEM)
5. PRESENTATION OF AWARDS
6. * **CONSENT CALENDAR**
7. * APPROVAL OF MINUTES FOR JUNE 12, 2017 MEETING
8. * APPROVAL FOR PAYMENT OF WARRANTS AND MONTHLY INVESTMENT REPORTS
9. * SAN ELIJO WATER RECLAMATION FACILITY TREATED EFFLUENT FLOWS – MONTHLY REPORT
10. * SAN ELIJO JOINT POWERS AUTHORITY RECYCLED WATER PROGRAM – MONTHLY REPORT
11. * AUTHORIZATION FOR THE GENERAL MANAGER TO ACCEPT AND CONSENT TO DEEDS AND GRANTS
12. * ITEMS REMOVED FROM CONSENT CALENDAR

Items on the Consent Calendar are routine matters and there will be no discussion unless an item is removed from the Consent Calendar. Items removed by a "Request to Speak" form from the public will be handled immediately following adoption of the Consent Calendar. Items removed by a Board Member will be handled as directed by the Board.

REGULAR AGENDA

13. **BUILDING PROGRAM AND COMMUNITY BIKE PATH UPDATE**

No action required. This memorandum is submitted for information only.

Staff Reference: General Manager

14. **AWARD CONSTRUCTION CONTRACT AND ENGINEERING SERVICES DURING CONSTRUCTION FOR THE SAN ELIJO WATER RECLAMATION FACILITY – PRELIMINARY TREATMENT UPGRADES**

1. Authorize the General Manager to award construction of the Preliminary Treatment Upgrades project to NEWest Construction Company, Inc., for an amount not to exceed \$3,871,480 and issue a Notice to Proceed at the time the General Manager deems appropriate;
2. Authorize the General Manager to amend the professional services agreement with Dudek for engineering services during construction for the Preliminary Treatment Upgrades for an amount not to exceed \$198,100; and
3. Discuss and take action as appropriate.

Staff Reference: General Manager

15. **REGIONAL WATER QUALITY CONTROL BOARD SETTLEMENT OFFER NO. R9-2017-0070 FOR THE JANUARY 2017 TREATMENT PLANT UPSET**

No action required. This memorandum is submitted for information only.

Staff Reference: General Manager

16. **CONSTRUCTION CONTRACT CHANGE ORDER NO. 1 - SAN ELIJO LAND OUTFALL REPLACEMENT PROJECT**

1. Authorize the General Manager to accept Construction Contract Change Order No. 1 for a total cost reduction of \$158,082; and
2. Discuss and take action as appropriate.

Staff Reference: General Manager

17. PROFESSIONAL SERVICES CONTRACT AMENDMENT FOR ENCINITAS RANCH RECYCLED WATER EXPANSION PROJECT

1. Approve an amendment to the Agreement with Dudek for Project Design and Permitting for an amount not to exceed \$165,870; and
2. Discuss and take action as appropriate.

Staff Reference: General Manager

18. CLOSED SESSION

The Board will adjourn to Closed Session to discuss item(s) identified below. Closed Session is not open to the public; however, an opportunity will be provided at this time if members of the public would like to comment on any item listed below. (Three minute limit.) A closed session may be held at any time during this meeting of the San Elijo Joint Powers Authority for the purposes of discussing potential or pending litigation or other appropriate matters pursuant to the "Ralph M. Brown Act".

A closed session will be held per Government Code Section 54957, Public Employee Performance Evaluation: General Manager.

19. CONSIDERATION OF GENERAL MANAGER EMPLOYMENT COMPENSATION

1. Discussion and possible action regarding General Manager's bonus for FY 2016-17;
2. Discussion and possible action regarding General Manager's employment contract and/or compensation; and
3. Discuss and take action as appropriate.

Staff Reference: General Manager

20. GENERAL MANAGER'S REPORT

Informational report by the General Manager on items not requiring Board action.

21. GENERAL COUNSEL'S REPORT

Informational report by the General Counsel on items not requiring Board action.

22. BOARD MEMBER COMMENTS

This item is placed on the agenda to allow individual Board Members to briefly convey information to the Board or public, or to request staff to place a matter on a future agenda and/or report back on any matter. There is no discussion or action taken on comments by Board Members.

23. ADJOURNMENT

The next regularly scheduled San Elijo Joint Powers Authority Board Meeting will be Monday, September 11, 2017 at 9:00 a.m.

NOTICE:

The San Elijo Joint Powers Authority's open and public meetings meet the protections and prohibitions contained in Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C Section 12132), and the federal rules and regulations adopted in implementation thereof. Any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting of the SEJPA Board of Directors may request such modification or accommodation from Michael T. Thornton, General Manager, (760) 753-6203 ext. 72.

The agenda package and materials related to an agenda item submitted after the packet's distribution to the Board is available for public review in the lobby of the SEJPA Administrative Office during normal business hours. Agendas and minutes are available at www.sejpa.org. The SEJPA Board meetings are held on the second Monday of the month, except August.

AFFIDAVIT OF POSTING

I, Michael T. Thornton, Secretary of the San Elijo Joint Powers Authority, hereby certify that I posted, or have caused to be posted, a copy of the foregoing agenda in the following locations:

San Elijo Water Reclamation Facility, 2695 Manchester Avenue, Cardiff, California
City of Encinitas, 505 South Vulcan Avenue, Encinitas, California
City of Solana Beach, 635 South Highway 101, Solana Beach, California

The notice was posted at least 72 hours prior to the meeting, in accordance with Government Code Section 54954.2(a).

Date: July 5, 2017



Michael T. Thornton, P.E.
Secretary / General Manager

SAN ELIJO JOINT POWERS AUTHORITY
MINUTES OF THE BOARD MEETING
HELD ON JUNE 12, 2017
AT THE
SAN ELIJO WATER RECLAMATION FACILITY

Ginger Marshall, Chair

Tasha Boerner Horvath, Vice Chair

A meeting of the Board of Directors of the San Elijo Joint Powers Authority (SEJPA) was held Monday, June 12, 2017, at 9:00 a.m., at the San Elijo Water Reclamation Facility at 2695 Manchester Avenue, Cardiff by the Sea, California.

1. CALL TO ORDER

Chair Marshall called the meeting to order at 9:00 a.m.

2. ROLL CALL

Directors Present:

Ginger Marshall
Tasha Boerner Horvath (*arrived at 9:05 a.m.*)
David Zito
Joe Mosca

Directors Absent:

None

Others Present:

General Manager
Director of Operations
Director of Finance & Administration
Associate Engineer
Administrative Assistant/Board Clerk

Michael Thornton
Chris Trees
Paul Kinkel
Mike Konicke
Jennifer Basco

SEJPA Counsel:

Procopio, Cory, Hargreaves & Savitch

Adriana Ochoa

City of Solana Beach:

City Manager
Director of Engineering/Public Works

Greg Wade
Mohammad "Mo" Sammak

City of Encinitas:

Public Works Management Analyst

Bill Wilson

San Dieguito Water District:

General Manager

Bill O'Donnell

Hilltop Securities Inc.

Mike Cavanaugh

3. PLEDGE OF ALLEGIANCE

Chair Marshall led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

None

5. PRESENTATION OF AWARDS

The General Manager informed the Board of Directors that Todd Hutchinson, Lead Operator, was selected as 2017 Outstanding Plant Operator by the Southwest Membrane Operators Association.

6. CONSENT CALENDAR

Moved by Board Member Zito and seconded by Board Member Boerner Horvath to approve the Consent Calendar.

- | | |
|--------------------|---|
| Agenda Item No. 7 | Approval of Minutes for the May 8, 2017 Meeting |
| Agenda Item No. 9 | San Elijo Water Reclamation Facility Treated Effluent Flows – Monthly Report |
| Agenda Item No. 10 | San Elijo Joint Powers Authority Recycled Water Program – Monthly Report |
| Agenda Item No. 11 | Emergency Repair – Industrial Hot Water Pipeline |
| Agenda Item No. 12 | Acceptance of Completion – Construction Contract for the Blower Replacement Project |
| Agenda Item No. 13 | Acceptance of Completion – Construction Contract for the Meter Valve and Air Vacuum Valve Replacement Project |

Motion carried with the following vote of approval:

AYES: Marshall, Boerner Horvath, Zito, Mosca
NOES: None
ABSENT: None
ABSTAIN: None

- | | |
|-------------------|--|
| Agenda Item No. 8 | Approval for Payment of Warrants and Monthly Investment Report |
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Motion carried with the following vote of approval:

AYES: Marshall, Boerner Horvath, Zito
NOES: None
ABSENT: None
ABSTAIN: Mosca

14. ITEMS REMOVED FROM CONSENT CALENDAR

None

15. ADOPTION OF THE SAN ELIJO JOINT POWERS AUTHORITY (SEJPA) FISCAL YEAR 2017-18 BUDGET, INVESTMENT POLICY, AND APPOINTMENT OF TREASURER

Paul F. Kinkel, Director of Finance and Administration, reported that the Recommended Budget for FY 2017-18 was presented at the April 2017 Board meeting in addition to communication with both Member Agencies and other government agencies that receive services by the SEJPA. Suggested changes have been incorporated into the Recommended Budget, of which the most significant was the addition of \$344,650 for the Cardiff Force Main Replacement capital program. Other minor changes included the updated 2017 Revenue Bond debt service costs, adjusting the Classification and Salary Schedule to include an additional operator within the existing funding, and including interns across all functional areas in the Organizational Chart. These changes have no substantive impact to the Recommended Budget. Mr. Kinkel also stated that Staff is not recommending any changes to the SEJPA's investment policy. The General Manager recommended that the appointment of Paul F. Kinkel as SEJPA Treasurer be continued for FY 2017-18.

Moved by Board Member Mosca and seconded by Vice Chair Boerner Horvath to:

1. Adopt Resolution No. 2017-05, Resolution Approving the San Elijo Joint Powers Authority Operating and Capital Improvement Budgets for Fiscal Year 2017-18; and
2. Adopt Resolution No. 2017-06, Resolution Approving the San Elijo Joint Powers Authority Investment Policy and Guidelines and Appointment of Paul F. Kinkel as SEJPA Treasurer.

Motion carried with the following vote of approval:

AYES: Marshall, Boerner Horvath, Zito, Mosca
NOES: None
ABSENT: None
ABSTAIN: None

16. CALPERS UNFUNDED ACTUARIAL LIABILITY – SUPPLEMENTAL PAYMENT

Paul Kinkel, Director of Finance and Administration stated that the SEJPA participates in CalPERS' defined benefit retirement program. Each year CalPERS prepares an

individualized actuarial valuation report that values the plans as of the prior year, and provides the current and projected employer contributions. As of June 30, 2015, the Unfunded Actuarial Valuation (UAL) for all SEJPA plans was \$2,601,855. Mr. Kinkel stated that SEJPA anticipates finishing FY 2016-17 under budget, and recommended applying unspent operational funds to the UAL. By prepaying an estimated \$100,000, the SEJPA will reduce its unfunded liability and avoid approximately \$22,000 in future interest payments using a 7.0% rate of return over a 5 year period.

Moved by Board Member Zito and seconded by Board Member Mosca to:

1. Authorize the General Manager to apply positive FY 2016-17 Budget variances to the CalPERS Unfunded Actuarial Liability ("UAL").

Motion carried with the following vote of approval:

AYES: Marshall, Boerner Horvath, Zito, Mosca
NOES: None
ABSENT: None
ABSTAIN: None

17. SAN ELIJO OCEAN OUTFALL 2017 ANNUAL INSPECTION CONTRACT

Chris Trees, Director of Operations, presented a brief history of the Ocean Outfall to the Board Members. Recently, Staff identified the opportunity for jointly bidding the ocean outfall maintenance and inspection services with Encina Wastewater Authority (EWA). SEJPA and EWA both have similar ocean outfalls that require annual or biennial inspections to ensure that they are in sound operating condition. Four proposals were received and reviewed; Undersea Graphics Inc.'s proposal was ranked the highest. The total anticipated expenditure to Undersea Graphics for external inspection and maintenance of the San Elijo Ocean Outfall is \$51,000. This task will be funded by the Ocean Outfall Program operations and maintenance budget.

Moved by Board Member Mosca and seconded by Board Member Zito to:

1. Authorize the General Manger to execute a contract in the amount of \$51,000 for the San Elijo Ocean Outfall Maintenance and External Inspection with Undersea Graphics, Inc.

Motion carried with the following vote of approval:

AYES: Marshall, Boerner Horvath, Zito, Mosca
NOES: None
ABSENT: None
ABSTAIN: None

18. APPROVAL OF DOCUMENTS RELATED TO THE ISSUANCE OF 2017 REVENUE BONDS, AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICE CONTRACT FOR BOND TRUSTEE

General Manager Thornton introduced Mike Cavanaugh from Hilltop Securities, Inc. and acknowledged the whole bond team for their performance related to the issuance. Hilltop Securities estimates that the funding package will provide a deposit to the Project Construction Fund of \$23.8 million based on current market conditions and a 30-year repayment term. The estimated annual debt service payment is \$1,345,000. The Cities will pay their share of the debt service based on capacity rights which is currently 50 percent each. Bond Counsel has prepared documentation to implement the transaction. In order to complete the transaction, it is necessary for the SEJPA to retain the services of a financial institution to serve as trustee for the Revenue Bonds. Union Bank has been chosen as the trustee due to their experience with the SEJPA.

Moved by Board Member Mosca and seconded by Chair Marshall to:

1. Approve the recommendations of the General Manager regarding the acceptance of the following documents entitled:
 - Resolution No. 2017-07 Resolution Authorizing the Issuance, Sale and Delivery of not to exceed \$25,000,000 Aggregate Principal Amount of San Elijo Joint Powers Authority 2017 Revenue Bonds (Clean Water Projects) and Approving Agreements, Certificates and Other Documents and Instruments Pertaining Thereto and Authorizing Official Action
 - Series 2017 Indenture of Trust
 - Series 2017 Loan Agreement
 - Draft Preliminary Official Statement
 - Continuing Disclosure Agreement
 - Bond Purchase Contract
2. Authorize the General Manager to execute a professional service contract with Union Bank of California, to serve as trustee for the revenue bonds.

Motion carried with the following vote of approval:

AYES: Marshall, Boerner Horvath, Zito, Mosca
NOES: None
ABSENT: None
ABSTAIN: None

19. PURCHASE OF PROCESS CONTROL EQUIPMENT

General Manager Thornton stated that the SEWRF uses conventional activated sludge treatment as a critical step in achieving State and Federal water quality requirements. The process consists of a bioreactor tank that is designed to use microorganisms within the wastewater, combined with diffused oxygen, to provide biological treatment. The SEWRF is currently operated in non-nitrifying mode since the treatment plant was

originally designed to discharge to the ocean, which does not require nutrient removal. Mr. Thornton stated that to improve water quality and treatment reliability, Staff is in the process of evaluating the cost and capital requirements to convert the existing conventional activated sludge bioreactor from non-nitrified to a nitrification and partial denitrification (N/pDN) process. The N/pDN biological process provides more reliable and robust treatment. This improved quality can increase recycled water production rates, reduce maintenance periods for filter cleaning, and enhance disinfection. Hach Company is willing to provide their nitrification control system to the SEJPA for a trial period to demonstrate its performance and ability to efficiently monitor and control the N/pDN process. Staff requests authorization to purchase the Hach nitrification system, which is a proprietary system, upon successful completion of the 60-day trial period. The system costs \$85,000; funding is available in the Capital Project Fund for Wastewater Plant Improvements.

Moved by Board Member Zito and seconded by Board Member Boerner Horvath to:

1. Authorize the General Manager to purchase Hach Nitrification Information System in the amount of \$85,000, and
2. Acknowledge the Hach Nitification Information System is proprietary, patented equipment and not viable under a bidding process.

Motion carried with the following vote of approval:

AYES: Marshall, Boerner Horvath, Zito, Mosca
NOES: None
ABSENT: None
ABSTAIN: None

20. GENERAL MANAGER'S REPORT

None

21. GENERAL COUNSEL'S REPORT

None

22. BOARD MEMBER COMMENTS

None

23. CLOSED SESSION

The Board of Directors adjourned to closed session at 10:08 a.m., pursuant to Government Code Section 54957: Employee Performance Evaluation. Title: General Manager.

The Board of Directors came out of closed session at 10:24 a.m., with no reportable action.

24. ADJOURNMENT

The meeting adjourned at 10:25 a.m. The next Board of Directors meeting will be held on July 10, 2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Thornton", written over a horizontal line.

