



**UNION SANITARY DISTRICT BOARD MEETING/
UNION SANITARY DISTRICT FINANCING AUTHORITY
AGENDA**

**Monday, May 10, 2021
Regular Meeting - 4:00 P.M.**

**Union Sanitary District
Administration Building
5072 Benson Road
Union City, CA 94587**

Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

CORONAVIRUS (COVID-19) ADVISORY NOTICE

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County March 31, 2020 Updated Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, the Monday, May 10, 2021, Regular Board Meeting will not be physically open to the public and all Board Members will be teleconferencing into the meeting. **To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting by following the steps listed below to listen to the Board Meeting, and may provide public comment by sending comments to the Board Clerk by email at assistanttogm@unionsanitary.ca.gov or via voicemail by calling 510-477-7599 before 3:00 p.m. on the date of the meeting.** Comments will then be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Board President's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read into the record.

Any member of the public who needs accommodations should email or call the Board Clerk who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the Union Sanitary District procedure for resolving reasonable accommodation requests.

To listen to this Regular Board Meeting:

Call: 1-888-788-0099 or 1-877-853-5247

Meeting ID: 838 0651 1716 #

Participant ID: #

Click the Zoom link below to watch and listen:

<https://us02web.zoom.us/j/83806511716>

	1.	Call to Order.
	2.	Salute to the Flag. (This item has been suspended due to the COVID-19 pandemic.)
	3.	Roll Call.
Motion	4.	Approve Minutes of the Union Sanitary District Board Meeting of April 26, 2021.
	5.	Written Communications.
	6.	Public Comment. Public Comment is limited to three minutes per individual, with a maximum of 30 minutes per subject. If the comment relates to an agenda item, the speaker should address the Board at the time the item is considered. Speaker cards will be available in the Boardroom and are requested to be completed prior to the start of the meeting.
Motion	7.	Consider Adoption of Proposed New Policy – Pension and Other Post-Employment Benefits (OPEB) Funding Policy <i>(to be reviewed by the Budget & Finance Committee)</i> .
Motion	8.	Consider a Resolution to Adopt the Mitigated Negative Declaration for the Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Program and Approve the ETSU Phase 1 Program <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Motion	9.	Award the Construction Contract of the Emergency Outfall Improvements Project to Garney Pacific, Inc. <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Motion	10.	Authorize the General Manager to Execute Contract Change Order No. 1 with Western Water Constructors, Inc. for the Aeration Blower No. 11 Project <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Motion	11.	Authorize the General Manager to Execute Task Order No. 2 with V&A Consulting Engineers, Inc. for the Cathodic Protection System Improvements Project <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Direction	12.	Board Direction Regarding New Campus Boardroom Following Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Update Board Workshop.
Information	13.	Certificates of Merit to Union Sanitary District’s Class I Permitted Industries <i>(to be reviewed by the Legal/Community Affairs Committee)</i> .
Information	14.	COVID-19 Update.
Information	15.	Check Register.
Information	16.	Committee Meeting Reports. <i>(No Board action is taken at Committee meetings):</i> <ol style="list-style-type: none"> Legal/Community Affairs Committee – Thursday, May 6, 2021, at 1:00 p.m. <ul style="list-style-type: none"> Director Toy and Director Fernandez Budget & Finance Committee – Friday, May 7, 2021, at 10:00 a.m. <ul style="list-style-type: none"> Director Kite and Director Toy

- c. Engineering and Information Technology Committee – Friday, May 7, 2021, at 11:00 a.m.
 - Director Lathi and Director Handley
- d. Legislative Committee – will not meet.
- e. Personnel Committee – will not meet.

Information

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- 17. General Manager’s Report. *(Information on recent issues of interest to the Board).*
-
- 18. Other Business:
 - a. Comments and questions. *Directors can share information relating to District business and are welcome to request information from staff.*
 - b. Scheduling matters for future consideration.
-
- 19. Adjournment – The Board will adjourn to the Board Budget Workshop to be held virtually on Tuesday, May 11, 2021, at 4:00 p.m.
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- 20. Adjournment – The Board will then adjourn to the next Regular Board Meeting to be held virtually on Monday, May 24, 2021, at 4:00 p.m.
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The facilities at the District Offices are wheelchair accessible. Any attendee requiring special accommodations at the meeting should contact the General Manager’s office at (510) 477-7503 at least 24 hours in advance of the meeting.



LEGAL/COMMUNITY AFFAIRS COMMITTEE MEETING

Committee Members: Director Toy and Director Fernandez

Directors

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

AGENDA

Thursday, May 6, 2021

1:00 P.M.

Alvarado Conference Room

5072 Benson Road

Union City, CA 94587

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

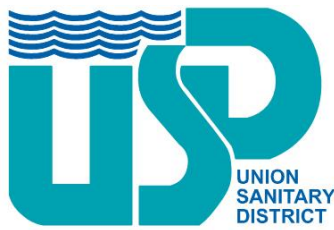
Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County May 18, 2020 Updated Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, this meeting will not be physically open to the public and all Board Members will be teleconferencing into the meeting via conference call.