Michael T. Thornton, P.E.
General Manager

SAN ELIJO JOINT POWERS AUTHORITY
PAYMENT OF WARRANTS
17-07
For the Months of May and June 2017

Warrant #	Vendor Name	G/L Account	Warrant Description	Amount
34389	Dept. of Parks and Recreation	Fees - Permits	Right of Entry	7,633.37
34390	2ndgear	Supplies - Office	Computers	2,315.02
34391	A-Check Global	Preemployment Screening	New employee screening	91.25
34392	Aflac	EE Deduction Benefits	Aflac - June	680.92
34393	Ag Tech, LLC	Services - Biosolids Hauling	Biosolids hauling - April	15,675.52
34394	All American First Aid & Safety	Supplies - Shop & Field	First aid supplies and gloves	997.98
34395	Aquatic Bioassay	Services - Laboratory	NPDES Bioassays - Kelp germination	999.00
34396	AT&T	Utilities - Telephone	DSL - 03/20/17 - 05/19/17	106.15
34397	Atlas Pumping Service Inc.	Services - Grease & Scum	Grease and scum pumping	554.88
34398	Barracuda Networks, Inc.	Utilities - Internet	Network back-up	50.00
34399	Bay City Electric Works	Services - Maintenance	Annual maintenance for generators	330.00
34400	Scott Best	Seminars/Education	Backflow tester and operator exams	534.00
34401	Brenntag Pacific, Inc.	Supplies - Chemicals	Sodium Hydroxide	1,553.87
34402	Chevron & Texaco Business Card	Fuel	Fuel - May	988.00
34403	Colorado Lining International	Services - Contractors	Cover cleaning and repairs	10,973.95
34404	Complete Office	Supplies - Office	Binders and envelopes	97.18
34405	Corodata	Rent	Record storage - May	100.18
34406	CS-Amsco	Repair Parts Expense	Valve, handwheel, and lever actuator	3,791.34
34407	Cummins Cal Pacific, Inc.	Repair Parts Expense	Pump fuel transfer	137.00
34408	EATON Corporation	Services - Maintenance	Repair main breaker	4,500.00
34409	EDCO Waste & Recycling Service	Utilities - Trash	May Service	237.22
34410	Global Capacity	Utilities - Internet	T-1 Service - July	296.03
34411	Hydro Gate, LLC	Repair Parts Expense	Cast iron slide gate	5,554.52
34412	Kemira Water Solutions, Inc.	Supplies - Chemicals	Ferric Chloride	3,590.98
34413	The Lawton Group	Services - Intern Program	Week worked - 05/15/17 - 05/26/17	1,652.50
34414	Marine Taxonomic Services, Ltd.	Services - Contractors	Offshore water sampling	384.00
34415	McMaster-Carr Supply Co.	Repair Parts Expense	Ball bearing, pipe, pipe fittings, valves, flowmeter	453.63
34416	Olin Corp - Chlor Alkali	Supplies - Chemicals	Sodium Hypochlorite	2,729.00
34417	Olivenhain Municipal Water District	Rent	Pipeline payment - May	8,082.00
34418	Olivenhain Municipal Water District	Services - Professional	Recycled water project	534.53
34419	OneSource Distributors, Inc.	Licenses	Annual software support	1,510.00
34420	P.E.R.S.	Medical Insurance - PERS	Health - May	20,581.26
34421	Public Employees - Retirement	Retirement Plan - PERS	Retirement - 05/20/17 - 06/20/17	12,192.85
34422	Polydyne Inc.	Supplies - Chemicals	Clarifloc	12,599.42
34423	Preferred Benefit Insurance	Dental/Vision	Vision - June	309.30
34424	ProBuild Company, LLC	Supplies - Shop & Field	Parts and shop supplies	241.93
34425	RSF Security Systems	Services - Maintenance	Onsite service	78.00
34426	Safety-Kleen Corp.	Services - Maintenance	Model 90.5	300.44
34427	Santa Fe Irrigation District	Utilities - Water	Recycled water	1,986.45
34428	San Dieguito Water District	Utilities - Water	Recycled water	1,415.66
34429	San Dieguito Water District	Utilities - Water	Recycled water	8,922.87
34430	Test America	Services - Laboratory	Testing water samples	965.50
34431	Michael Thornton	Subsistence - Travel	Toll road	7.61
34432	Unifirst Corporation	Services - Uniforms	Uniform service	409.36
34433	UPS	Postage/Shipping	Shipping	20.66
34434	Underground Service Alert/SC	Services - Alarm	Dig alert - May	105.00
34435	Vantagepoint Transfer Agents	EE Deduction Benefits	ICMA - 457	6,923.75
34436	Vantagepoint Transfer Agents	ICMA Retirement	ICMA - 401a	3,027.48
34437	A-1 Broadway Foto	Printing	ID cards	24.60
34438	A.B. Hashmi, Inc.	Services - Contractors	Air vacuum relocation and angle stop replacement	68,152.76
34439	Advanced Air & Vacuum	Services - Maintenance	Installed solenoid valve	665.06
34440	Affordable Drain Services, Inc.	Services - Maintenance	Pipe repair in kitchen	92.00
34441	Ag Tech, LLC	Services - Biosolids Hauling	Biosolids hauling - May	15,625.36
34442	Airgas USA, LLC	Minor Equip - Shop & Field	Welding tool, tools, and faceshield	317.76
34443	Asbury Environmental Services	Fees - Disposal	Used oil service	120.00
34444	AT&T	Utilities - Telephone	Phone service - 05/13/17 - 06/12/17	371.57
34445	AT&T	Utilities - Telephone	Alarm service - June	398.48
34446	Atlas Pumping Service Inc.	Services - Grease & Scum	Grease and scum pumping	554.88

SAN ELIJO JOINT POWERS AUTHORITY**PAYMENT OF WARRANTS****17-07****For the Months of May and June 2017**

Warrant #	Vendor Name	G/L Account	Warrant Description	Amount
34447	BankCard Center	Various	Shop, field, and office supplies	3,372.53
34448	BAVCO	Repair Parts Expense	Rebuilt kits	999.92
34449	Scott Best	CSRMA Wellness Program	Health and wellness	60.00
34450	Black & Veatch	Services - Engineering	As needed 3rd party review	2,210.00
34451	Boot World, Inc.	Uniforms - Boots	Safety boots	185.00
34452	Boyd Fasteners	Minor Equip - Shop & Field	Band saw blades	362.19
34453	Brenntag Pacific, Inc.	Supplies - Chemicals	Citric Acid	2,033.54
34454	Carollo Engineers	Services - Engineering	Capital projects and as needed services	4,278.90
34455	Complete Office	Supplies - Office	Office supplies	221.89
34456	Carrie Cook	Subsistence - Travel	Seminar	8.99
34457	County of San Diego	Fees - Permits	Facility permit fees	1,876.00
34458	CWEA Membership	Dues & Memberships	Membership	172.00
34459	County of San Diego	Fees - Permits	Facility permit fees	142.00
34460	Dell Marketing L.P.	Capital Outlay	Microscope computer	1,423.54
34461	DMV	Services - Other	Safety records - 03/01/17 - 05/31/17	7.00
34462	Dudek & Associates	Services - Professional	Capital project funding & environmental clearance	400.00
34463	Duhig & Co., Inc.	Repair Parts Expense	Welded pipe	349.32
34464	Encina Wastewater Authority	Service - EWA Support	Resource sharing - HR and safety	1,143.36
34465	City of Encinitas	Service - IT Support	Admin network - June	2,625.00
34466	Excel Landscape, Inc.	Services - Landscape	Remove brush , spray, and mulch	920.00
34467	Forte of San Diego	Services - Janitorial	July Service	1,000.00
34468	Winston Friedly	CSRMA Wellness Program	Health and wellness	60.00
34469	Jose Garcia	Vehicle Maintenance	Vehicle maintenance	345.11
34470	Golden Bell Products	Supplies - Chemicals	Lift station degreaser	452.55
34471	Grainger, Inc.	Repair Parts Expense	Gaskets, pulley, lanyard	1,311.92
34472	Harbor Freight Tools	Supplies - Shop & Field	Tools and gloves	728.39
34473	Kennedy/Jenks Consultants	Services - Engineering	Land ocean outfall - Final design	11,083.63
34474	Casey Larsen	Subsistence - Travel	Wonderware training	82.95
34475	VOID	VOID	VOID	0.00
34476	McMaster-Carr Supply Co.	Repair Parts Expense	Pump, plumbing supplies, pipe, clamps	2,278.89
34477	MetLife - Group Benefits	Dental/Vision	Dental - July	1,739.88
34478	NeWest Construction	Capital Outlay	Installation of launder troughs, brackets and seal	9,835.00
34479	OneSource Distributors, Inc.	Repair Parts Expense	Cooling fans	265.07
34480	Pacific Green Landscape	Services - Landscape	June Service	2,975.00
34481	Public Employees - Retirement	Retirement Plan - PERS	Retirement - 06/03/17 - 06/16/17	12,363.97
34482	Michael Piper	CSRMA Wellness Program	Health and wellness	50.62
34483	Procopio Cory Hargreaves	Services - Legal	General - May	9,051.25
34484	Rockwell Solutions	Repair Parts Expense	Parts for primary sludge pumps	2,003.59
34485	Roesling Nakamura Terada Architects	Services - Professional	Equipment enclosure and building project	9,286.75
34486	RSF Security Systems	Services - Maintenance	Panel, keypad, and transformers	699.00
34487	Rusty Wallis, Inc.	Services - Maintenance	Water softener, carbon exchange, and salt bags	117.93
34488	Santa Fe Irrigation District	SFID Distribution Pipeline	Pipeline purchase payment - May	1,521.00
34489	San Diego Gas & Electric	Utilities - Gas & Electric	Gas and electric - 05/07/17 - 06/06/17	60,605.23
34490	Sigma-Aldrich	Supplies - Lab	Minerals	169.23
34491	Smart & Final	Supplies - Office	Kitchen supplies	117.71
34492	Southland Manufacturing, Inc.	Repair Parts Expense	Erosion control	306.72
34493	Sun Life Financial	Life Insurance/Disability	Life and disability insurance - July	1,614.88
34494	Television 101	Services - Professional	Emergency Operation Plan and Contractors Safety	8,400.00
34495	Tesco Controls	Services - Alarm	Mobile WIN-911	2,324.00
34496	Trussell Technologies, Inc.	Services - Engineering	Process Engineering	4,757.25
34497	Unifirst Corporation	Services - Uniforms	Uniform service	340.33
34498	UPS	Postage/Shipping	Shipping	94.90
34499	Vantagepoint Transfer Agents	EE Deduction Benefits	ICMA - 457 and loans	6,923.75
34500	Vantagepoint Transfer Agents	ICMA Retirement	ICMA - 401a	3,027.48
34501	Verizon Wireless	Utilities - Telephone	05/11/17 - 06/10/17	255.01
34502	Verizon Wireless	Utilities - Telephone	Cell phones - 05/08/17 - 06/07/17	750.83
34503	VWR International, Inc.	Supplies - Lab	Laboratory supplies	980.90
34504	Western Hose & Gasket	Repair Parts Expense	Hoses, fittings	707.59

SAN ELIJO JOINT POWERS AUTHORITY

PAYMENT OF WARRANTS

17-07

For the Months of May and June 2017

Warrant #	Vendor Name	G/L Account	Warrant Description	Amount
34505	WorkPartners Occupational	Services - Medical	New employee screening	215.00
	San Elijo Payroll Account	Payroll	Payroll - 06/09/2017	67,204.36
	San Elijo Payroll Account	Payroll	Payroll - 06/23/2017	64,617.79
				<u>\$ 547,000.67</u>

SAN ELIJO JOINT POWERS AUTHORITY

PAYMENT OF WARRANTS SUMMARY

**For the Months of May and June 2017
As of June 26, 2017**

PAYMENT OF WARRANTS \$ 547,000.67
Reference Number 17-07

I hereby certify that the demands listed and covered by warrants are correct and just to the best of my knowledge, and that the money is available in the proper funds to pay these demands. The cash flows of the SEJPA, including the Member Agency commitment in their operating budgets to support the operations of the SEJPA, are expected to be adequate to meet the SEJPA's obligations over the next six months. I also certify that the SEJPA's investment portfolio complies with the SEJPA's investment policy.



Paul F. Kinkel
Director of Finance & Administration

STATEMENT OF FUNDS AVAILABLE FOR PAYMENT OF WARRANTS
AND INVESTMENT INFORMATION
As of June 26, 2017

FUNDS ON DEPOSIT WITH	AMOUNT
LOCAL AGENCY INVESTMENT FUND <i>(MAY 2017 YIELD 0.925%)</i>	
RESTRICTED SRF RESERVE	\$ 630,000.00
UNRESTRICTED DEPOSITS	\$ 10,728,273.68
CALIFORNIA BANK AND TRUST <i>(MAY 2017 YIELD 0.01%)</i>	
REGULAR CHECKING	\$ 67,570.03
PAYROLL CHECKING	\$ 5,000.00
 TOTAL RESOURCES	 \$ 11,430,843.71

SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

July 10, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: SAN ELIJO WATER RECLAMATION FACILITY TREATED EFFLUENT FLOWS –
MONTHLY REPORT

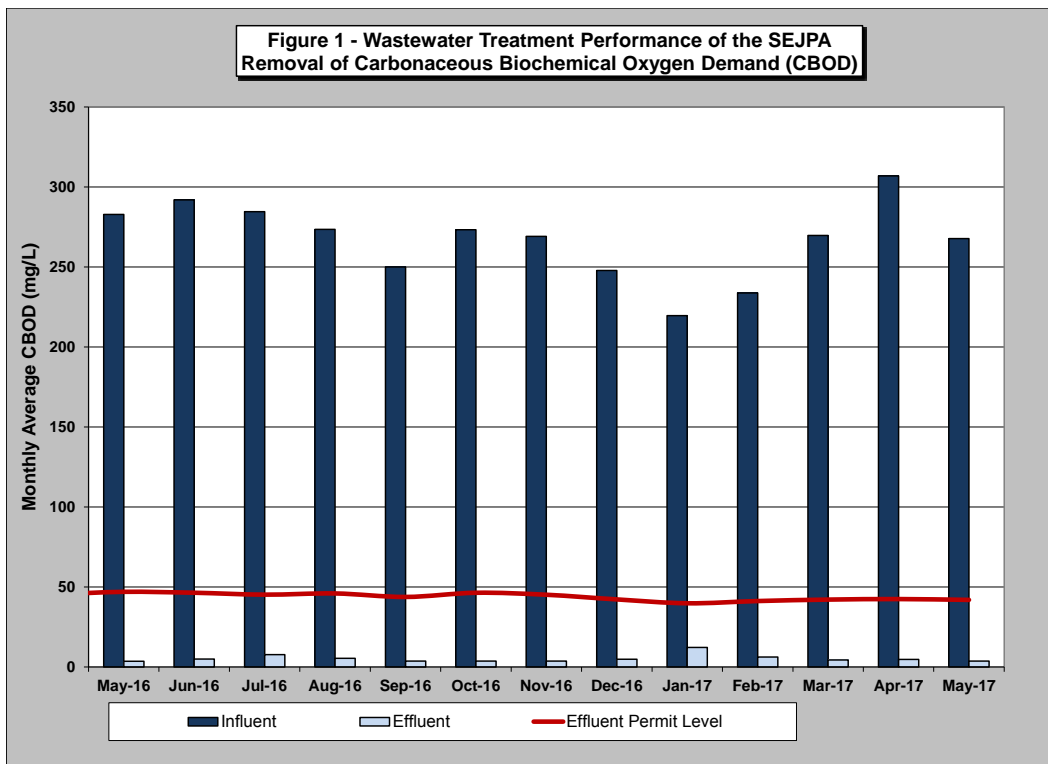
RECOMMENDATION

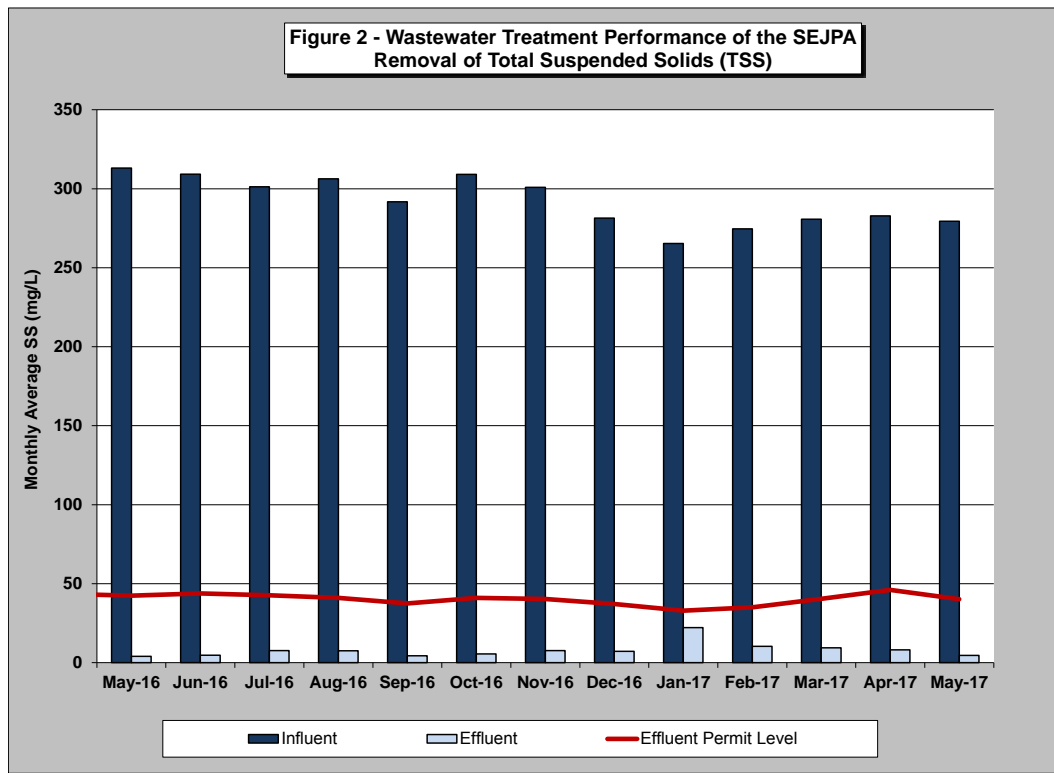
No action required. This memorandum is submitted for information only.

DISCUSSION

Monthly Treatment Plant Performance and Evaluation

Wastewater treatment for the San Elijo Joint Powers Authority (SEJPA) met all NPDES ocean effluent limitation requirements for the month of May 2017. The primary indicators of treatment performance include the removal of Carbonaceous Biochemical Oxygen Demand (CBOD) and Total Suspended Solids (TSS). The SEJPA is required to remove a minimum of 85 percent of the CBOD and TSS from the wastewater. For the month of May, treatment levels for CBOD and TSS were 98.6 and 98.4 percent removal, respectively, (as shown in Figure 1 and Figure 2).





Agency Flows

Presented below are the influent and effluent flows for the month of May. Average daily influent flows were recorded for each Agency. Total effluent flow was calculated for the San Elijo Water Reclamation Facility. January 2017 is the first month that the City of Del Mar pumped flow to SEJPA. However, due to the treatment process upset and high influent flows associated with the January rain events, the flow was diverted back to San Diego JPA Metro. Currently, the City of Del Mar is in the process of eliminating high salinity infiltration that is occurring at a few manholes near the beach. High salinity wastewater can negatively impact the biological treatment and water recycling process. Upon the completion of these repairs, the SEJPA will begin receiving wastewater flows from Del Mar.