To maximize public safety while still maintaining public access, members of the public can observe the meeting by calling 510-477-6190 to listen to the committee meeting, and may provide public comment by sending comments to the Board Clerk by email at assistanttogm@unionsanitary.ca.gov or via voicemail by calling 510-477-7599 up to one hour before the scheduled meeting start time.

1. Call to Order
2. Roll Call
3. Public Comment
Public Comment is limited to three minutes per individual, with a maximum of 30 minutes per subject. If the comment relates to an agenda item, the speaker should address the Board at the time the item is considered. Speaker cards will be available and are requested to be completed prior to the start of the meeting.
4. Items to be reviewed for the Regular Board meeting of May 10, 2021:
 - Certificates of Merit to Union Sanitary District's Class I Permitted Industries
5. Adjournment

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.
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BUDGET & FINANCE COMMITTEE MEETING
Committee Members: Director Kite and Director Toy

Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

AGENDA
Friday, May 7, 2021
10:00 A.M.

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Alvarado Conference Room
5072 Benson Road
Union City, CA 94587

Karen W. Murphy
Attorney

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County May 18, 2020 Updated Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, this meeting will not be physically open to the public and all Board Members will be teleconferencing into the meeting via conference call.

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1. Call to Order
2. Roll Call
3. Public Comment
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4. Items to be reviewed for the Regular Board meeting of May 10, 2021:
 - Consider Adoption of Proposed New Policy – Pension and Other Post-Employment Benefits (OPEB) Funding Policy
5. Adjournment

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.
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**ENGINEERING AND INFORMATION TECHNOLOGY
COMMITTEE MEETING**

Committee Members: Director Lathi and Director Handley

Directors

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**AGENDA
Friday, May 7, 2021
11:00 A.M.**

**Alvarado Conference Room
5072 Benson Road
Union City, CA 94587**

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County May 18, 2020 Updated Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, this meeting will not be physically open to the public and all Board Members will be teleconferencing into the meeting via conference call. To maximize public safety while still maintaining public access, members of the public can observe the meeting by calling 510-477-6190 to listen to the committee meeting, and may provide public comment by sending comments to the Board Clerk by email at assistanttogm@unionsanitary.ca.gov or via voicemail by calling 510-477-7599 up to one hour before the scheduled meeting start time.

1. Call to Order

2. Roll Call

3. Public Comment

Public Comment is limited to three minutes per individual, with a maximum of 30 minutes per subject. If the comment relates to an agenda item, the speaker should address the Board at the time the item is considered. Speaker cards will be available and are requested to be completed prior to the start of the meeting.

4. Items to be reviewed for the Regular Board meeting of May 10, 2021:

- Consider a Resolution to Adopt the Mitigated Negative Declaration for the Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Program and Approve the ETSU Phase 1 Program
 - Award the Construction Contract of the Emergency Outfall Improvements Project to Garney Pacific, Inc
 - Authorize the General Manager to Execute Contract Change Order No. 1 with Western Water Constructors, Inc. for the Aeration Blower No. 11 Project
 - Authorize the General Manager to Execute Task Order No. 2 with V&A Consulting Engineers, Inc. for the Cathodic Protection System Improvements Project
-

5. Adjournment

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.
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**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
April 26, 2021**

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County March 16, 2020 Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, the Monday, April 26, 2021, Regular Board Meeting was not physically open to the public and all Board Members teleconferenced into the meeting. To maximize public safety while still maintaining transparency and public access, members of the public were able to listen to the Board Meeting, and provide public comment by sending comments to the Board Clerk.

CALL TO ORDER

Vice President Kite called the meeting to order at 4:00 p.m. The regular meeting time was modified due to the COVID-19 emergency.

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Pat Kite, Vice President
Anjali Lathi, Secretary
Manny Fernandez, Director

ABSENT: Tom Handley, President (arrived at 4:09 p.m.)
Jennifer Toy, Director (arrived at 4:05 p.m.)

STAFF: Paul Eldredge, General Manager/District Engineer
Karen Murphy, District Counsel
Mark Carlson, Business Services Manager/CFO
Sami Ghossain, Technical Services Manager
James Schofield, Collection Services Manager
Robert Simonich, Fabrication Construction and Maintenance Manager
Armando Lopez, Treatment and Disposal Services Manager
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager
Michelle Powell, Communications and Intergovernmental Relations Coordinator
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

VISITORS: Lora Carpenter, Fieldman, Rolapp & Associates
Jim Fabian, Fieldman, Rolapp & Associates

APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF APRIL 12, 2021

It was moved by Secretary Lathi, seconded by Director Fernandez, to Approve the Minutes of the Board Meeting of April 12, 2021. Motion carried with the following vote:

AYES: Fernandez, Kite, Lathi
NOES: None
ABSTAIN: None
ABSENT: Handley, Toy

MARCH 2021 MONTHLY OPERATIONS REPORT

This item was reviewed by the Budget & Finance and Legal/Community Affairs Committees. General Manager Eldredge presented the odor and work group reports and Business Services Manager/CFO Carlson presented the financial reports.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

REVIEW PROPOSED EDITS TO POLICY NO. 3070, BOARDMEMBER OFFICERS AND COMMITTEE MEMBERSHIP AND CONSIDER APPROVAL OF THE POLICY

This item was reviewed by the Legal/Community Affairs Committee. District Counsel Murphy stated Policy No. 3070 was last approved by the Board in December of 2019. The Policy states the Board shall annually elect by majority vote the President, Vice-President, and Secretary at the first regular meeting following certification in election years; or one year after the prior election in non-election years. Due to Census data delays brought on by the COVID-19 pandemic, the 2022 Primary Election has been moved from March to June 7, 2022. At the Board meeting held April 12, 2021, the Board directed staff to modify Policy No. 3070 to provide more flexibility in the dates of Board officer elections. Staff recommended the Board approve the updated version of Policy No. 3070, Boardmember Officers and Committee Membership and Consider Approval of the Policy.

It was moved by Secretary Lathi, seconded by President Handley, to Approve the Updated Version of Policy No. 3070, Boardmember Officers and Committee Membership. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None

ABSTAIN: None
ABSENT: None

CONSIDERATION OF A BOARD RESOLUTION TO AUTHORIZE STAFF, LEGAL COUNSEL, AND MUNICIPAL ADVISOR TO PREPARE DOCUMENTS FOR THE ISSUANCE OF REVENUE BONDS

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson stated staff have been working on funding options for upcoming capital projects with assistance from our financial advisors, Fielman Rolapp. The recommendation is to take advantage of historically low bond rates with a bond issuance ranging from \$80 million to a not to exceed amount of \$110 million. The funds would primarily be used for the Enhanced Treatment and Site Upgrade Phase 1A and would also be used to finance additional projects to be proposed in the upcoming CIP budget. Substantially final versions of the financing documents will be brought back to the Board for consideration and approval at a future Board meeting. Staff recommended the Board consider approval of a resolution to authorize staff, legal counsel, and municipal advisor to prepare documents for the issuance of revenue bonds to finance an estimated amount of capital projects ranging from \$80 million to a not to exceed amount of \$110 million.

It was moved by Director Fernandez, seconded by Secretary Lathi, to Adopt Resolution No. 2921 Authorizing Union Sanitary District to Issue Revenue Bonds with Stradling Yocca Carlson & Rauth as Bond Counsel, Quint & Thimmig as Disclosure Counsel, Fieldman Rolapp & Associates as Municipal Advisor, and RBC as Underwriter for the Transaction. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

CONSIDER ADOPTION OF A RESOLUTION RESCINDING AND REPLACING RESOLUTION NO. 2615, GRANTING INDIVIDUAL DISCRETIONARY AUTHORITY TO CERTAIN STAFF TO REJECT OR APPROVE PROJECT DESIGN, PLANS, AND SPECIFICATIONS PRIOR TO BIDDING AND CONSTRUCTION, AND TO APPROVE CHANGES TO PLANS AND/OR SPECIFICATIONS TO BE MADE DURING CONSTRUCTION TO ADD THE ENHANCED TREATMENT AND SITE UPGRADE PROGRAM (ETSU) MANAGER AND ASSISTANT MANAGER TO THE LIST OF AUTHORIZED STAFF MEMBERS

This item was reviewed by the Engineering and Information Technology Committee. Enhanced Treatment and Site Upgrade Program Manager Pipkin stated the District conformed its design and approval procedures with the requirements of California Government Code Section 830.6 by adopting Resolution No. 2615. The resolution granted individual discretionary authority to specific staff members to approve plans and take other actions to preserve design immunity under Section 830.6. Since the adoption

of the Resolution, the Board approved the Enhanced Treatment and Site Upgrade Program (ETSU) and created the Enhanced Treatment and Site Upgrade Program Manager and Enhanced Treatment and Site Upgrade Assistant Program Manager positions. Staff recommended the Board adopt an updated resolution to add the two new positions to the list of staff members granted discretionary authority to approve plans and specifications and to take other actions as noted in Resolution No. 2615. Proposed revisions to the resolution will also update the list of authorized staff members to reflect current positions and titles.

It was moved by Secretary Lathi, seconded by Director Toy, to Adopt Resolution No. 2922 Rescinding and Replacing Resolution No. 2615, Granting Individual Discretionary Authority to Certain Staff to Reject or Approve Project Design Plans and Specifications Prior to Bidding and Construction, and to Approve Changes to Plans and/or Specifications to be made During Construction to Add the Enhanced Treatment and Site Upgrade (ETSU) Program Manager and Assistant Manager to the List of Authorized Staff Members. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

AWARD THE CONSTRUCTION CONTRACT FOR THE CATHODIC PROTECTION SYSTEM IMPROVEMENTS PROJECT TO CORRPRO COMPANIES, INC.