	May	
	<u>Influent (mgd)</u>	<u>Effluent (mgd)*</u>
Cardiff Sanitary Division	1.082	0.842
City of Solana Beach	1.184	0.922
Rancho Santa Fe SID	0.136	0.106
City of Del Mar	0.000	0.000
Total San Elijo WRF Flow	2.402	1.870

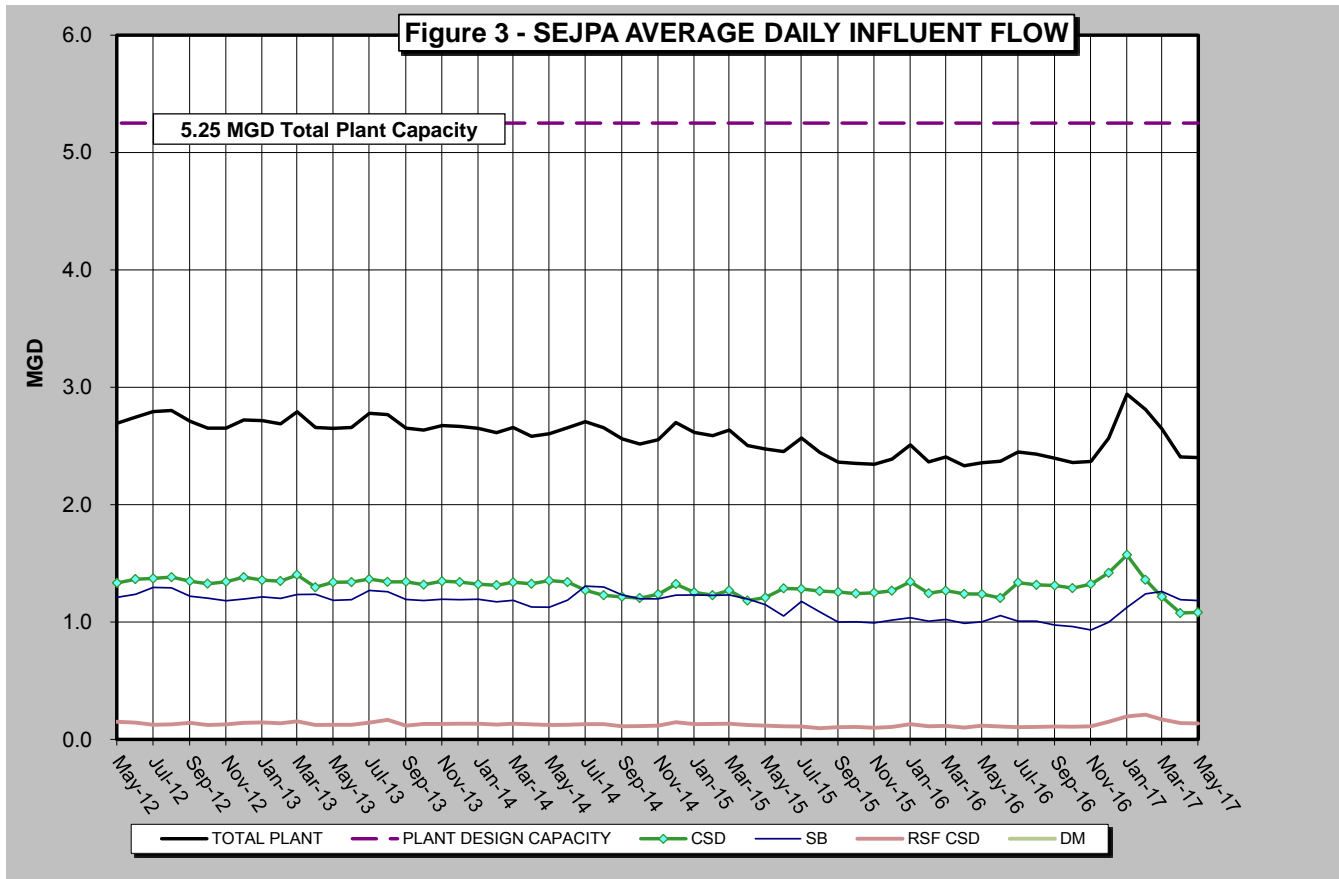
* Effluent is calculated by subtracting the recycled water production from the influent wastewater.

Table 1 (next page) presents the historical average, maximum, and unit influent and effluent flow rates per month for each of the Agencies during the past 5 years. It also presents the number of connected Equivalent Dwelling Units (EDUs) for each of the Agencies during this same time period.

TABLE 1 - SAN ELIJO WATER RECLAMATION FACILITY MONTHLY REPORT - FLOWS AND EDUS

MONTH	AVERAGE DAILY INFLUENT FLOW RATE (MGD)					AVERAGE DAILY EFFLUENT FLOW RATE (MGD)					CONNECTED EDUs					AVERAGE UNIT INFLUENT FLOW RATE (GAL/EDU/DAY)							
	CSD	RSF	CSD	SB	DM	TOTAL PLANT	CSD	RSF	CSD	SB	DM	TOTAL PLANT	CSD EDUS	RSF EDUS	CSD EDUS	SB EDUS	DM EDUS	TOTAL EDUS	CSD	RSF	SB	DM	TOTAL PLANT
Jan-12	1.291	0.145	1.303			2.739	1.032	0.116	1.042			2.190	8,266	488	7,728			16,482	160	232	169		166
Feb-12	1.259	0.137	1.283			2.679	1.006	0.109	1.025			2.140	8,268	488	7,728			16,484	152	281	166		163
Mar-12	1.313	0.153	1.255			2.721	0.968	0.113	0.925			2.006	8,269	488	7,728			16,485	159	314	162		165
Apr-12	1.348	0.145	1.209			2.702	0.906	0.097	0.813			1.816	8,278	488	7,728			16,494	163	297	156		164
May-12	1.333	0.150	1.211			2.694	0.577	0.065	0.525			1.167	8,280	488	7,728			16,496	161	308	157		163
Jun-12	1.365	0.143	1.237			2.745	0.547	0.057	0.496			1.100	8,284	489	7,728			16,501	165	293	160		166
Jul-12	1.372	0.126	1.296			2.794	0.457	0.042	0.431			0.930	8,289	489	7,728			16,506	166	258	168		169
Aug-12	1.383	0.128	1.291			2.802	0.473	0.044	0.441			0.958	8,290	490	7,728			16,508	167	261	167		170
Sep-12	1.349	0.142	1.220			2.711	0.544	0.058	0.492			1.094	8,291	490	7,728			16,509	163	290	158		164
Oct-12	1.327	0.123	1.203			2.653	0.678	0.063	0.615			1.356	8,294	490	7,728			16,512	160	251	156		161
Nov-12	1.343	0.128	1.181			2.652	0.862	0.082	0.758			1.702	8,299	490	7,728			16,517	162	261	153		161
Dec-12	1.383	0.141	1.197			2.721	1.261	0.129	1.091			2.481	8,300	490	7,728			16,518	167	288	155		165
Jan-13	1.357	0.145	1.215			2.717	1.155	0.124	1.034			2.313	8,300	490	7,728			16,518	163	296	157		164
Feb-13	1.349	0.138	1.201			2.688	1.048	0.108	0.933			2.089	8,301	490	7,728			16,519	163	282	155		163
Mar-13	1.402	0.154	1.235			2.791	0.905	0.100	0.797			1.802	8,302	493	7,728			16,521	169	314	160		169
Apr-13	1.297	0.124	1.237			2.658	0.531	0.051	0.506			1.088	8,304	493	7,728			16,523	156	253	160		161
May-13	1.339	0.126	1.185			2.650	0.376	0.036	0.333			0.745	8,304	493	7,728			16,525	161	256	153		160
Jun-13	1.341	0.126	1.190			2.657	0.269	0.025	0.239			0.533	8,307	493	7,728			16,528	161	256	154		161
Jul-13	1.366	0.144	1.269			2.779	0.482	0.050	0.448			0.980	8,309	493	7,728			16,530	164	292	164		168
Aug-13	1.342	0.168	1.258			2.768	0.380	0.048	0.356			0.784	8,311	494	7,728			16,533	161	340	163		167
Sep-13	1.343	0.117	1.193			2.653	0.403	0.036	0.358			0.797	8,311	494	7,728			16,533	162	237	154		160
Oct-13	1.319	0.132	1.184			2.635	0.629	0.063	0.565			1.257	8,314	494	7,728			16,536	159	267	153		159
Nov-13	1.348	0.133	1.194			2.675	0.932	0.092	0.826			1.850	8,315	494	7,728			16,537	162	270	155		162
Dec-13	1.341	0.134	1.191			2.666	1.030	0.103	0.915			2.048	8,316	494	7,728			16,538	161	272	154		161
Jan-14	1.322	0.135	1.194			2.651	0.851	0.087	0.768			1.706	8,318	495	7,728			16,541	159	273	155		160
Feb-14	1.314	0.127	1.172			2.613	0.954	0.093	0.851			1.898	8,323	495	7,728			16,546	158	257	152		158
Mar-14	1.339	0.134	1.185			2.658	0.858	0.086	0.760			1.704	8,324	496	7,728			16,548	161	270	153		161
Apr-14	1.326	0.128	1.128			2.582	0.449	0.043	0.382			0.874	8,328	498	7,728			16,554	159	257	146		156
May-14	1.353	0.124	1.127			2.604	0.159	0.015	0.132			0.306	8,333	498	7,728			16,559	162	249	146		157
Jun-14	1.341	0.126	1.188			2.655	0.207	0.020	0.183			0.410	8,333	498	7,728			16,559	161	253	154		160
Jul-14	1.271	0.130	1.307			2.708	0.232	0.024	0.239			0.495	8,338	499	7,728			16,565	152	261	169		163
Aug-14	1.228	0.130	1.298			2.656	0.227	0.024	0.239			0.490	8,345	500	7,728			16,573	147	260	168		160
Sep-14	1.215	0.113	1.232			2.560	0.211	0.019	0.214			0.444	8,351	500	7,728			16,579	145	226	159		154
Oct-14	1.204	0.114	1.198			2.516	0.394	0.038	0.392			0.824	8,353	500	7,728			16,581	144	228	155		152
Nov-14	1.237	0.118	1.198			2.553	0.667	0.063	0.646			1.376	8,354	502	7,728			16,584	148	235	155		154
Dec-14	1.323	0.147	1.229			2.699	1.163	0.129	1.081			2.373	8,355	502	7,728			16,585	158	293	159		163
Jan-15	1.253	0.130	1.232			2.615	0.984	0.102	0.967			2.053	8,359	503	7,977			16,838	150	259	154		155
Feb-15	1.229	0.132	1.228			2.589	0.757	0.081	0.757			1.595	8,361	504	7,977			16,841	147	262	154		154
Mar-15	1.269	0.135	1.231			2.635	0.583	0.062	0.566			1.211	8,365	504	7,977			16,846	152	268	154		156
Apr-15	1.183	0.124	1.196			2.503	0.350	0.036	0.354			0.740	8,366	504	7,977			16,847	141	246	150		149
May-15	1.209	0.117	1.149			2.475	0.545	0.053	0.518			1.116	8,367	505	7,977			16,848	144	232	144		147
Jun-15	1.287	0.113	1.052			2.452	0.362	0.032	0.296			0.690	8,369	506	7,977			16,852	154	224	132		146
Jul-15	1.282	0.110	1.176			2.568	0.392	0.034	0.359			0.785	8,370	510	8,003			16,883	153	216	147		152
Aug-15	1.264	0.095	1.087			2.446	0.315	0.023	0.271			0.609	8,371	510	8,003			16,884	151	186	136		145
Sep-15	1.256	0.105	1.001			2.362	0.457	0.038	0.364			0.859	8,372	511	8,003			16,885	150	206	125		140
Oct-15	1.243	0.106	1.002			2.351	0.681	0.058	0.549			1.288	8,373	511	8,003			16,886	148	208	125		139
Nov-15	1.250	0.100	0.994			2.344	0.792	0.063	0.630			1.485	8,376	511	8,003			16,889	149	196	124		139
Dec-15	1.266	0.107	1.016			2.389	0.971	0.082	0.780			1.833	8,377	511	8,003			16,891	151	210	127		141
Jan-16	1.342	0.131	1.037			2.510	1.189	0.116	0.918			2.223	8,380	511	8,003			16,894	160	257	130		149
Feb-16	1.245	0.112	1.008			2.365	0.780	0.070	0.631			1.481	8,383	512	8,003			16,897	149	219	126		140
Mar-16	1.267	0.116	1.023			2.406	0.763	0.070	0.616			1.449	8,388	512	8,003			16,903	151	227	128		142
Apr-16	1.240	0.102	0.990			2.332	0.675	0.055	0.539			1.269	8,389	512	8,003			16,904	148	199	124		138
May-16	1.238	0.117	1.002			2.357	0.505	0.048	0.409			0.962	8,389	512	8,003			16,904	148	229	125		139
Jun-16	1.205	0.111	1.055			2.371	0.362	0.033	0.317			0.712	8,390	514	8,003			16,907	144	216	132		140
Jul-16	1.336	0.105	1.008			2.449	0.586	0.046	0.442			1.074	8,392	514	8,020			16,926	159	204	126		145
Aug-16	1.317	0.107	1.007			2.431	0.647	0.053	0.495			1.195	8,393	516	8,020			16,929	157	207	126		144
Sep-16	1.311	0.110	0.975			2.396	0.601	0.050	0.447			1.098	8,394	516	8,020			16,930	156	213	122		142
Oct-16	1.289	0.108	0.962			2.359	0.521	0.043	0.389			0.953	8,397	517	8,020			16,933	154	209	120		139
Nov-16	1.323	0.113	0.932			2.368	0.730	0.062	0.514			1.306	8,403	517	8,020			16,940	157	219	116		140
Dec-16	1.419	0.150	0.998			2.567	1.179	0.125	0.829			2.133	8,406	549	8,020			16,975	169	273	124		151
Jan-17	1.572	0.197	1.125	0.047		2.941	1.489	0.186	1.066	0.045		2.786	8,409	549	8,020	1,716		18,694	187	359	140	27	157
Feb-17	1.361	0.211	1.240	0.000		2.812	1.236	0.192	1.126	0.000		2.554	8,409	549	8,020	1,716		18,694	162	384	155		

Figure 3 (below) presents the 5-year historical average daily flows per month for each Member Agency. This is to provide a historical overview of the average treated flow by each agency. Also shown in Figure 3 is the total wastewater treatment capacity of the plant, 5.25 mgd, of which each Member Agency has the right to 2.2 mgd, Rancho Santa Fe Community Service District leases 0.25 mgd, and the City of Del Mar leases 0.60 mgd.



City of Escondido Flows

The average and peak flow rate for the month of May 2017 from the City of Escondido Hale Avenue Resource Recovery Facility, which discharges through the San Elijo Ocean Outfall, is reported below.

	Flow (mgd)
Escondido (Average flow rate)	9.43
Escondido (Peak flow rate)	16.10

Connected Equivalent Dwelling Units

The City of Solana Beach updated the connected EDUs number that is reported to the SEJPA in July 2016. The City of Encinitas and Rancho Santa Fe CSD report their connected EDUs every month. The City of Del Mar reported their connected EDUs in March 2017; however, flows have been diverted to the San Diego JPA Metro due to high salinity which is planned to be resolved by July 2017. The number of EDUs connected for each of the Member Agencies is as follows:

	Connected (EDU)
Cardiff Sanitary Division	8,416
Rancho Santa Fe SID	551
City of Solana Beach	7,712
San Diego (to Solana Beach)	337
City of Del Mar	1,716
Total EDUs to System	18,732

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

July 10, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: SAN ELIJO RECYCLED WATER PROGRAM – MONTHLY REPORT

RECOMMENDATION

No action required. This memorandum is submitted for information only.

DISCUSSION

Recycled Water Production

For the month of May 2017, recycled water demand was 161.13 acre-feet (AF), which was met using 161.08 AF of recycled water and 0.05 AF of supplementation with potable water.

The recycled water system has continued to experience low level coliform issues, and a permit exceedance occurred in May. System operational recommendations from the Coliform Study have been implemented, and staff continues to gather data to troubleshoot the issue. Corrective actions have included: 1) review of automation procedures, 2) review of polymer dosing procedures, and 3) evaluation of steps to increase system robustness. Staff is evaluating capital improvements as recommended in the Coliform Study.