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the Project was advertised for bids on March 2, 2021, and the three bids received were opened on March 30, 2021. Staff reviewed the apparent low bid submitted by Corrpro and found two minor irregularities. The first was that JDH Corrosion was listed as a subcontractor; however, JDH is an engineering consultant firm and does not have a California contractor license. Corrpro clarified JDH will perform testing and commissioning of the new cathodic protection system and will not perform construction work. The second irregularity was that Corrpro failed to check the box confirming the contract price would be under \$1,000,000, which would confirm the Iran Contract Act certification requirements would not apply. District legal counsel determined these irregularities could be waived by the District. Corrpro will have 210 calendar days to complete the Project from Notice to Proceed, with an estimated substantial completion date in December of 2021. Staff recommended the Board award the construction contract for the Cathodic Protection System Improvements Project to Corrpro Companies, Inc. in the amount of \$483,800.

It was moved by Secretary Lathi, seconded by Director Fernandez, to Award the Construction Contract for the Cathodic Protection System Improvements Project to Corrpro Companies, Inc. in the Amount of \$483,800. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

AWARD THE CONSTRUCTION CONTRACT OF THE FY21 GRAVITY SEWER REHABILITATION/REPLACEMENT PROJECT (PHASE VII) TO CASEY CONSTRUCTION, INC.

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the Project was advertised for bids on February 23, 2021, and the seven bids received were opened on April 1, 2021. Staff reviewed the apparent low bid submitted by Casey and found one minor irregularity. Casey provided an incorrect Experience Modification Rate (EMR) for one of the three years of their three-year average Workers' Compensation EMR. The corrected three-year average was still below the maximum set in the Safety Qualification Criteria section of the Bid Documents. District legal counsel determined the minor irregularity could be waived by the District. Bid Alternate A is for providing "Acts of God" Insurance that would indemnify against the loss of or damage to the Pine Street easement retaining wall during construction under specified conditions. The contractor will have 140 calendar days to complete project construction, with an estimated substantial completion date in September 2021. Staff recommended the Board waive a minor irregularity in the apparent low bid and award the construction contract, including Bid Alternate A, for the FY21 Gravity Sewer Rehabilitation/Replacement Project – Phase VII to Casey Construction, Inc. in the amount of \$595,051.

It was moved by Director Fernandez, seconded by Secretary Lathi, to Waive a Minor Irregularity in the Apparent Low Bid and Award the Construction Contract, Including Bid Alternate A, for the Fiscal Year 2021 Gravity Sewer Rehabilitation/Replacement Project – Phase VII to Casey Construction, Inc. in the Amount of \$595,051. Motion carried with the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: None

FALL 2021 NEWSLETTER

This item was reviewed by the Legal/Community Affairs Committee. Communications and Intergovernmental Relations Coordinator Powell stated the Board entered a multi-year contract for printing services in 2017. The contract was for three years, with the option to renew for two additional years, and was extended for one year for the Fall 2020 newsletter. The contract is eligible for one final extension for the Fall 2021 newsletter. Staff presented a list of potential content topics for the Board's consideration. Staff recommended the Board review and provide feedback as necessary on potential topics

for the District's Fall 2021 newsletter and consider extending the contract for printing services for one final year.

The Board gave input on proposed topics and directed staff to extend the printing services contract for its final year.

INFORMATION ITEMS:

District Rebranding Initiative Update

Executive Assistant to the General Manager/Board Clerk McEvoy stated staff have been compiling a list of agencies to contact as part of the name change process. Staff have begun contacting these agencies to create a timeline of events and ensure understanding of necessary paperwork. The Board will need to adopt the new name by resolution. The resolution will be filed with the County Recorder's office as required by the Health and Safety Code. The recorded resolution will then be forwarded to the Secretary of State and other required agencies. Staff will simultaneously work with Pier 2 to develop a style guide, training program, and implementation plan for the Board's future consideration. The Board discussed the potential timeline for adoption of the name change resolution and expressed a preference for proceeding in the Summer of 2022.

Cal-Card 3rd Quarter Activity Report, Fiscal Year 2021

This item was reviewed by the Budget & Finance Committee. General Manager Eldredge provided an overview of the Report included in the Board meeting packet and responded to Boardmember questions.

Boardmember Expenses, 3rd Quarter of Fiscal Year 2021

This item was reviewed by the Budget & Finance Committee. General Manager Eldredge provided an overview of the Board expenses included in the Board meeting packet and responded to Boardmember questions.

Report on the East Bay Dischargers Authority Meeting of March 18, 2021

Director Toy provided an overview of the March EBDA Commission meeting minutes that were included in the Board meeting packet.

COVID-19 Update

General Manager Eldredge provided an update regarding COVID-19 impacts on District operations and coordination efforts.

Check Register

There were no questions regarding the check register.

COMMITTEE MEETING REPORTS:

The Budget & Finance, Engineering and Information Technology, and Legal/Community Affairs Committees met.