Figure 1 (attached) provides monthly supply demands for recycled water since September 2000. Figure 2 (attached) provides a graphical view of annual recycled water demand spanning sixteen fiscal years. Figure 3 (attached) shows the monthly recycled water demand for each April since the program began operating.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

Figure 1 - MONTHLY RECYCLED WATER DEMAND

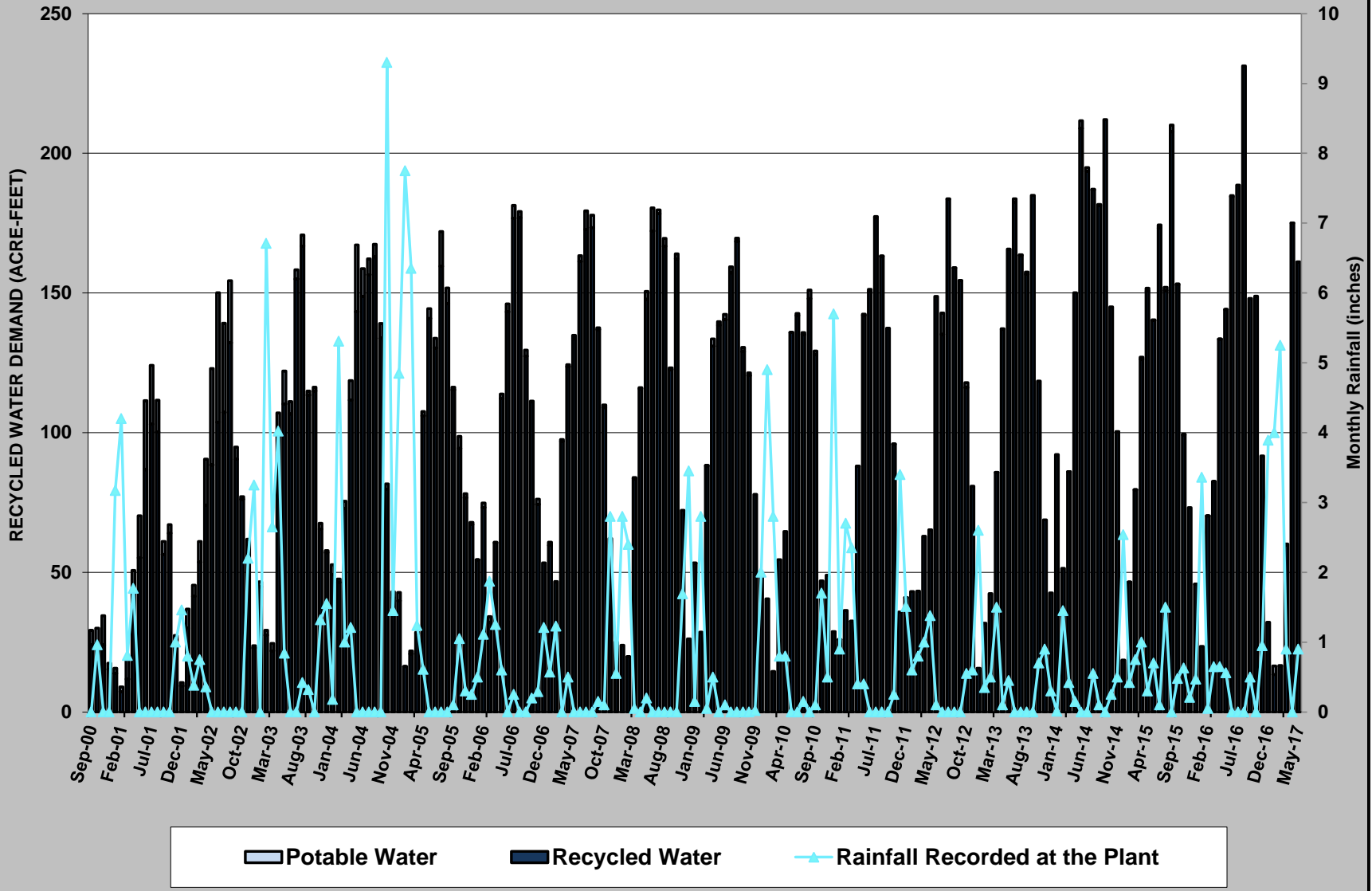


Figure 2 - RECYCLED WATER DEMAND by FISCAL YEAR

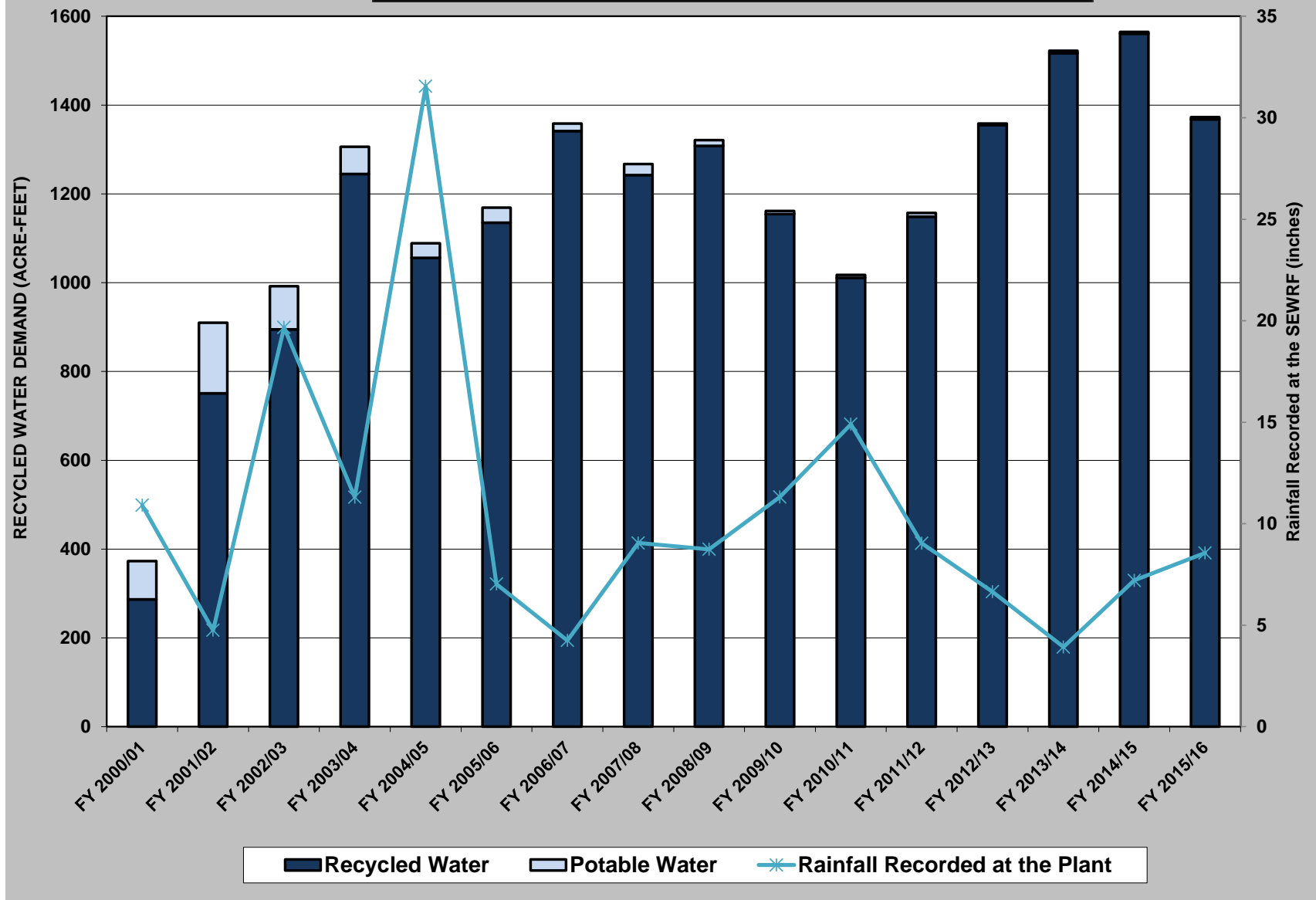
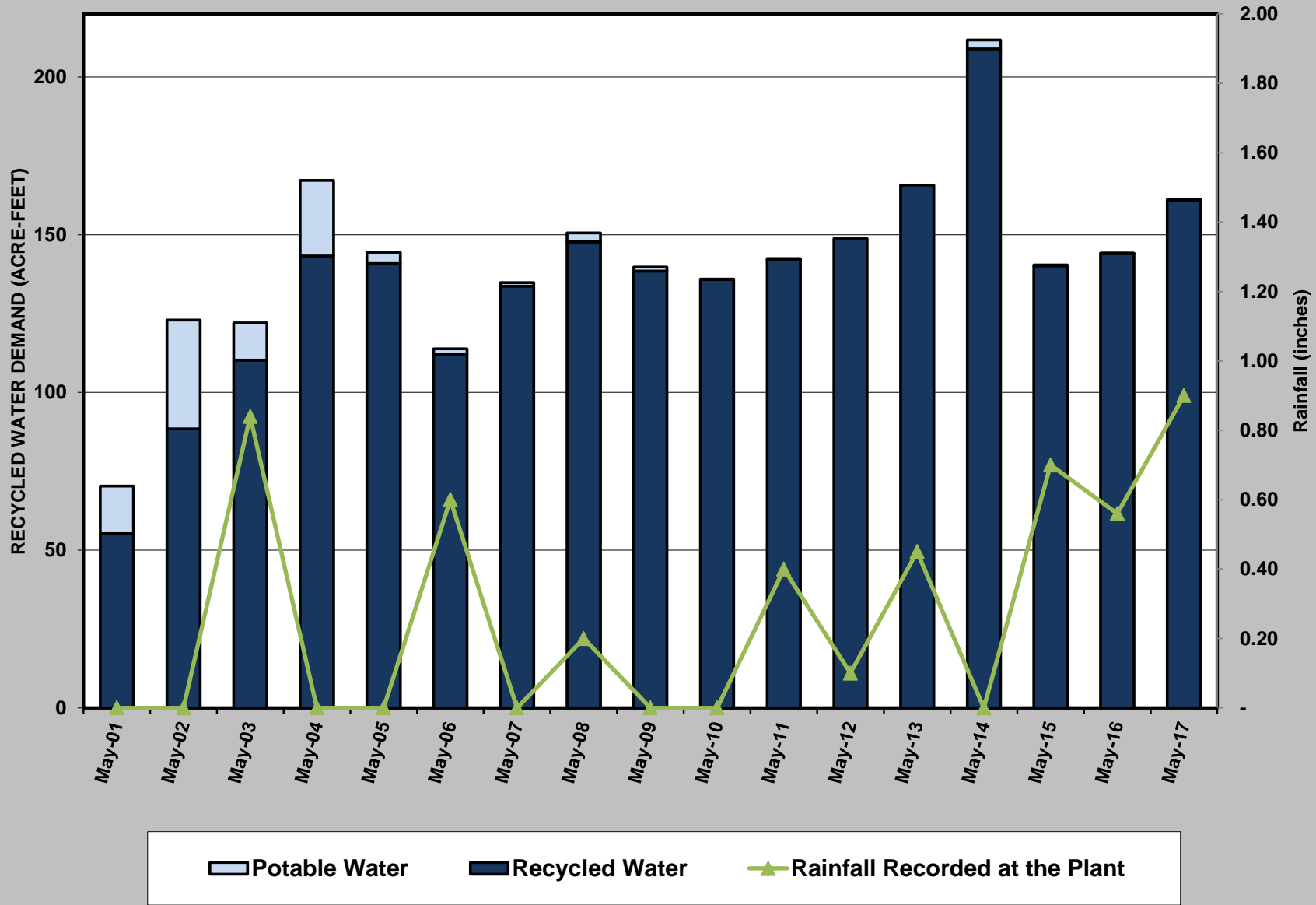


Figure 3 - MAY RECYCLED WATER DEMAND



SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

July 10, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: AUTHORIZATION FOR THE GENERAL MANAGER TO ACCEPT AND
CONSENT TO DEEDS AND GRANTS

RECOMMENDATION

It is recommended that the Board of Directors:

1. Authorize the General Manager to accept and consent to deeds and grants;
and
2. Discuss and take action as appropriate.

BACKGROUND

California State Government Code Section 27281 requires that deeds and grants conveying any interest in or easement upon real estate to a government agency for public purposes shall not be accepted for recordation without the consent of the grantee evidenced by its certificate of resolution of acceptance attached to or printed on the deed or grant. A government agency, by general resolution, may authorize one or more officers to accept and consent to such deeds and grants.

DISCUSSION

The San Elijo Joint Powers Authority (SEJPA) is managing, or is a party to multiple capital projects that may require deeds and grants to be executed by the SEJPA. These projects include, but are not limited to the Land Outfall Replacement, Caltrans Bike and Roundabout, and Encinitas Ranch Recycled Water Expansion project. To move these, and other projects forward, delegating authority to the General Manager will provide efficiencies by avoiding project delays by presenting each individual deed or grant to the Board at each monthly Board meeting.

FINANCIAL IMPACT

There is no financial impact with this action.

It is, therefore, recommended that the Board of Directors:

1. Authorize the General Manager to accept and consent to deeds and grants;
and
2. Discuss and take action as appropriate.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

Attachment 1: Resolution 2018-01 Authorization for the General Manager to Accept and Consent to Deeds and Grants

RESOLUTION NO. 2018-01

**AUTHORIZING THE GENERAL MANAGER TO EXECUTE DEEDS AND GRANTS AND
TAKE ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the San Elijo Joint Powers Authority (the "Authority") is a joint powers authority duly organized and existing under and pursuant to the laws of the State of California; and

WHEREAS, the Authority desires to accept and consent to deeds and grants; and

WHEREAS, California Government Code Section 27281 requires the Authority to have a certificate or resolution of acceptance for recordation of a deed or grant; and

WHEREAS, California Government Code Section 27281 allows by a general resolution, authorize one or more officers, or agents to accept and consent to such deeds or grants.

NOW, THEREFORE, it is resolved by the Board of Directors of the San Elijo Joint Powers Authority as follows:

SECTION 1. Recitals. The Authority finds and determines that the foregoing recitals are true and correct.

SECTION 2. General Resolution. The General Manager or a designee in writing (each, an "Authorized Officer") is hereby authorized to accept and consent to deeds or grants, subject to approval as to form by the Authority's legal counsel.

SECTION 3. Attestations. The Secretary of the Board or other appropriate Authority officer is hereby authorized and directed to attest the signature of the Authorized Officer or of such other person or persons as may have been designated by the Authorized Officer, and to affix and attest the seal of the Authority, as may be required or appropriate in connection with the execution and delivery of the deed or grant.

SECTION 4. Other Actions. The Authorized Officer and other officers of the Authority are each hereby authorized and directed, jointly and severally, to take any and all actions and to execute and deliver any and all documents, agreements and certificates which they may deem necessary or advisable in order to carry out, give effect to and comply with the terms of this Resolution. Such actions are hereby ratified, confirmed and approved.

SECTION 5. Effect. This Resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED this 10th day of July, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Ginger Marshall, Chair of the Board

Attest: _____
Michael T. Thornton, Secretary of the Board

SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

July 10, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: BUILDING PROGRAM AND COMMUNITY BIKE PATH UPDATE

RECOMMENDATION

No action required. This memorandum is submitted for information only.

BACKGROUND

The San Elijo Joint Powers Authority (SEJPA) has initiated a Building and Site Improvement Program to address building needs and deficiencies, expand workspace, enhance physical and cyber security, increase functionality of the water reclamation campus, and replace or improve aging support infrastructure. The cornerstone of this effort will be consolidating the administration, operation, and laboratory functions into a single new building located at the entrance of the campus.

Site improvements will also consider integrating a regional bike and pedestrian path that will run the length of the property. As part of the bike/pedestrian path, the project will also consider adding a roundabout that includes a road crossing on Manchester Avenue at the entrance to the water reclamation campus connecting to the San Elijo Lagoon Nature Center. These site improvements are being pursued as a collaborative effort between the SEJPA, Caltrans, and the City of Encinitas.

DISCUSSION

In March 2017, the Board of Directors awarded an architectural and engineering service contract to Roesling Nakamura Terada Architects (RNT Architects) for the completion of the building improvement program final design and permitting. Concurrently, Caltrans is leading the design of the bike/pedestrian path and roundabout, with review oversight by the City and SEJPA.

In June 2017, Caltrans inquired if the SEJPA would be willing to construct the bike/pedestrian path and Manchester roundabout with funding provided by Caltrans. Staff is supportive of this proposal as it could reduce project costs for both parties and streamline the design and

permitting timeline. Furthermore, this proposal would likely improve project coordination and delivery by having SEJPA lead the construction effort due to the close proximity of the building, bike path, and roundabout, some of which will have interdependent site grading requirements. Staff and the SEJPA attorney will work with Caltrans to draft a cooperative construction agreement, which will be returned to the SEJPA Board for approval consideration at a future Board meeting.

Key design considerations for the Building and Site Improvement Program are developing a functional water treatment campus that integrates the following elements:

- Efficient use of space and land
- Practical building design with allowance for future expansion
- Well-designed for educational tours
- Community connection, including regional bike/pedestrian path and public parking
- Appropriate physical and cyber security
- Storm water retention and pollution control features
- Site grading with consideration for future climate changes and sea level rise
- Solar power, energy efficiency, and other GHG limiting features

RNT Architects will present site drawings and draft building floor plans that captures the key design considerations listed above.

FINANCIAL IMPACT

There is no financial impact associated with this project status report.

No action required. This memorandum is submitted for information only.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

July 10, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: AWARD CONSTRUCTION CONTRACT AND ENGINEERING SERVICES
DURING CONSTRUCTION FOR THE SAN ELIJO WATER RECLAMATION
FACILITY – PRELIMINARY TREATMENT UPGRADES

RECOMMENDATION

It is recommended that the Board of Directors:

1. Authorize the General Manager to award construction of the Preliminary Treatment Upgrades project to NEWest Construction Company, Inc., for an amount not to exceed \$3,871,480 and issue a Notice to Proceed at the time the General Manager deems appropriate;
2. Authorize the General Manager to amend the professional services agreement with Dudek for engineering services during construction for the Preliminary Treatment Upgrades for an amount not to exceed \$198,100; and
3. Discuss and take action as appropriate.

BACKGROUND

The San Elijo Water Reclamation Facility's preliminary treatment system (also known as "Headworks/Grit" treatment) provides basic physical treatment of the raw wastewater that enters the facility. This treatment system includes mechanical processes that remove trash, rocks, rags, and other debris that can clog, damage, or interfere with downstream treatment. In addition, preliminary treatment removes sand, grit, and other dense materials from the wastewater that can cause premature wearing of pumps and pipes within the treatment plant. The material that is removed is washed, dewatered, and sent to the local landfill for final disposal. The preliminary treatment area is also exposed to aggressive odors and corrosive gases that require capture and treatment. Currently, a large air scrubber minimizes these odors and gases, however, this system needs upgrading.

The Preliminary Treatment Upgrades will construct new concrete treatment structures, install new mechanical screening and dewatering equipment, rehabilitate existing concrete channels and structures, and upgrade the odor control system.

DISCUSSION

Staff received six construction bids for the Preliminary Treatment Upgrades Project, as shown in the table below. The bids were promptly reviewed by Staff, legal counsel, and the project construction manager for responsiveness to bid requirements. The construction manager, Black and Veatch, conducted experience and reference verification as detailed in the attached bid analysis memorandum. Based on the lowest responsive and responsible bid, Staff recommends award of the project to NEWest Construction Company, Inc.