GENERAL MANAGER'S REPORT:

General Manager Eldredge stated the following:

- The Board Budget Workshop will be held virtually at 4:00 p.m. on Tuesday, May 11, 2021.
- There was a sewer spill in Fremont recently and District staff were able to recover all of it. Prior to this event the District's last spill was in July of 2020.
- Staff will present an item at the May 10, 2021, Board meeting seeking Board feedback on the Boardroom in the Campus building design.

OTHER BUSINESS:

There was no other business

ADJOURNMENT:

The meeting was adjourned at 4:50 p.m. to the next Regular Board Meeting to be held virtually at 4:00 p.m. on Monday, May 10, 2021.

SUBMITTED:

ATTEST:

REGINA McEVOY
BOARD CLERK

ANJALI LATHI
SECRETARY

APPROVED:

TOM HANDLEY
PRESIDENT

Adopted this 10th day of May 2021

**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**MAY 10, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 7**

TITLE: Adoption of Proposed New Policy – Pension and OPEB Funding Policy 2095
(This is a Motion Item)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Mark Carlson, CFO and Business Services Work Group Manager

Recommendation

Staff is recommending the adoption of a new policy, Pension and OPEB Funding Policy 2095.

Discussion

It is the policy of Union Sanitary District to manage the resources and obligations of the District to achieve the most fiscally prudent and responsible results for the ratepayers. To that end, the attached proposed new policy, provides direction to District staff in the managing of its Pension and Other Post Employment Benefit (OPEB) liabilities.

The policy contains 5 main elements:

1. For pensions, to establish a 115 trust for the accumulation of contributed funds and the related investment earnings. With the direction of the Board, this will be done via an RFP in the near future. For OPEB, as there is already a 115 Trust in place, the District will continue to utilize the existing plan
2. Annually, following a presentation of the status of the pension and OPEB plans, the Board will determine an amount, if any, that will be contributed to the Trusts. This amount will then be included in the following years budget. The Board will contain full control over the amounts contributed.
3. The long term goal of the plan is to raise the funding percentage of both plans to between 90% and 100% of the Actuarial Accrued Liability and then maintain those percentages moving forward.
4. To utilize the accumulated funds for allowable pension and OPEB expenses in the future.

5. The policy will be reviewed and updated every three years by the Board.

Background

The board held a workshop on 02/24/21 that, in part, discussed various pension and OPEB funding models designed to achieve a funding percentage of between 90% and 100% of the plan's liabilities. The Board provided direction to staff to develop a policy that works toward achieving the funding goal while giving the Board flexibility on the amount that is contributed annually.

Previous Board Action

None

Attachments

Proposed New Policy – Pension and OPEB Funding Policy 2095

Union Sanitary District
Policy and Procedure Manual

Effective Date:	Pension and OPEB Funding Policy	Policy Number 2095
May 2021		Page 1 of 3

Policy

It is the policy of Union Sanitary District to manage the fiscal resources and obligations of the District to achieve the most fiscally prudent and responsible results for the ratepayers.

Purpose

This policy provides direction to the District regarding a desired funding target as it relates to the Districts Pensions and Other Post Employment Benefits (OPEB) plans, the method by which to fund the shortfall and the allowable expenses that can be paid/reimbursed from a 115 Trust (Trust).

Discussion

The overarching goal of a Pension/OPEB Funding Policy is to ensure that the District is prudently funding its long term financial obligations. This must, however, be balanced against immediate impacts to service delivery as a result of funding these contributions.

One method of achieving the desired funding percentage is through the use of an IRS qualified 115 Trust. The Trust is an investment earnings depository, managed by a third party, specifically designed to accumulate funds to be utilized for future Pension or OPEB benefit payments. A separate trust account is required for both Pensions and OPEB. Once deposited, or earned in the case of investments, the funds can only be utilized for the payment of related plan benefits as defined by IRS regulations.

Definitions

<i>Actuarial Accrued Liability (AAL)</i>	The present value of all benefits earned by members of a pension or OPEB plan, as of the date of the actuarial valuation
<i>Actuarial Value of Assets (AVA)</i>	The value of pension or OPEB plan investments and other property used by the actuary for the purpose of an actuarial valuation (sometimes referred to as valuation assets).
Funded Ratio	The ratio of the actuarial value of assets (AVA) to the actuarial accrued liability (AAL)
<i>Funded Status</i>	A measure of how well funded a plan is with respect to assets versus liabilities. The status is shown as a percent reflecting plan assets divided by plan liabilities.
<i>Funding Goal</i>	The percentage as determined by the Funding Ratio calculation to be no less than 90% and no more than 100%.

Union Sanitary District
Policy and Procedure Manual

Effective Date:	Pension and OPEB Funding Policy	Policy Number 2095
May 2021		Page 2 of 3

Unfunded Accrued Liability (UAL)	The UAL occurs when the plans assets (AVA) are less than its liabilities (AAL). It is calculated by subtracting the AVA from the AAL.
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Procedures

The goal of the Pension and OPEB Funding Policy is to set aside funds in a recognized Pension Trust and an OPEB Trust such that the plans Funded Status will eventually be reached and then maintained between 90% and 100%. In order to achieve this goal, the Board will annually make a determination as to the amount of funds to be set aside in the respective Trusts to achieve this goal. However, the Board has the authority to limit or suspend annual contributions to the Trust should financial reasons dictate even if this suspension would cause the District not to reach or maintain its funding goals.

This determination will be made as part of the annual budgeting process. Staff will present to the Board a comprehensive Pension and OPEB update, sufficient to enable the Board to make a determination as to the next years Trust funding amount, if any. At a minimum, information presented to the Board will include a summary of the Pension and OPEB valuation reports, status of the related Trust, and projections on when the Trust will meet the Funding Goal.

Payments toward the trust, will be made as soon in the fiscal year as possible in order to earn the maximum investment possible on the plan assets.

The assets of the Trust (contributions and investment earnings) can be used at the determination of the District to fund any and all Pension and OPEB Obligations which include, but may not be limited to Normal Costs, Unfunded Accrued Liabilities, Replacement Benefit Plan Payments or any other Pension and OPEB benefit that may arise in the future to the extent allowable by Trust guidelines.

The goal of this policy is to see the Funded Status of between 90% and 100% reached and maintained. This funding percentage is only a goal and may be affected by a multitude of factors both inside and outside the Districts control.

Business Services Responsibility

Business Services is responsible for:

- Administration of the Pension and OPEB Trusts,

Union Sanitary District
Policy and Procedure Manual

Effective Date:	Pension and OPEB Funding Policy	Policy Number 2095
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- Annual reporting of Pension and OPEB Trust status to the Board,
- Determining the expected impacts of future contribution to the funding status of the Pension and OPEB Trusts.

Management Responsibility

Management is responsible for ensuring the District adheres to the Pension Funding Policy.

Approved by: Board of Directors
Author/owner: Business Services Manager
Reviewers: Executive Team
Notify Person: Business Services Manager
Revision frequency: Every 3 years
Next Policy Review: May 2024



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**MAY 10, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 8**

TITLE: Consider a Resolution to Adopt the Mitigated Negative Declaration for the Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Program and Approve the ETSU Phase 1 Program

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager
Curtis Bosick, Enhanced Treatment and Site Upgrade Assistant PM
ETSU Steering Committee (Armando Lopez, Sami Ghossain, Robert Simonich)

Recommendation

Staff recommends the Board adopt a resolution adopting the Mitigated Negative Declaration for the Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Program (Project) and approving the Project for the purpose of filing the Notice of Determination.

Discussion

The California Environmental Quality Act (CEQA) requires that the District complete an environmental review process for the ETSU Phase 1 Program. Hazen and Sawyer (Hazen), the designer for the ETSU Phase 1 Program, and their subconsultant Scheidegger and Associates conducted the environmental review and prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the ETSU Phase 1 Program.

Pursuant to CEQA, the consultant analyzed the ETSU Phase 1 Program's ("Project") potential impact with respect to various environmental factors (e.g., air quality, biological resources, cultural resources, etc.). The Initial Study concluded that while several potential significant environmental impacts could result from the Project, mitigation measures will effectively address these impacts. Therefore, staff prepared a Mitigated Negative Declaration (IS/MND) to satisfy

the requirements of CEQA. The IS/MND includes mitigation measures to be included in the Program to mitigate any identified impacts to the environment.

Consultant and staff have prepared this IS/MND for the entire ETSU Phase 1 Program and the specific Phase 1A– Aeration Basin (AB) Improvements Project in order to provide the most wide-ranging assessment of potential impacts. As more design details are finalized for Phase 1B, 1C and the Campus project, staff will analyze whether additional environmental review is required for those projects and then bring back any further environmental documents for consideration by the Board.

Staff circulated the IS/MND to local and state agencies for review on March 8, 2021 for a review period from March 9, 2021 through April 8, 2021 and the Board held a public hearing to accept public comments on March 22, 2021. The attached “Notice of Document Availability and Intent to Adopt a Mitigated Negative Declaration” was published in the Tri-City Voice on March 9, 2021 and in The Argus on March 12, 2021.

During the review period, staff received comments from three agencies, which are summarized in Table 1. There were no comments submitted by members of the public. Please refer to the attached Response Document for copies of the comment letters, the responses to the comments, and clarifying edits made to the IS/MND in response to the agency comments received. The edits do not require recirculation of the MND under CEQA Guidelines 15073.5, as they do not constitute substantial revisions, but merely clarify, amplify or make insignificant modifications to the terms of the previously circulated MND.

If the Board proceeds with the adoption of the Mitigated Negative Declaration for the Project, staff will file the attached Notice of Determination (NOD) with the Governor’s Office of Planning and Research and the Alameda County Clerk. The filing of the NOD will start a 30-day statute of limitations period for challenging approval of the IS/MND.

Staff recommends the Board adopt a resolution adopting the Mitigated Negative Declaration for the Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Program (Project) and approving the Project for the purpose of filing the Notice of Determination.