Company	Bid Price
NEWest Construction Company., Inc.	\$3,871,480
W.M. Lyles Co.	\$4,101,795
Spiess Construction Company, Inc.	\$4,240,371
Stanek Constructors, Inc.	\$4,272,000
J.R. Filanc Construction Company, Inc.	\$4,683,631
Orion Construction Corporation	\$4,766,551

The SEJPA will also require support from the engineer of record (Dudek) during construction. The scope of work will include providing final contract documents, performing material and equipment submittal reviews, responding to design questions and resolving design conflicts, attending construction meetings, and issuing final record drawings. Staff recommends a contract amendment to the current Dudek professional services contract for the performance of these tasks for an amount not to exceed \$198,100.

FINANCIAL IMPACT

The lowest responsive construction bid for the project is \$3,871,480. The negotiated fee for engineering support during construction is \$198,100. The SEJPA previously negotiated and awarded construction management and environmental monitoring and reporting for an amount of \$384,352. Staff also recommends including a contingency fund of \$193,570 (5% of construction cost) to address unforeseen conditions encountered during construction. The estimated cost to complete, based on current information, is \$4.65 million.

Preliminary Treatment Upgrades Project – Estimated Cost to Complete

Project Element	Estimated Cost
Construction Contract	\$ 3,871,480
Construction Management	384,352
Engineering Support Services	198,100
Contingency (5% of Construction)	193,570
TOTAL	\$4,647,502

The SEJPA has adequate funding in its capital program for the project using funds available from the 2017 Clean Water Bond.

It is recommended that the Board of Directors:

1. Authorize the General Manager to award construction of the Preliminary Treatment Upgrades project to NEWest Construction Company, Inc., for an amount not to exceed \$3,871,480 and issue a Notice to Proceed at the time the General Manager deems appropriate;
2. Authorize the General Manager to amend the professional services agreement with Dudek for engineering services during construction for the Preliminary Treatment Upgrades for an amount not to exceed \$198,100; and
3. Discuss and take action as appropriate.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

- Attachment 1: Black & Veatch Corporation – Recommendation of Contract Award for the San Elijo Water Reclamation Facility Preliminary Treatment Upgrades Project (Contract No. 12001), June 26, 2017
- Attachment 2: Dudek – Proposal for Engineering Services during Construction for the Preliminary Treatment Upgrades Project, June 5, 2017

ATTACHMENT 1

June 26, 2017

Mr. Mike Konicke
Associate Engineer
San Elijo Joint Powers Authority
2695 Manchester Avenue
Cardiff by the Sea, CA 92007

Water Reclamation Facility Preliminary
Treatment Upgrades Project
B&V Project 196270
B&V File 14.2100
Letter No. 001

Subject: Recommendation of Contract Award for the San Elijo Water Reclamation Facility
Preliminary Treatment Upgrades Project (Contract No. 12001)

Dear Mr. Konicke:

After review of the bids submitted and confirmation of the apparent low bidder's qualifications, Black & Veatch recommends the award of contract No. 12001 to **NEWest Construction Company, Inc**, for a total base contract price of Three Million Eight Hundred Seventy One Thousand Four Hundred and Eighty Dollars, \$3,871,480.00.

This recommendation is based on a review of the requirements and of the documents submitted by the Contractor. We can confirm that the Contractor named was the lowest, responsive, and responsible bidder from the six (6) proposals received. Please see the attached bid tabulation supporting documentation for your information.

In order to make this recommendation, Black & Veatch has reviewed the bid tabulation from each contractor to determine the lowest bidder. Based on this, Black & Veatch reviewed the bidding documents for NEWest Construction (Bid Proposal, Bid Proposal Supplements – Bid Bond, References, and Representations and Certifications) as listed in the Contract Documents. References and project experience were assessed against the following criteria listed in the specifications as revised per Addendum No. 1:

“The bidder shall provide at least three (3) references....in which the Bidder has constructed projects similar to that proposed under this Project. The Bidder shall list as reference projects, work completed that includes all of the following:”

1. Included installation of wastewater process equipment; one of the three reference projects may have included water process equipment in lieu of wastewater process equipment;
2. Included bypass pumping of a minimum flow rate of 1.0 million gallons per day (MGD);
3. Used similar types of materials and techniques as will be used on this project;
4. Were of similar size and complexity to this project;
5. Were completed within the last ten (10) years; and
6. Were at a municipal wastewater treatment plant of 1.0 MGD capacity or greater for a public agency in the United States of America.
7. The Bidder (Prime Contractor) shall have a minimum of ten (10) years of experience in construction related to municipal wastewater treatment plants (1.0 MGD capacity or larger).

Based on review of the projects listed, and follow-up conversations with the available references, NEWest fulfills the minimum requirements as listed above for a minimum number of projects which include: Ralph W. Chapman WRF Upgrade (Otay Water District), Main Pump Station Rehabilitation and Cathodic Protection (City of San Clemente), Home Plant Sewer Lift Station & Force Main (City of Carlsbad), and Warm Springs Lift Station Expansion (Eastern Municipal Water District). NEWest has also demonstrated experience of at least ten (10) years of the construction of municipal wastewater treatment plants (1.0 MGD capacity or larger).

Additionally, per SEJPA request on 6/23/17, Black & Veatch also questioned the references in regards to NEWest's performance meeting project schedule requirements and satisfactory vendor/subcontractor management. Responses from the references are provided in the attachments to this document for SEJPA's information.

In summary, the total contract amount to be encumbered by the San Elijo Joint Powers Authority, is Three Million Eight Hundred Seventy One Thousand Four Hundred and Eighty Dollars, \$3,871,480.00.

Should you have any questions or comments please do not hesitate to contact the undersigned.

Very truly yours,
Black & Veatch

A handwritten signature in blue ink that reads "Eric Sturtz". The signature is written in a cursive, professional style.

Eric Sturtz, P.E.
Construction Manager

Attachments: Bid Tab & Analysis

cc: Kevin Davis

San Elijo Joint Powers Authority
San Elijo Water Reclamation Facility Preliminary Treatment Upgrades Project

Scope: Preliminary Treatment Upgrades will construct new concrete treatment structures, install new screening and dewatering equipment, rehabilitate existing concrete channels and structures, and replace aging chemical storage tanks. Replacement of aging mechanical, electrical, and other components associated with treatment odor control systems necessary to capture and remove odors and corrosive gases.

Bid Results

Bidders					NEWest Construction Co., Inc.		W.M. Lyles Co.		Spiess Construction Co., Inc.		Stanek Constructors, Inc		J.R. Filanc Construction Co., Inc.		Orion Construction Corporation		Average
Bid Item	Bid Schedule	Description	Unit of Meas	Qty	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Total
1	A	General requirements (including demo, civil, structural, mechanical, electrical, instrumentation, etc.)	LS	1	\$3,174,000.00	\$3,174,000.00	\$3,651,018.00	\$3,651,018.00	\$3,540,000.00	\$3,540,000.00	\$3,725,016.00	\$3,725,016.00	\$4,192,588.39	\$4,192,588.39	\$4,268,700.00	\$4,268,700.00	\$3,758,553.73
2	A	Mobilization and demobilization	LS	1	\$110,000.00	\$110,000.00	\$100,000.00	\$100,000.00	\$120,000.00	\$120,000.00	\$150,000.00	\$150,000.00	\$143,000.00	\$143,000.00	\$135,000.00	\$135,000.00	\$126,333.33
3	A	Sheeting, shoring, and bracing	LS	1	\$18,000.00	\$18,000.00	\$1,000.00	\$1,000.00	\$30,000.00	\$30,000.00	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00	\$11,900.00	\$11,900.00	\$13,483.33
4	A	Remove existing liner coating	SF	4586	\$3.65	\$16,738.90	\$8.50	\$38,981.00	\$3.50	\$16,051.00	\$10.00	\$45,860.00	\$11.00	\$50,446.00	\$12.00	\$55,032.00	\$37,184.82
5	A	Resurface existing concrete (type I repair); not including repair and resurfacing work in Bid Items 6 and 7	SF	3961	\$30.85	\$122,196.85	\$7.00	\$27,727.00	\$30.00	\$118,830.00	\$9.00	\$35,649.00	\$3.30	\$13,071.30	\$4.00	\$15,844.00	\$55,553.03
6	A	Concrete repair (type II) for existing concrete	SF	626	\$30.55	\$19,124.30	\$100.00	\$62,600.00	\$31.00	\$19,406.00	\$90.00	\$56,340.00	\$98.44	\$61,623.44	\$32.00	\$20,032.00	\$39,854.29
7	A	Concrete repair (type III) for existing concrete	SF	109	\$181.45	\$19,778.05	\$200.00	\$21,800.00	\$180.00	\$19,620.00	\$100.00	\$10,900.00	\$165.76	\$18,067.84	\$189.00	\$20,601.00	\$18,461.15
8	A	Apply epoxy liner coating to existing concrete	SF	4586	\$30.25	\$138,726.50	\$14.00	\$64,204.00	\$30.00	\$137,580.00	\$17.00	\$77,962.00	\$11.45	\$52,509.70	\$13.00	\$59,618.00	\$88,433.37
9	A	Apply epoxy liner coating to new concrete	SF	1498	\$34.30	\$51,381.40	\$17.00	\$25,466.00	\$34.00	\$50,932.00	\$20.00	\$29,960.00	\$14.30	\$21,421.40	\$16.00	\$23,968.00	\$33,854.80
10	A	Slurry seal existing AC paving	SF	180000	\$0.45	\$81,000.00	\$0.18	\$32,400.00	\$0.40	\$72,000.00	\$0.25	\$45,000.00	\$0.21	\$37,800.00	\$0.44	\$79,200.00	\$57,900.00
11	A	Permanent tracking control for gravel roadway entrance	SF	1500	\$7.30	\$10,950.00	\$3.00	\$4,500.00	\$16.15	\$24,225.00	\$5.00	\$7,500.00	\$7.91	\$11,865.00	\$2.80	\$4,200.00	\$10,540.00
12	A	Remove and replace 6-inch asphalt curb	LF	1200	\$11.75	\$14,100.00	\$15.00	\$18,000.00	\$21.50	\$25,800.00	\$6.00	\$7,200.00	\$10.07	\$12,084.00	\$19.00	\$22,800.00	\$16,664.00
13	A	Asphalt paving repair	SF	3957	\$12.00	\$47,484.00	\$7.00	\$27,699.00	\$11.00	\$43,527.00	\$9.00	\$35,613.00	\$4.79	\$18,954.03	\$8.00	\$31,656.00	\$34,155.51
14	A	Crack sealing of existing AC paving	LF	8000	\$4.55	\$36,400.00	\$1.80	\$14,400.00	\$1.35	\$10,800.00	\$2.00	\$16,000.00	\$1.65	\$13,200.00	\$1.00	\$8,000.00	\$16,466.67
15	A	System integrator (assume 3 mobilizations)	HRS	80	\$145.00	\$11,600.00	\$150.00	\$12,000.00	\$145.00	\$11,600.00	\$300.00	\$24,000.00	\$275.00	\$22,000.00	\$125.00	\$10,000.00	\$15,200.00
					Subtotal	\$3,871,480.00		\$4,101,795.00		\$4,240,371.00		\$4,272,000.00		\$4,683,631.10		\$4,766,551.00	\$4,322,638.02
16	B	Gravel Roadway	SF	40000	\$4.00	\$160,000.00	\$3.00	\$120,000.00	\$2.75	\$110,000.00	\$4.00	\$160,000.00	\$2.01	\$80,400.00	\$1.75	\$70,000.00	\$116,733.33
17	B	Additional asphalt paving repair as directed by Owner	SF	800	\$20.00	\$16,000.00	\$7.00	\$5,600.00	\$14.50	\$11,600.00	\$20.00	\$16,000.00	\$4.79	\$3,832.00	\$8.00	\$6,400.00	\$9,905.33
					Subtotal	\$176,000.00		\$125,600.00		\$121,600.00		\$176,000.00		\$84,232.00		\$76,400.00	\$126,638.67
					Total	\$4,047,480.00		\$4,227,395.00		\$4,361,971.00		\$4,448,000.00		\$4,767,863.10		\$4,842,951.00	\$4,449,276.68

Engineer's Estimate: \$3,700,000

Color table: Item > 20% below Average
Item > 20% above Average

**San Elijo Joint Powers Authority
San Elijo Water Reclamation Facility Preliminary Treatment Upgrades Project**

Minimum Experience Requirements per Section 00200 Article 29 - NEWest Construction Company, Inc.

Project Reference	Prime Contractor?	Process Equipment Type	Bypass Pumping (Min 1MGD)	Similar Matls & Techniques	Equivalent Size & Complexity	Completed Last 10 Years	Muni WWTP 1.0MGD or Greater	Contacted/ Confirmed?	Notes
Otay Water District, Ralph W. Chapman WRF Upgrade	Y	WW	Y	Y	\$3.5M	5/7/2013	Y - 1.3MGD	Y	Spoke w/ Lisa Coburn Boyd, job was over MGD reqmt, bypass was involved, done satisfactorily and on schedule. No challenges managing subs/vendors
City of San Clemente, WRP Solids Handling	Y	WW		Y	\$2.0M	3/11/2014	Y - 2.2MGD		LM for Greg Diest
City of San Clemente, Main PS Rehabilitation and Cathodic Protection	Y	WW	Y - 8.0MGD	Y	\$1.3M	3/1/2015	Y - 8.0MGD		New Phone: Greg Deist 9493373139 Left message 6/22,6/26
Ramona Municipal Water District, SMWWTP Clarifier No. 4	Y	WW	No	Y	\$1.3M	6/15/2016	Y - 1.0MGD	Y	Spoke w/ Ricardo Soto (PM). NW Installed new clarifier, tied to existing to facility. Completed ahead of schedule, performed satisfactorily. No problems managing vendors and or subcontractors. No Bypass. 760-788-2260
San Diego County Water Authority, Twin Oaks Valley WTP Expanded Service Area	Y	W	Isolation Only	Y	\$4.1M	5/23/2016	Y-25.9MGD	Y	Luke spoke with Neena Kuzmich, Prinicpal Engr. SDCWA. Project only required isolation of pump station. Project was Design-Build. NEWest performance was satisfactory. Luke also spoke with Aaron Trimm: Performed to schedule, job was late due to differing site conditions. Time extension was granted, finished in good standing.
City of Carlsbad, Home Plant Sewer Lift Station & Force Main	Y	WW	Y-2.5 MGD	Y	\$2.7M	3/12/2015	Y-2.5MGD	Y	Spoke w/ Mark Biskup (PM). City of Carlsbad has worked with NW before and has current job with them. Current job is full bypass, past jobs were passive bypass. Did satisfactory job. Past job was completed on schedule, current job is not on schedule, however it is not their fault, it is due to changing conditions, according to Mark B. 760-602-2763
City of San Clemente, WRP Sludge Storage Tank and Pump Replacement	Y	WW		Y	\$1.9M	5/1/2017	Y - 2.2MGD		LM for Greg Diest
Eastern Municipal Water District, Warm Springs Lift Station Expansion	Y	W	Y-12.0MGD	Y	\$984,000.00	5/15/2007	Y-12.0MGD		Unable to confirm, LM with assistant to Bruce Mitchel 951-928-3777. 6/26 Shirley Edmondson spoke to her contact at EMWD, inquired as to who to speak to about this project. Need to speak to Siva, at ext. 4449, they will be back tomorrow, 6/27.
City of Coronado, Coronado Cays Pump Station Rehab	Y	WW	Y-5.0MGD	Y	\$408,000.00	8/11/2008	Y-5.0MGD		Unable to confirm, City Engineer Ed Walton gets back Tuesday 6/27 and should have the information we need. Ed Ph: 619-522-7385
City of Poway, High Valley PS Improvements	Y	W	No	Y	\$1.5M	11/30/2011	Y - 3.2MGD	Y	Spoke w/ Steve Crosby, Poway Engineer. Bypass was made, was temporary. Satisfactory Job. Pump station, so not 1MGD facility. Need to confirm schedule and vendor/sub info. 858-668-4641

Min 10 Years Experience in Municipal WWTP (>1.0MGD): Yes

**San Elijo Joint Powers Authority
San Elijo Water Reclamation Facility Preliminary Treatment Upgrades Project**

Bidder	Subcontractors	Screening Equipment Supplier	3 references	Current CL/ Type	Current DIR	Subs DIR Current
NEWest	Concrete Building Systems, Angus Asphalt, Quality Rebar, MC Painting	Huber Technology, Inc	Yes	Yes, A, B, C10	Yes	Yes
WM Lyles	Hardy & Harper Paving, Allied Steel, MC Painting, Pacific Steel Group Rebar, Southern Contracting electrical	WesTech Engineering, Inc	Yes	Yes, A, B	Yes	
Stanek	MC Painting, Pacific Steel Group Rebar, Baker Electric	WesTech Engineering, Inc	Yes	Yes, A	Yes	
Spiess	JGM Contracting electrical, Sancon Engineering coatings, Sealright Paving, Amber Steel rebar	Vulcan Industries	Yes	Yes, A, B, C33, C27	Yes	
Orion	JGM Contracting electrical, Sealright Paving, Parada Painting, Solid Structures concrete	Huber Technology, Inc	Yes	Yes, A, B	Yes	
JR Filanc	Parada Painting, Southern Contracting E&IC, Hardy & Harper paving, Pacific Steel Group rebar	WesTech Engineering, Inc	Yes	Yes, A, B, C10	Yes	

June 5, 2017

8981.0001

Mike Konicke
Associate Engineer
San Elijo Joint Powers Authority
2695 Manchester Avenue
Cardiff-by-the-Sea, CA 92007

Subject: Contract Amendment for Engineering Services during Construction for the Preliminary Treatment Upgrades Project

Dudek completed and submitted final plans and specifications for the San Elijo Water Reclamation Facility Preliminary Treatment Upgrades Project on May 2, 2017. Revisions were requested to the bid documents following advertisement to accommodate post-advertisement design and constructability review comments, which Dudek completed and submitted to SEJPA on May 11, 2017.

The project is currently out to bid, and the bid opening is scheduled for June 20, 2017. SEJPA has requested Dudek to provide engineering services during bidding and construction. Dudek will retain the same design team used for the final design phase, taking advantage of the team's knowledge of the project to expedite response to contractor submittals and questions, as well as understanding how proposed changes may affect specific aspects of the project design.

SCOPE OF WORK

Engineering Services during Bidding (ESDB)

The original project scope included a minor cost allocation for bidding phase services. Based on subsequent discussions, additional bid-phase services were required, including the following:

Additional Final Design Services. During final design, SEJPA implemented additional strategies to reduce project cost, reduce odor potential, improve reliability, and assure bidder interest, including the following:

- **Cascading Ventilation Design Concept.** Dudek subconsultant for the odor control memorandum, DHK Engineers, proposed a cascading ventilation strategy for foul air ducting to the grit and screenings building, optimizing the available foul airflow rate capacity of the existing scrubber. The strategy reduces odor potential by increasing foul airflow rates from the surrounding wastewater channels without the cost of installing a larger scrubber system.
- **Utility Trench for Primary Effluent Channel Foul Air Duct.** Foul air ducting for the primary effluent channels was impacted by the depth of two existing electrical duct banks, requiring a concrete utility trench over the electrical ducting eliminating the cost of relocating the electrical duct banks or deeper excavation.

- **Future Building Requirements and Geotechnical Coordination.** SEJPA requested incorporation of stormwater and geotechnical requirements for the future administration building into the design, which enables the building to meet City stormwater requirements.
- **Solana Beach Shutdown Design.** SEJPA requested analysis of flow data to determine the required storage volume for a four-hour night construction shutdown, using temporary wastewater storage using bypass pumps and temporary tankage to facilitate required headworks construction.

Additional RFC Responses and Addendum Preparation. Increase in the number of RFCs during the bid period, including clarification drawings, drawing revisions, and/or specification revisions, as necessary, to respond to bidder questions.

Post-Final Design Reviews & Revisions during Bidding. Following submittal of the final drawings and specifications, design review comments involving changes to the front-end documents, revisions to the supplemental conditions, change to the indemnification language, among other necessary revisions. Additional changes included modifications of mechanical and structural drawings and specifications, modifying the phasing plan, revisions to the bid schedule, and Inclusion of contractor experience requirements.

Engineering Services during Construction (ESDC)

Review Submittals. The Construction Manager (CM) will receive submittals from the Contractor. The CM will forward PDFs of shop drawing, data, and submittals to Dudek for review, up to 90 submittals. We will discuss the submittal review comments with SEJPA staff prior to returning submittals to the CM. An RFI log will be developed and will be included with the monthly progress report.

Review Contractor's Requests for Information (RFIs). The CM will forward Contractor's Requests for Information (RFIs) to Dudek for review, as necessary. Dudek will review and respond to RFIs, up to 50 RFIs. Dudek will return written responses to the CM, after discussing the response with SEJPA staff.

General Construction Phase Support. As requested by SEJPA, Dudek will provide general construction phase support including drawing modifications and clarifications, field orders, and review contractor change orders. An allocation of time and fee is defined for this task.

Construction Meetings and Site Visits. Dudek will attend construction meetings and perform site visits, as necessary, up to 25 meetings or site visits.

Record Drawings. Dudek will prepare record drawings from the Contractor's As-Built set, and submit an electronic copy of the record drawings to SEJPA.

Start-up and Commissioning Assistance. Dudek will provide field services, as necessary, to witness field tests of individual equipment items and systems, start-up of individual equipment items and process units, and commissioning of process units and the overall plant, within the limits of the defined budget allocation.

Mike Konicke

Subject: CA – Engineering Services During Construction of the Preliminary Treatment Upgrades Project

As-Needed Consultation and Project Management

The proposed project includes project time for additional as-needed services to SEJPA during the projected 15 months of construction. This budget is only used at the expressed direction of SEJPA staff.

FEE ESTIMATE

We propose to complete the non-optional scope of work on a time and materials fee not to exceed \$198,100, as itemized in the attached work breakdown structure fee estimate (Exhibit 1). This budget does not include the identified optional services.

We appreciate the opportunity to provide SEJPA with these engineering services, and look forward to the notice to proceed. Please feel free to contact me at 760.479.4124 or by email at mhill@dudek.com if there are any questions or if additional information is required.

Respectfully Submitted,

DUDEK



D. Michael Metts, PE
Principal



Michael Hill, PE
Senior Engineer

San Elijo Joint Powers Authority

San Elijo WRF Preliminary Treatment Upgrades Project
 Engineering Services During Construction
 DUDEK FEE ESTIMATE
 6/23/2017

										Subconsultant Fees					
Project Team Role:		PIC	QA/AC	Project Manager	Project Engineer	CAD Designer	Admin	TOTAL HOURS	DUDEK LABOR COST	Electrical & I/C Engineering Moraes-Pham & Associates	Structural Engineering R2H	Odor Control Engineering DHK Engineers	Geotechnical Engineering	OTHER DIRECT COSTS	TOTAL FEE
Team Member:		M. Metts	P. Wilson	M. Hill	P. Giori / B. Tran	N. Hunter	M. Kinney			Fee	Fee	Fee	Fee		
Billable Rate:		\$230	\$200	\$190	\$145	\$140	\$85								
Task 1 - Bidding Phase Services															
1-A	Additional final design phase tasks	8	14	48	42	36		148	\$ 24,890						\$ 24,890
1-B	Post-Final Revisions & Reviews			22	8			30	\$ 5,340	\$2,760	\$1,610				\$ 9,710
1-C	Additional RFC responses		2	26	16			44	\$ 7,660		\$1,323				\$ 8,983
1-D	Addendum preparation		2	22	30	8	2	64	\$ 10,220	\$3,105	\$2,243				\$ 15,568
1-E	Project management and status reporting			2			2	4	\$ 550						\$ 550
Subtotal Task 1		8	18	120	96	44	4	290	\$ 48,660	\$ 5,865	\$ 5,175	\$ -	\$ -	\$ -	\$ 59,700
Task 2 - Engineering Services During Construction															
2-A	Review submittals (assume 90 submittals)	4	12	40	120	8	16	200	\$ 30,800	\$5,000	\$5,000	\$2,000	\$1,500		\$ 44,300
2-B	Review contractor RFIs (assume 50 RFIs)	2	12	36	52	8	20	130	\$ 20,060	\$5,000	\$3,000	\$2,000	\$1,000		\$ 31,060
2-D	Constr. mtgs and site visits (assume 25)	8		48				56	\$ 10,960	\$4,830	\$2,500				\$ 18,290
2-E	Prepare record drawings		2	12	20	80	2	116	\$ 16,950	\$2,500	\$2,500				\$ 21,950
2-F	Start-up and commissioning assistance			16	8			24	\$ 4,200	\$2,300		\$3,200			\$ 9,700
2-G	Project management and status reporting	4		24			8	36	\$ 6,160						\$ 6,160
Subtotal Task 2		18	26	176	200	96	46	562	\$ 89,130	\$ 19,630	\$ 13,000	\$ 7,200	\$ 2,500	\$ -	\$ 131,460
Total Non-Optional Hours and Fee		26	44	296	296	140	50	852	\$ 137,790	\$ 25,495	\$ 18,175	\$ 7,200	\$ 2,500	\$ -	\$ 191,160
<i>Percent of Hours:</i>		<i>3%</i>	<i>5%</i>	<i>35%</i>	<i>35%</i>	<i>16%</i>	<i>6%</i>	<i>100%</i>							
3-A	As-needed consultation	2	2	12	20	4	4	44	\$ 6,940						\$ 6,940
Grand Total		28	46	308	316	144	54	896	\$ 144,730	\$ 25,495	\$ 18,175	\$ 7,200	\$ 2,500	\$ -	\$ 198,100

SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

July 10, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: REGIONAL WATER QUALITY CONTROL BOARD SETTLEMENT OFFER NO.
R9-2017-0070 FOR THE JANUARY 2017 TREATMENT PLANT UPSET

RECOMMENDATION

No action required. This memorandum is submitted for information only.

BACKGROUND

In January 2017, the San Elijo Water Reclamation Facility experienced a biological treatment upset that resulted in non-compliance for NPDES effluent requirements of permit No. R9-2010-0087. Staff became aware of the treatment system upset on January 18, 2017 and provided notice of the upset event to the Regional Water Quality Control Board (Regional Board) staff within 24 hours. Written notice of the treatment system upset was provided in a follow-up report on January 23, 2017. The upset was likely caused by storm events allowing brackish water to enter the member agencies' sewer collection system resulting in high total dissolved solids (TDS) in the treatment plant, which negatively affected the biological process. SEJPA responded aggressively to the plant upset utilizing additional treatment chemicals and adjusting process controls, and increasing plant staffing to monitor and adjust the treatment process. In addition, the SEJPA retained the services of Dr. Shane Trussell to evaluate the microbiology and provide process adjustment recommendations.

Within 4 days, the treatment process was producing permit compliant effluent. Although treatment results were below expectations for roughly 4 days, overall monthly treatment requirements met or exceeded permit requirements. For example, removal rates for Carbonaceous Biochemical Oxygen Demand (CBOD) and Total Suspended Solids (TSS) were 94.5 and 91.6 percent, respectively, exceeding the minimum treatment requirements of 85% removal.

Upon recovery of the treatment upset, staff conducted a review of the incident, identified the likely cause of the event, examined staff's response, and identified recommendations for process and system improvements. This information was promptly provided to the Regional Board.

DISCUSSION

The Regional Board reviewed the information provided by the SEJPA and conferred with the General Manager. A draft settlement offer was proposed to the SEJPA on June 23, 2017 with the opportunity to participate in an Expedited Payment Program to address liability that may be assessed pursuant to Water Code section 13385. This program avoids the formal enforcement action and allows the SEJPA to settle the alleged permit violation in an expedited manner. The settlement offer agrees with the SEJPA assessment that the six areas of non-compliance were the result of one single event and provides one minimum mandatory penalty payment of \$3,000 to settle all six violations.

FINANCIAL IMPACTS

A minimum mandatory penalty of \$3,000 was assessed for the January violation. This penalty is within the General Manager's signing authority and so the payment will be processed by the due date.

No action required. This memorandum is submitted for information only.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

Attachment 1: San Diego Regional Water Quality Control Board – Settlement Offer No. R9-2017-0070



San Diego Regional Water Quality Control Board

CONFIDENTIAL

June 23, 2017

Certified Mail – Return Receipt Requested

Article Number: 7011 0470 0002 8952 9261

Mr. Michael T. Thornton
General Manager
San Eljio Joint Powers Authority
2695 Manchester Avenue
P.O Box 1077
Cardiff by the Sea, California 92007
thornton@sejpa.org

In reply refer to:

255265:jlim

Subject: Settlement Offer No. R9-2017-0070: Offer to Participate in Expedited Payment Program Relating to Violation of Order No. R9-2010-0087, NPDES No. CA0107999, Waste Discharge Requirements For The San Eljio Joint Powers Authority, San Eljio Water Reclamation Facility Discharge To The Pacific Ocean Via The San Eljio Ocean Outfall

Mr. Thornton:

The San Eljio Joint Powers Authority (SEJPA or Permittee) is hereby notified of an alleged violation of Order No. R9-2010-0087, *Waste Discharge Requirements for the San Eljio Joint Powers Authority, San Eljio Water Reclamation Facility Discharge to the Pacific Ocean via the San Eljio Ocean Outfall* and of the opportunity to participate in an Expedited Payment Program to address liability that may be assessed pursuant to Water Code section 13385.

ALLEGED VIOLATION SUBJECT TO THIS OFFER

As detailed in Exhibit A, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) alleges that the Permittee has violated Order No. R9-2010-0087.

STATUTORY LIABILITY

The Permittee is subject to the following statutory liabilities:

1. Water Code sections 13385(f), (h), and (i) requires the assessment of a mandatory minimum penalty of \$3,000 for a single operational upset that leads to simultaneous violations of more than one pollutant parameter;
2. Water Code section 13385(c) allows for additional civil liability of up to \$10,000 for each day in which the simultaneous violations occur, and \$10 for each gallon discharged but not cleaned up in excess of 1,000 gallons; and
3. Water Code section 13385(e)(2) allows for the reimbursement of staff costs.

These mandatory minimum penalties and discretionary administrative civil liabilities may be assessed by the San Diego Water Board beginning with the date that the simultaneous violations first occurred.¹

The formal enforcement that the San Diego Water Board uses to assess such liability is an administrative civil liability complaint, although the San Diego Water Board may instead refer such matters to the Attorney General's Office for prosecution. If referred to the Attorney General's Office for prosecution, the Superior Court may assess up to \$25,000 per violation. In addition, the Superior Court may assess up to \$25 per gallon discharged but not cleaned up in excess of 1,000 gallons, plus staff costs.

SETTLEMENT OFFER

The Permittee can avoid formal enforcement action and settle the alleged violation identified in Exhibit A by participating in the San Diego Water Board's Expedited Payment Program. The Permittee may accept this conditional Settlement Offer, waive its right to a hearing, and pay the mandatory minimum penalty of \$3,000 for the violation described in Exhibit A. If the Permittee elects to do so, the San Diego Water Board will execute the Settlement Offer, subject to the conditions below. Accordingly, the San Diego Water Board will forego issuance of a formal administrative liability complaint, will not refer the violation to the Attorney General's Office, will not charge incurred staff costs, and will waive its right to seek additional discretionary civil liabilities for the violation identified in Exhibit A.

The Expedited Payment Program does not address or resolve liability for any violation that is not specifically identified in Exhibit A regardless of the date that the violation occurred.

OPTIONS FOR RESPONSE TO OFFER

1. If the Permittee accepts this offer, the Permittee shall complete and return the enclosed *Acceptance of Conditional Resolution and Waiver of Right to Hearing of Settlement Offer No. R9-2017-0070 Order (Acceptance and Waiver, Exhibit B)* **on or before 5 p.m. on July 24, 2017.**
2. If the Permittee chooses to contest the violation alleged in Exhibit A, the Permittee shall submit in writing the specific violation and the basis for the challenge (factual error, affirmative defense, etc.) to the San Diego Water Board **on or before 5 p.m. on July 24, 2017.** The San Diego Water Board will evaluate the contested violation and take one of two actions:
 - a. The San Diego Water Board will determine that the violation is not supported, expunge the alleged violation, take no further action against the Permittee for the alleged violation, and notify the Permittee in writing of that determination; or

¹ There is no statute of limitations applicable to administrative proceedings to assess mandatory minimum penalties. See *City of Oakland v. Public Employees' Retirement System* (2002) 95 Cal.App.4th 29, 48; 3 Witkin, Cal. Procedure (4th ed. 1996) Actions § 405(2). p. 510.)

- b. The San Diego Water Board will determine that the alleged violation is meritorious and will notify the Permittee of that determination. The Permittee will be given 30 days from the date of receipt of the San Diego Water Board determination to either accept the Settlement Offer by completing and returning the Acceptance and Waiver to the San Diego Water Board, or to reject the Settlement Offer.
3. If the Permittee does not respond to this offer, the San Diego Water Board will initiate a formal enforcement action with regard to the alleged violation. In a formal enforcement action, the liability amount sought and/or imposed may exceed the liability amount set forth in this conditional Settlement Offer. Moreover, the staff costs of investigating the violation and proceeding with formal enforcement action are factors that will be considered in assessing the liability amount.

CONDITIONS FOR SAN DIEGO WATER BOARD ACCEPTANCE OF RESOLUTION

Pursuant to Code of Federal Regulations title 40 (40 CFR), section 123.27(d)(2)(iii), the San Diego Water Board is required to publish and allow the public 30 days to comment on any settlement of an enforcement action addressing alleged violations of National Pollutant Discharge Elimination System (NPDES) permit conditions. Upon receipt of the Permittee's Acceptance and Waiver, the San Diego Water Board will publish a notice of the proposed resolution of the violation.

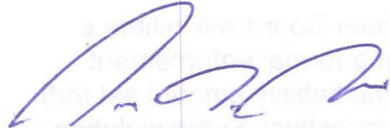
If no comments are received within the 30-day comment period, and unless there are new material facts that become available to the San Diego Water Board, the Executive Officer will execute the Acceptance and Waiver as a stipulated order assessing the uncontested mandatory minimum penalty amount pursuant to Water Code section 13385.

If, however, significant comments are received in opposition to the settlement, this conditional offer may be withdrawn. In that case, the Permittee's waiver pursuant to the Acceptance and Waiver will also be treated as withdrawn, and the violation will be addressed in a liability assessment proceeding. At the liability assessment hearing, the Permittee will be free to make arguments as to the alleged violation, and the Permittee's agreement to accept this conditional Settlement Offer will not in any way be binding or used as evidence against the Permittee. The Permittee will be provided with further information on the liability assessment proceeding.

In the event the Acceptance and Waiver is executed by the Executive Officer, full payment of the assessed amount shall be due within 30 calendar days after the Permittee's receipt of the notice of the Executive Officer's execution. In accordance with Water Code section 13385(n)(1), funds collected for violations of effluent limitations and reporting requirements pursuant to section 13385 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the liability shall be paid by cashier's or certified check made out to the "State Water Pollution Cleanup and Abatement Account." Failure to pay the full liability within the required time period may subject the Permittee to further liability.

A summary of this offer is enclosed as Exhibit C. Should you have any questions about this conditional offer, please contact Joann Lim by phone at (619) 521-3362 or by email at Joann.Lim@waterboards.ca.gov.