Background

The ETSU Program is the culmination of the District’s planning efforts and is based on the outcomes and findings of the Plant Solids System/Capacity Assessment – Phases 1 and 2, Administration/Control/FMC Buildings Evaluation, the Effluent Management Study and the Secondary Treatment Process Improvements evaluation. The Program includes projects recommended for implementation that will be phased to address both immediate drivers (poor

sludge settleability, treatment capacity, effluent disposal and aging infrastructure), while preparing for future requirements such as nutrient regulations for discharge in the Bay that are currently being considered by the Regional Water Quality Control Board.

The Phase 1 and 2 projects included in this program were presented to the Board during the workshop held on May 8, 2019 and are summarized in the Final Report which was approved by the Board on August 26, 2019. A third phase of projects was briefly outlined that covered the timeframe from 2040 to 2058 and included potentially stricter nutrient limits in the more distant future. The projects identified in the ETSU Program and modified by the 30% design report to be implemented in the near-term (the next seven to ten years) are included in Phase 1 and are summarized in the table below.

Phase 1A	Aeration Basin Modifications	Retrofitting existing Aeration Basins 1 through 7 and construction of an 8 th aeration basin with the flexibility to operate initially with an anaerobic selector during the implementation phase and transitioning to a biological nutrient removal (BNR) process following completion.
Phase 1A	Campus Building (Admin, FMC, Ops)	Construction of a new combined Campus Building, including associated site and utility improvements.
Phase 1B	Secondary Clarifiers	Construction of four new 160-foot diameter secondary clarifiers, mixed liquor control box, and centralized RAS pump station.
Phase 1B	Effluent Facilities	Construction of new chlorination/dechlorination contact basins, effluent pump stations, and relocation of existing effluent force main.
Phase 1C	Plant Equalization Storage	Retrofitting existing Secondary Clarifiers 1 through 4 to operate as primary effluent equalization basins.

The full version of the ETSU Program report, including appendices, can be found at the following link: <https://unionsanitary.ca.gov/ETSU>.

PRE/RP/CB

Attachments: Figure 1 – Site Plan
Table 1 – Comments and Responses
Initial Study/Mitigated Negative Declaration [link](#)
Response Document – Initial Study/Mitigated Negative Declaration

Notice of Document Availability and Intent to Adopt a Mitigated Negative
Declaration
Notice of Determination
Resolution

Figure 1: ETSU Program – Phase 1 Project Locations

Phase 1C – New Primary
Effluent Equalization

Phase 1B – New
Effluent Facilities

Phase 1A – New
Campus Building



Table 1
Comments and Responses
Initial Study and Mitigation Negative Declaration
ETSU Phase 1 Program

AGENCY	COMMENT	RESPONSE
State Water Resources Control Board (SWRCB)	1-1. Instead of relying on the Biological Resource Assessment (BRA) for the Standby Power Project with supporting discussion in the IS/MND, the SWRCB requests a BRA for on-site biological impacts be prepared specific to the ETSU Phase 1 Program and be submitted with the District's SRF-funding application.	As requested, a BRA for On-Site Biological Impacts with up to date CNDDDB and CNPS lists will be prepared and forwarded to the SWRCB by USD as part of the CWSRF loan application.
	1-2. Consultation with the local Floodplain Administrator will need to be done to comply with the Floodplain Management cross cutter. The Floodplain Administrator must confirm that project design is in compliance with all FEMA technical requirements and local ordinances for construction within the 100-year floodplain. Provide the SWRCB with the name of the Floodplain Administrator and documentation of your correspondence with them.	Consultation with the local Floodplain Administrator has begun. As you requested, USD will provide the SWRCB with the Floodplain Administrator's name and documentation of the consultation process.
	1-3. Following completion of the CEQA process, upload the required documents to FAAST in support of the District's SRF funding application.	All requested documents will be forwarded to the SWRCB by USD when the CWSRF loan application is submitted.
Alameda County Water District (ACWD)	2-1. <u>Dewatering</u> : Since groundwater is very shallow within the project area, ACWD notes it is critical that the amount of water that may be extracted by either temporary or permanent dewatering be evaluated and documented. If appropriate, alternative designs should be considered that would minimize the amount of dewatering required during and subsequent to construction. Groundwater losses due to dewatering must be measured and may be subject to a replenishment assessment fee. Mitigation measures should be identified to replace all significant losses of ACWD's water supplies.	The IS/MND discusses that groundwater losses due to dewatering will be measured, reported to ACWD, and may be subject to a replenishment assessment fee. For the Phase 1A-Aeration Basin (AB) Improvements Project, ongoing design has determined that for the new AB 8 groundwater levels must be lowered to 18 feet below ground surface due to constructability reasons. However, a watertight interlocking sheet pile system will be installed with grouting to mitigate the need for continuous dewatering and extraction of underlying shallow groundwater. For the ongoing Digester 7 Project, the site was dewatered and an interlocking sheet pile system was installed which resulted in only minor seepage occurring during the