Respectfully,



JAMES G. SMITH
Assistant Executive Officer

JGS:law:cmc:bo:dtq:kks

Enclosures:

- Exhibit A: Notice of Violation Subject to Mandatory Minimum Penalty, San Eljio Ocean Outfall
- Exhibit B: Acceptance of Conditional Resolution and Waiver of Right to Hearing of the Settlement Offer No. R9-2017-0070
- Exhibit C: Summary of Settlement Offer No. R9-2017-0070

cc:

David Barker, San Diego Water Board, dbarker@waterboards.ca.gov
Chiara Clemente, San Diego Water Board, cclemente@waterboards.ca.gov
Brandi Outwin-Beals, San Diego Water Board, boutwinsbeals@waterboards.ca.gov

Tech Staff Info & Use	
Order No.	R9-2010-0087
NPDES No.	CA0107999
CW Place ID	255265
CW Regulatory Measure (NPDES Order)	375641
WDID	9 000000125
EPL No.	R9-2017-0070
CW Enforcement ID	412859
Violation IDs	1021064, 1021065, 1021066, 1021067, 1021068, and 1021069

Exhibit A

NOTICE OF VIOLATION SUBJECT TO MANDATORY MINIMUM PENALTIES SAN ELIJO OCEAN OUTFALL

For the purposes of Water Code sections 13385, a single operational upset (SOU) that leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation [Water Code section 13385(f)(1)]. For the purposes of subdivisions 13385(h) and (i), an SOU in a wastewater treatment unit that treats wastewater using a biological treatment process shall be treated as a single violation, even if the operational upset results in violations of more than one effluent limitation and the violations continue for a period of more than one day, if all the criteria at Water Code sections 13385(f)(2)(A)(i) and (ii) apply [Water Code section 13385(f)(2)(A)]. Water Code section 13385(f)(2)(A) only applies to violations that occur during a period for which the regional board has determined that violations are unavoidable, but in no case may that period exceed 30 days [Water Code section 13385(f)(2)(B)].

The following table lists effluent exceedances that occurred during the month of January 2017. The San Elijo Joint Powers Authority (SEJPA or Permittee) has reported that the effluent exceedances occurred as a result of an SOU and has met all of the conditions for an SOU pursuant to Water Code section 13385(f). For additional information about the effluent exceedances listed in the table:

1. Refer to the State Water Resources Control Board Public Reports webpage:
http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml;
2. Choose the "MMP Report" link located under the "Violations Reports" category; and
3. Enter the search criteria.

An SOU lead to the following simultaneous violations for a period of more than one day.
Per Water Code section 13385(f), an SOU shall be treated as a single violation.

Violation ID	Occurred Date	Violation Type	MMP Type	Violation Description	Facility Name
1021064	01/21/2017	CAT1	SOU	Settleable Solids Weekly Average (Mean) limit is 1.5 ml/L and reported value was 13.5 ml/L at EFF-001.	San Elijo Water Reclamation Facility
1021065	01/20/2017	CAT1	SOU	Settleable Solids Instantaneous Maximum limit is 3.0 ml/L and reported value was 40 ml/L at EFF-001.	San Elijo Water Reclamation Facility
1021066	01/27/2017	CAT1	SOU	Total Suspended Solids (TSS) Weekly Average (Mean) limit is 45 mg/L and reported value was 71.8 mg/L at EFF-001.	San Elijo Water Reclamation Facility
1021067	01/27/2017	CAT1	SOU	Settleable Solids Instantaneous Maximum limit is 3.0 ml/L and reported value was 6 ml/L at EFF-001.	San Elijo Water Reclamation Facility
1021068	01/19/2017	CAT1	SOU	Settleable Solids Instantaneous Maximum limit is 3.0 ml/L and reported value was 34 ml/L at EFF-001.	San Elijo Water Reclamation Facility
1021069	01/27/2017	CAT1	SOU	Settleable Solids 30-Day Average limit is 1 ml/L and reported value was 3.3 ml/L at EFF-001.	San Elijo Water Reclamation Facility

EXPEDITED PAYMENT AMOUNT

Mandatory Minimum Penalty Amount for Effluent Limit Violations

1 Serious Violation x \$3,000 per Serious Violation = \$3,000 Expedited Payment Amount

DEFINITIONS

AM	Effluent exceeds average monthly limitation.
ATOX	Violation of an acute toxicity effluent limitation.
AW	Effluent exceeds average weekly limitation.
CAT1	Violation of an effluent limitation for a Group I pollutant by more than 40%.
CAT2	Violation of an effluent limitation for a Group II pollutant by more than 20%.
CHRON	Chronic violation as defined by Water Code section 13385 (i). To be counted as a chronic violation, there must be 3 preceding violations within a 180-day period. The fourth non-serious violation that occurs within the 180 period is an MMP violation.
CIWQS	California Integrated Water Quality System database.
CTOX	Violation of a chronic toxicity effluent limitation.
DM	Effluent exceeds daily maximum limitation.
DREP	Deficient reporting violation. This will only result in an MMP if the report is so deficient as to make determination of compliance impossible for that reporting period.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
IM	Effluent exceeds instantaneous maximum limitation.
LREP	Late reporting violation. Every 30 days a report is late counts as one late reporting violation.
M	Effluent exceeds limit for monthly reporting period.
MMP Type	Classification of the type of MMP violation.
Occurrence Date	Date that a violation actually occurred. For continuing violations, such as a monthly average, the last day of the reporting period is used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Q	Effluent exceeds limit for quarterly reporting period.
S	Effluent exceeds limit for semi-annual reporting period.
SOU	Single Operational Upset pursuant to Water Code sections 13385(f)
SIG	Serious violation as defined by Water Code section 13385 (h). Waste discharge exceeds the effluent limitation for a Group I pollutant by 40% or more (CAT1), or a Group II pollutant by 20% or more (CAT2). Also defined by Water Code section 13385.1 as a failure to file a discharge monitoring report pursuant to Water Code section 13383 for each period of 30 days following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in waste discharge requirements that contain effluent limitations.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.
Violation Type	Classification of a violation. Two types of violations relate to MMPs: 1) Late Reporting Violations (LREP, DREP) 2) Effluent Violations (ATOX, CTOX, CAT1, CAT2, OEV)

Exhibit B

ACCEPTANCE OF CONDITIONAL RESOLUTION AND WAIVER OF RIGHT TO HEARING OF THE SETTLEMENT OFFER NO. R9-2017-0070

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), the San Elijo Joint Powers Authority (SEJPA or Permittee) hereby accepts the *Offer to Participate in Expedited Payment Program* and waives the right to a hearing before the San Diego Water Board to dispute the allegations of violation described in the Settlement Offer, which is attached hereto as Exhibit A and incorporated herein by reference.

The Permittee agrees that the Settlement Offer shall serve as a complaint pursuant to Article 2.5 of the Water Code and that no separate complaint is required for the San Diego Water Board to assert jurisdiction over the alleged violation through its Chief Prosecutor. The Permittee agrees to pay the penalties required by Water Code section 13385, in the sum of \$3,000 (Expedited Payment Amount), which shall be deemed payment in full of any civil liability pursuant to Water Code section 13385 that otherwise might be assessed for the violation described in the Settlement Offer. The Permittee understands that this Acceptance and Waiver waives the Permittee's right to contest the allegations in the Settlement Offer and the amount of civil liability for such violation.

The Permittee understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the Settlement Offer.

Upon execution by the Permittee, the completed Acceptance and Waiver shall be returned to:

California Regional Water Quality Control Board, San Diego Region
2375 Northside Drive, Suite 100
San Diego, CA 92108-2700
ATTN: 255265:JLLim

The Permittee understands that federal regulations set forth at title 40 of the Code of Federal Regulations, section 123.27(d)(2)(iii), require the San Diego Water Board to publish notice of and provide at least 30 days for public comment on any proposed resolution of an enforcement action addressing National Pollutant Discharge Elimination System (NPDES) permit violations. Accordingly, this Acceptance and Waiver, prior to execution by the Executive Officer, will be published as required by law for public comment.

During the public comment period, if no comments are received that cause the Executive Officer to question the Expedited Payment Amount, the Executive Officer will execute the Acceptance and Waiver.

The Permittee understands that if significant comments are received in opposition to the Expedited Payment Amount, the offer on behalf of the San Diego Water Board to resolve the violation set forth in the Settlement Offer may be withdrawn. In that circumstance, the Permittee will be advised of the withdrawal and an administrative civil liability complaint may be issued and the matter may be set for a hearing before the San Diego Water Board. For such a liability hearing, the Permittee understands that this Acceptance and Waiver executed by the Permittee will be treated as a settlement communication and will not be used as evidence in that hearing.

The Permittee further understands that once the Acceptance and Waiver is executed by the Executive Officer, the full payment required by the deadline set forth below is a condition of this Acceptance and Waiver. In accordance with Water Code section 13385(n)(1), funds collected for violations of effluent limitations and reporting requirements pursuant to section 13385 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the liability shall be paid by a cashier's or certified check for \$3,000 made out to the "State Water Pollution Cleanup and Abatement Account." Payment must be submitted to the State Water Resources Control Board, Accounting Office, Attn: ACL Payment, P.O. Box 1888, Sacramento, CA 95812-1888, no later than thirty (30) calendar days after the date the Permittee receives written notice that the Executive Officer has executed this Acceptance and Waiver. A copy of the check must also be received by the San Diego Water Board at 2375 Northside Drive, Suite 100, San Diego, CA 92108 within thirty (30) days of approval via U.S. Postal Service or e-mail to SanDiego@waterboards.ca.gov, attention 255265:JLLim.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Permittee in the making and giving of this Acceptance and Waiver.

San Eljio Joint Powers Authority

By: _____
Signed Name Date

Printed or Typed Name Title

IT IS SO ORDERED PURSUANT TO WATER CODE SECTION 13385.

By: _____
DAVID W. GIBSON Date
Executive Officer

Exhibit C

SUMMARY OF THE SETTLEMENT OFFER NO. R9-2017-0070

Enforcement of Mandatory Minimum Penalty for NPDES Effluent Limit Violation Water Code sections 13385(f), (h), and (i)

You have until July 24, 2017 to act or face more penalties.

Questions: Contact Joann Lim at (619) 521-3362

This is a plain language summary of the attached Settlement Offer No. R9-2017-0070 to participate in an Expedited Payment Program to address alleged violation of Order No. R9-2010-0087, *Waste Discharge Requirements for the San Elijo Joint Powers Authority, San Elijo Water Reclamation Facility Discharge to the Pacific Ocean via the San Elijo Ocean Outfall*.

The San Elijo Joint Powers Authority, San Elijo Water Reclamation Facility has exceeded effluent limitations established in Order No. R9-2017-0070. The violation is subject to a mandatory minimum penalty of \$3,000 pursuant to Water Code section 13385(f), (h), and (i). Consequently, the San Diego Water Board will assess a monetary liability for \$3,000 for this serious violation. However, instead of pursuing a formal enforcement complaint with penalties higher than the mandatory minimum, the San Diego Water Board is offering the opportunity to participate in an Expedited Payment Program to resolve the violation.

The San Elijo Joint Powers Authority has three response options:

- 1. Accept the conditional Settlement Offer** by agreeing to pay a settlement of \$3,000. This is the fastest and most certain way to get closure on this enforcement action. If chosen, sign and submit the Acceptance and Waiver Form, attached to the Settlement Offer letter, by 5 p.m. on July 24, 2017. The form provides submittal instructions.
- 2. Contest the violation** by submitting in writing the basis of the challenge with supporting evidence. For example, submit evidence that the alleged violation is inaccurate or meets the criteria for exceptions to mandatory minimum penalties described in Water Code section 13385(j). If chosen, submit challenge by 5 p.m. on July 24, 2017.

The challenge will be reviewed, and if San Diego Water Board staff agrees, the San Elijo Joint Powers Authority will be notified in writing that the enforcement action has been terminated. However, if San Diego Water Board staff does not agree, they will prepare a formal enforcement complaint at a higher dollar amount than the settlement offer of \$3,000. To avoid the latter, contact Joann Lim (see contact information above) as soon as possible to discuss the validity of the challenge.

- 3. Reject the conditional Settlement Offer** by not responding or submitting the rejection in writing by 5 p.m. on July 24, 2017. In either case, San Diego Water Board staff will prepare a formal enforcement complaint at a higher dollar amount than the settlement offer. The date of submittal or failure to submit the Acceptance and Waiver form will affect the recommended penalty amount.

SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

July 10, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: CONSTRUCTION CONTRACT CHANGE ORDER NO. 1 - SAN ELIJO LAND
OUTFALL REPLACEMENT PROJECT

RECOMMENDATION

It is recommended that the Board of Directors:

1. Authorize the General Manager to accept Construction Contract Change Order No. 1 for a total cost reduction of \$158,082; and
2. Discuss and take action as appropriate.

BACKGROUND

The San Elijo Land Outfall Replacement is a priority capital project for the SEJPA. The land outfall was constructed in 1965 and due to its age and the surrounding soil type, the pipeline is estimated to be at the end of its useful life. This 30-inch diameter pipeline conveys on average 10 million gallons per day of treated wastewater from the cities of Encinitas, Solana Beach, and Escondido for ocean disposal approximately 1.5 miles from shore.

In April 2017, the Board of Directors awarded the project construction contract to the lowest responsive and responsible bidder, J.R. Filanc Construction Company ("Filanc"), for an amount of \$8,553,000.

DISCUSSION

Staff, working with the project engineer (Kennedy/Jenks Consultants), construction manager (Black & Veatch), and Contractor (Filanc), reviewed the construction elements to determine if there were opportunities to reduce construction costs. This effort resulted in 10 items being identified as potential opportunities. Based on a detailed review of these opportunities, four items were determined to be feasible and valuable to both the SEJPA and the Contractor.

The items below reduce the project cost and schedule without compromising project quality or permit compliance requirements.

Change Order No. 1 – Scope of Work Modifications

1. SEJPA to provide required monitors for archeology, Native American, paleontology and biology, in lieu of Contractor furnished monitors. Contract cost reduction of \$61,892.
2. Substitute Monel or Hastelloy bolts for Duplex Stainless Steel bolts in open cut section of 30" pipe at the SEWRF and Manchester Avenue sites. Contract cost reduction of \$26,750.
3. Dewatering shall be discharged to SEWRF settling basins after Contractor-furnished de-silting and pumping. Contractor shall perform cleanup. SEJPA will monitor discharge quality, as necessary. Contract cost reduction of \$61,640.
4. Install 4-inch AT&T conduit in a common trench with 12-inch sewer force main, with 12-inch minimum clear separation provided. Contract cost reduction of \$7,800.

Total value of Change Order No. 1 is \$158,082, reducing the construction contract value to \$8,394,918.

FINANCIAL IMPACT

If the construction contract Change Order No. 1 is accepted by the SEJPA, the total value of the construction contract will be reduced by \$158,082 to \$8,394,918. The overall financial impact to the Estimated Cost to Complete is shown in Table 1.

Table 1 - Estimated Cost to Complete for the Land Outfall Replacement Project

Project Element	Estimated Cost
Construction Contract	\$8,553,000
Change Order No. 1	-158,082
SUBTOTAL CONSTRUCTION CONTRACT	8,394,918
Construction Management	500,000
Environmental Compliance and Monitoring	115,000
Design Support Services	103,000
Contingency (5% of Construction)	428,000
TOTAL	\$ 9,540,918

It is recommended that the Board of Directors:

1. Authorize the General Manager to accept Construction Contract Change Order No. 1 for a total cost reduction of \$158,082; and
2. Discuss and take action as appropriate.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

SAN ELIJO JOINT POWERS AUTHORITY
MEMORANDUM

July 10, 2017

TO: Board of Directors
San Elijo Joint Powers Authority

FROM: General Manager

SUBJECT: PROFESSIONAL SERVICES CONTRACT AMENDMENT FOR ENCINITAS
RANCH RECYCLED WATER EXPANSION PROJECT

RECOMMENDATION

It is recommended that the Board of Directors:

1. Approve an amendment to the Agreement with Dudek for Project Design and Permitting for an amount not to exceed \$165,870; and
2. Discuss and take action as appropriate.

BACKGROUND

Since 2015, the SEJPA and the San Dieguito Water District have been in discussions with the Encinitas Ranch Community Association (ERCA) and neighboring sites to convert existing landscape and agricultural irrigation to recycled water. These meetings resulted in the proposed Encinitas Ranch Recycled Water Expansion project, which is designed to serve two private agricultural users, the City of Encinitas park trail system, and the Encinitas Ranch Community Association (ERCA). The anticipated potable water offset for this project is approximately 45 Acre Feet per Year (AFY).

The original project included installing approximately 1.5 miles of small diameter (4-inch to 6-inch) recycled water pipe and a small booster pump station (Figure 1). A contract for design and permitting was awarded to Dudek in June 2016. Originally, the pipeline extension followed an existing decomposed granite trail along the north side of Paseo De Las Flores, continuing east along a City-designated recreational trail, turning south behind existing residential structures along the eastern border of Encinitas Ranch. The primary objectives of the trail alignment were to minimize disruption of the community, avoid pavement replacement requirements, and avoid replacement of existing stamped concrete intersections within the roadways.

The design was completed and submitted to the City of Encinitas for permitting in March 2017. Initial draft comments were returned indicating that the proposed pipeline location would require extensive studies to determine the impact on trees in the area.



Figure 1 - Proposed pipeline alignment

DISCUSSION

The City of Encinitas has recently promulgated an Urban Forest Management Program, requiring the development of a Tree Protection Plan where potential impact to existing trees may exist. The original pipeline alignment is located within forested areas of the Encinitas Ranch property, particularly along Paseo De Las Flores and the City-designated recreational trail. During the design of the original pipeline alignment, the Urban Forest Management Program had not been formalized. However, since its implementation, both City and SEJPA staff can appreciate the likely impacts and conflicts that the original pipeline alignment presents with the Urban Forest Management Program.

In addition, the recreational trail parallels a bluff (see Figure 2) along the eastern perimeter of the residential community, creating some slope stability concerns, if the pipeline were to fail. Additional geotechnical investigations would likely be required to quantify the risk, if any, that installing the pipeline would have on the bluff stability.

After comprehensive consideration of these requirements, it was determined that realignment of the pipelines into the existing road rights-of-way will avoid the need for extensive environmental mitigation and reduce potential risk to the SEJPA in the event of a pipeline failure.



Figure 2 – Trail Bluff

Completion of the revised alignment bidding documents will require collection of new surveying and utility data within the roadway corridor, potholing of various critical connection points, revision of the final design drawings, and acquisition of any additional permits and other regulatory approvals for construction within the roadway. The currently designed recycled water pump station will remain unchanged by realignment of the pipeline system.

FINANCIAL IMPACT

The proposed cost of \$165,870 for the project re-design and permitting was not anticipated in the original project budget. However, funding for the design and permitting is available in the Recycled Water Fund Balance.

The anticipated total cost of the Encinitas Ranch Recycled Water Expansion Project is approximately \$2 million. The SEJPA has secured a grant commitment from Proposition 84, Integrated Regional Water Management grant program that will provide this project approximately \$525,000. In addition, recycled water customers have agreed to fund \$150,000 for the booster pump station. This results in a projected net cost to the SEJPA of \$1,327,000.

Table 1 - Encinitas Ranch Pipeline Expansion Project Budget

Project Element	Budget
Engineering, Permitting, Administration & Legal	\$300,000
Grant Administration	30,000
Construction Management	160,000
Construction	1,260,000
Contingency (20%)	252,000
TOTAL	2,002,000
Grant Funding	-525,000
Cost Sharing (Booster Pump Station)	-150,000
Net Expense	\$1,327,000

The SEJPA will utilize funding from the 2017 Clean Water Bond to fund the remaining cost of the project.

It is therefore recommended that the Board of Directors:

1. Approve an amendment to the Agreement with Dudek for Project Design and Permitting for an amount not to exceed \$165,870; and
2. Discuss and take action as appropriate.

Respectfully submitted,



Michael T. Thornton, P.E.
General Manager

Attachment 1: Dudek Proposal for Revised Recycled Water Alignment, June 28, 2017

June 28, 2017

Mike Thornton, PE, General Manager
San Elijo Joint Powers Authority
2695 Manchester Avenue
Cardiff by the Sea, California 92007

Subject: Proposal for Revised Recycled Water Alignment

Dear Mr. Thornton,

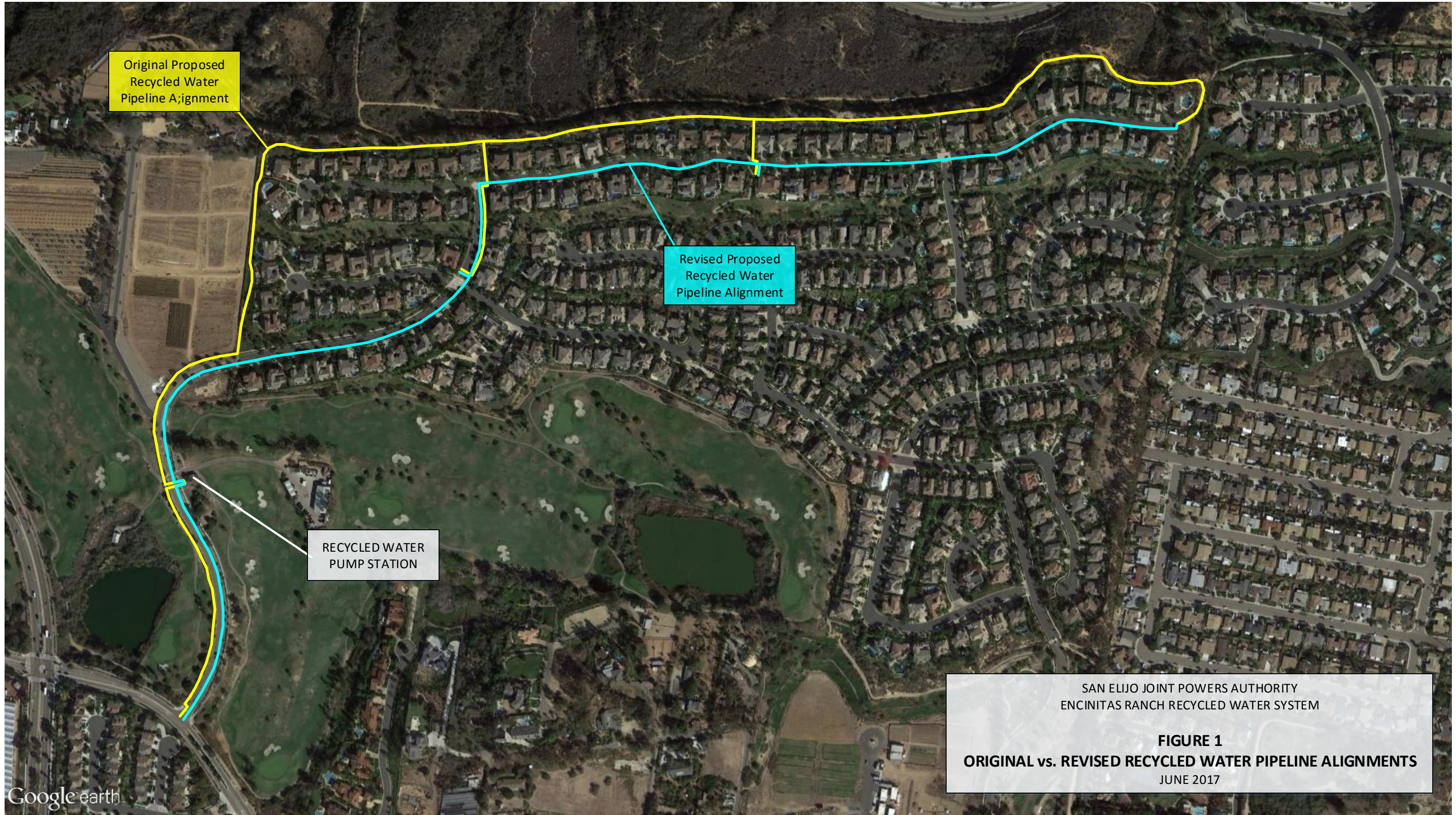
Dudek appreciates the opportunity to provide the following proposal for the revised Encinitas Ranch Recycled Water alignment. The following section outlines our understanding, scope of services, fee proposal, and schedule for the revised project alignment.

Revised Project Understanding

The project expands the existing recycled water system to serve the Encinitas Ranch community, by extending SEJPA Pipeline No. 3 east from Quail Gardens Drive. Originally, the pipeline extension followed an existing decomposed granite trail along the north side of Paseo De Las Flores, continuing east along a City-designated recreational trail, turning south behind existing residential structures along the eastern border of Encinitas Ranch. The originally proposed recycled water pump station is located within the existing golf course property, adjacent to an existing restroom, south of Paseo De Las Flores. The primary objectives of the trail alignment was to minimize disruption of the community, avoid pavement replacement requirements, and avoid replacement of existing stamped concrete intersection within the roadways.

The City of Encinitas has promulgated an Urban Forest Management Program, requiring the development of a Tree Protection Plan where potential impact to existing trees may exist. The original pipeline alignment is located within forested areas of the Encinitas Ranch property, particularly along Paseo De Las Flores and along the City-designated recreational trail. In addition, the recreational trail parallels a bluff along the eastern perimeter of the residential community, resulting in potential slope stability concerns. After comprehensive consideration of these City requirements, it was determined that realignment of the pipelines into the existing road rights-of-way will avoid the need for extensive environmental mitigation and reduce potential risk to the SEJPA in the event of a pipeline failure. Figure 1 shows the original and revised pipeline alignments.

Completion of the revised alignment bidding documents will require collection of new surveying and utility data within the roadway corridor, potholing of various critical connection points, revision of the final design drawings, and acquisition of any additional permits and other regulatory approvals for construction within the roadway. The currently designed recycled water pump station will remain unchanged by realignment of the pipeline system.



Scope of Work

Utility Research

Dudek will conduct a search for utilities along the proposed realignment. Typical coordination includes identification of utilities within the vicinity and contacting utilities, the City of Encinitas and the Encinitas Ranch Community Association to request record drawings of existing facilities. As the pipeline is to be relocated within paved streets, it is anticipated that existing utilities may be significant, including water, sewer, storm drain, electrical, gas, cable, among others.

Surveying

Dudek will continue to use the services of Right-of-Way Engineering to prepare a topographic survey of the realignment corridor. The survey will include reuse of previous ground surveying to tie-in the datum and LIDAR aerial imaging to develop the necessary additional contour information. Existing water meters, sewer manholes, electrical pull boxes, power poles, storm drain inlets and other surface features representing underground utilities will be included for presentation on the base mapping.

Easement Acquisition

Dudek has already developed plat and legal descriptions for effected parcels along the original alignment, and will address additional easement requirements for the realigned corridor. Based on a review of the realignment corridor, it appears that the previously developed easement for the recycled water pump station will remain unchanged, with minor modification or elimination of the remaining easements from the original alignment.

Geotechnical

Subsurface investigations are not anticipated to be necessary for construction within the existing roadway. In the event that SEJPA requires subsurface testing and a geotechnical report, Dudek will solicit proposals from qualified consultants and negotiate a contract amendment with the District for the reimbursable cost of the additional services.

Environmental Compliance

Dudek previously developed environmental compliance documentation for a variety of SEJPA projects, including the subject recycled water system expansion. We have incorporated the necessary environmental information into the current design documents, and will adjust those requirements to reflect the revised alignment corridor. It is anticipated that realigning the pipelines into the roadway will significantly reduce the environmental footprint of the overall project.

Bidding Document Preparation

Dudek will prepare and submit progress plans, specifications and construction cost estimates during the design stage. We will submit design submittals to SEJPA, the City of Encinitas (City), the San Dieguito Water District (SDWD) and others as required for construction review and permitting. We will submit progress reviews at the 75 percent and final stages of design. Plan and profile drawings will be drawn at a scale of 1 inch equals 30 feet (1:30). Benchmark description and basis of bearing for construction staking will be incorporated, and will conform to current SDWD (WAS) design standards and the standard specifications for Public Works Construction (Greenbook). The bidding documents are projected to include the following information:

- Title sheet, Vicinity Map, and Sheet Index
- Notes Sheets (2)

- Recycled Water Plan & Profile Sheets (12)
- Pump Station Site Plan Sheet
- Pump Station Mechanical Sheet
- Detail Sheets (3)
- Electrical Sheets (6)
- Architectural Sheets (4)
- Requeza Street Plan Sheets (2)

As discussed previously, it is projected that the recycled water plan and profile sheets and detail sheets will require revision, with minor revisions to a few other sheets.

Pump Station Design

Revisions to the pump station plans will be confined to any remaining comments by SEJPA staff, or other agency having jurisdiction within the pump station site.

Electrical Supply

Revisions to the electrical drawings will be confined to any remaining comments by SEJPA staff.

Pipeline Design

The proposed 4- to 6-inch diameter recycled water system will be designed with a minimum cover of 48-inches, within an available utility corridor within the existing road right-of-way. Identified wet and dry utilities will be shown on the plans. As we anticipate residential sewer laterals to cross the pipeline alignments, we will pothole sewer laterals to avoid conflicts. The realigned pipeline corridor will impact decorative concrete at street intersections, which will be replaced in kind or better. Dudek will make use of the previously prepared design to the greatest extent possible.

Specifications

Dudek has previously prepared the bidding documents, construction bid form, and technical specifications for the original alignment. We will add any additional specification information based on the new alignment. As with the original design documents, SEJPA will provide the standard front-end construction specifications sections, including notice of inviting bids, contract and related forms, general provisions, and general conditions.

75 Percent Design Submittal

The 75 percent design submittal will include the completed sheets from the original design, along with the realigned plan and profile sheets. This submittal will develop the base sheets, including surveying, utilities, and the proposed pipeline alignment within the right-of-way. The proposed alignment will be finalized in discussion with SEJPA staff prior to being finalized, thereby allowing for changes in the pipeline locations. Technical specifications will include the previously prepared sections, as well as new section required to support the new pipeline alignment. Three (3) sets of half-size plans, technical specifications and preliminary construction cost opinion will be submitted for review. Review meetings will be held as necessary to discuss SEJPA comments.

Final Design Submittal

Following the 75 percent design review meeting, Dudek will finalize the construction documents incorporating remaining comments. Final plans will be printed on mylar, signed and stamped by the Engineer of Record. Electronic copies of the bidding documents will be provided. One (1) set of full size plans on mylar, one reproducible copy of the front-end and technical specifications, a final

construction cost opinion and anticipated construction schedule will be submitted to SEJPA for public bidding.

Coastal Development Permit & Citizen Participation Plan

Dudek will resubmit a Planning Application with the City of Encinitas for a Coastal Development Permit (CDP) through the Local Coastal Program for the realigned project. We will attend the Planning Commission Hearing, as well as prepare documents and mailings, attend meetings and manage the required Citizen Participation Plan (CPP). As with the original alignment, it is assumed that SEJPA will pay the CDP and CPP filing fees.

Engineering Service during Bidding (ESDB)

Dudek will support SEJPA during the bidding phase. Dudek will attend the pre-bid meeting. The pre-bid meeting will be scheduled a minimum of 32 days prior to bid the opening, to support the 30 days of DBE outreach required by SRF. We will respond to contractor questions and preparation of addendums as required, with the assumption of five (5) contractor-submitted RFIs and two (2) addendums. Time required responding to additional RFIs or additional addendums will be billed on a time and materials basis. One addendum containing the most recent Davis-Bacon prevailing wages is required by SRF within 10 days of the bid opening date.

Engineering Services during Construction (ESDC)

Dudek will support the District during the construction phase as necessary, responding to contractor requests for information (RFIs), provide clarifications, review and respond to submittals and prepare record drawings from contractor red line markups. For the purposes of this proposal, we have assumed a total of twenty (20) submittals and ten (10) RFIs during the construction phase. Effort required responding to additional submittals and RFIs will be billed on a time and materials basis. Dudek will utilize District-provided consolidated redline plans post construction for preparation of record drawings.

Project Management

Strong communication between Dudek and SEJPA will be established and be maintained throughout completion. Progress meetings will be held for quality control and with District staff, generally following submittal reviews. An overall project budget and work schedule will be maintained throughout the project. Quality control is important, and Dudek will continue to implement our stringent QA/QC program throughout the redesign process.

Exclusions

Scope for geotechnical evaluation and full-time construction management is not provided. If requested, Dudek is capable of providing these services. The project includes the installation of new recycled water service pipelines to existing irrigation meter locations for the use of recycled water on private property. The conversion of these sites to recycled water use will require evaluation of sprinkler head placement, spray patterns, drainage, and signage, which are not currently included in this proposal but may be negotiated, if desired.

Fee Proposal

An itemized fee proposal, showing tasks and labor for each task, is presented in Table 1. Direct and indirect expenses, subconsultants, and other related project costs are included.

TABLE 1. FEE PROPOSAL

TASK	Project Team Role: Team Member: Billable Rate :	Labor Hours and Rates				TOTAL HOURS	LABOR COSTS	Subconsult		TOTAL FEE
		Project Manager	Senior Engineer	Project Engineer	CAD Designer			Surveying	ODCs	
		Metts	Scheldel	Harvey	Calliguri			ROW Engrg Fee		
Realignment Design Services										
1	Utility Research	2	4	12		18	\$ 2,950			\$ 2,950
2	Surveying		2	4		6	\$ 950	\$ 19,500		\$ 20,450
3	Easement Acquisition <i>(Not Required)</i>						\$ -			\$ -
4	Geotechnical <i>(Not Required)</i>						\$ -			\$ -
5	Environmental Compliance <i>(Complete)</i>						\$ -			\$ -
6	Bid Document Preparation	30	60	60	60	210	\$ 35,550			\$ 35,550
7	Pump Station Design <i>(Complete)</i>						\$ -			\$ -
8	Electrical Design <i>(Complete)</i>						\$ -			\$ -
9	Pipeline Design	4	24	40	120	188	\$ 28,580	\$ 5,000		\$ 33,580
10	Specifications	2	8	16		26	\$ 4,270			\$ 4,270
11	75% Design Submittal	4	16	32	72	124	\$ 18,980			\$ 18,980
12	Final Design Submittal	2	8	12	20	42	\$ 6,590		\$ 150	\$ 6,740
13	Coastal Development Permit	2	8	16		26	\$ 4,270		\$ 100	\$ 4,370
14	Coastal Participation Plan	2	8	16		26	\$ 4,270		\$ 100	\$ 4,370
	Subtotal:	48	138	208	272	666	\$ 106,410	\$ 24,500	\$ 350	\$ 131,260
Engineering Services during Bidding (ESDB)										
4.1	Addendum Preparation (2)	2	8	16	4	30	\$ 4,850			\$ 4,850
4.2	Respond to RFIs (5)	2	8	20		30	\$ 4,850			\$ 4,850
	Subtotal:	4	16	36	4	60	\$ 9,700	\$ -	\$ -	\$ 9,700
Engineering Services during Construction (ESDC)										
5.1	Respond to RFIs (10)	2	12	24		38	\$ 6,170			\$ 6,170
5.2	Submittal Review (20)	2	12	36		50	\$ 7,910			\$ 7,910
5.3	Complete As-Built Drawings		2	2	20	24	\$ 3,560		\$ 150	\$ 3,710
	Subtotal:	4	26	62	20	112	\$ 17,640	\$ -	\$ 150	\$ 17,790
Project Management										
6.1	Meetings	8	8			16	\$ 3,360			\$ 3,360
6.2	Quality Assurance	8				8	\$ 1,880			\$ 1,880
6.3	Project Management and Administration	8				8	\$ 1,880			\$ 1,880
	Subtotal:	24	8			32	\$ 7,120	\$ -	\$ -	\$ 7,120
Total Hours and Fee Opinion		80	188	306	296	870	\$ 140,870	\$ 24,500	\$ 500	\$ 165,870

We appreciate that the decision to realign the recycled water system into the public right-of-way was difficult, and further appreciate your consideration in allowing Dudek to complete the desired redesign and realignment of the project. We are prepared to begin work immediately upon your authorization, to get this project into construct as quickly as possible. If you have any questions or comments, please do not hesitate to contact me at 760.479.4107 or 619.417.6304, or by email at mmetts@dudek.com.

Respectfully Submitted,

DUDEK



D. Michael Metts, PE
 Principal