Table 1
Comments and Responses
Initial Study and Mitigation Negative Declaration
ETSU Phase 1 Program

AGENCY	COMMENT	RESPONSE
		course of construction. The contractor will be required to submit their plan to ACWD for ACWD's approval and to obtain a dewatering permit. It is the intention to utilize the same approach for the ETSU Phase 1B-Secondary Clarifiers and Effluent Facilities Project which will require excavation. See Section 3 of this Response Document for the recommended revision to Chapter 3, Control Measure G1, page 74.
	2-2. Hazards and Hazardous Materials. ACWD requests that Section I of Chapter 3 of the Draft IS/MND (Hazards and Hazardous Materials) should acknowledge that as part of ACWD's Groundwater Protection Program, ACWD entered into Cooperative Agreements with both the California Regional Water Quality Control Board–San Francisco Bay Region (Regional Board) and the City of Union City, which allows ACWD to provide technical oversight for the investigation and remediation at Leaking Underground Fuel Tank (LUFT) sites and sites where the pollution is attributed to spills or leaks from structures other than underground fuel tanks now referred to as Site Cleanup Program sites or SCP (formerly known as Spills, Leaks, Investigation, and Cleanup sites or SLIC sites).	See Section 3 of this Response Document for the recommended revision to Chapter 3, Section I, page 84.
	2-3. Pages 84 and 90-91 of the Draft IS/MND identifies the Alvarado WWTP as an existing LUFT cleanup site identified on the State Water Resources Control Board (State Board) GeoTracker database (GeoTracker ID #T0600100063). However, there is also an open SCP site located within the Project area (GeoTracker ID #SL0600100493). As needed, ACWD requests the corresponding sections of the Draft IS/MND, including Figure 3-7, be updated to reflect all known areas of contamination.	Available information from Geotracker does indicate two program cleanup sites, one listed as a waste oil tank area (Geotracker ID#T0600100063) and one listed as Veasy Street expansion (ID#SL0600100493). These sites are for the Alvarado WWTP and apparently can be differentiated by different contaminants of concern and different sources of contamination. These sites are open and subject to verification monitoring which is done on an annual basis as discussed in the IS/MND. Information on Figure 3-7 and supporting narrative is

Table 1
Comments and Responses
Initial Study and Mitigation Negative Declaration
ETSU Phase 1 Program

AGENCY	COMMENT	RESPONSE
		based on the annual reports and input from Brown and Caldwell who does the monitoring. No updates to the IS/MND are needed.
	2-4. ACWD notes there are portions of the proposed excavation and construction area that intersect areas of known groundwater and soil contamination, mainly in the northern and western portions of the proposed work areas. ACWD requests that the Draft IS/MND include a provision that project proponents coordinate with ACWD if there is a proposal to excavate soil in the impacted areas within the proposed development.	Control Measure I8 requires the Contractor to prepare a Job Plan which will contain the proposed methods and procedures for managing contaminated soil or groundwater. ACWD has been added to the reviewing parties. See Section 3 of the Response Document for the revisions to Chapter 3, Section I, page 85, Control Measure I8(a).
	2-5. Dewatering is proposed during Phases 1A and 1B of the Project. ACWD requests the Draft IS/MND address how the Project proponents will manage contaminated groundwater during dewatering activities, including disposal and potential plume migration.	Control Measures I7-I10 describe how the Contractor will manage contaminated soil and groundwater. ACWD will be consulted in preparation of the Job Plan (Response 2-4). Depending on the quality of the groundwater that is extracted, disposal may be to the plant headworks or suitable off-site disposal facility. As indicated in Response 2-1, measures will be taken to minimize the amount of dewatering needed to minimize any effects on local groundwater.
	2-6. Pages 22 and 74 of the Draft IS/MND indicate the proposed use of backfill material, subject to review by a geotechnical engineer. It is unclear from the Draft IS/MND what sampling and analytical specifications are required of the backfill material. ACWD recommends that, at a minimum, all backfill material comply with recommendations set forth in the Department of Toxic Substances Control's (DTSC) <i>Information Advisory, Clean Imported Fill Material</i> (October 2001).	Sampling and analytical specifications for backfill material will be provided as design of the Phase 1 projects progresses. Control Measure G8 requires that all imported fills not contain environmental contaminants or debris, shall be non-corrosive, and comply with the recommendations in the Department of Toxic Substances Control Information Advisory Imported Fill Material (October 2001).

Table 1
Comments and Responses
Initial Study and Mitigation Negative Declaration
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AGENCY	COMMENT	RESPONSE
	<p>2-7. ACWD has two active monitoring wells located near the Project area: 4S/2W-09P010 located on the northwest corner, and 4S/2W-16C011 located on the western side of the property. ACWD installed the monitoring wells as part of ACWD's groundwater management efforts. Groundwater sampling and monitoring of these wells are imperative to the continued management of the Niles Cone Groundwater Basin. For this reason, ACWD appreciates USD's assistance in protecting the monitoring wells during construction activities related to the proposed Project. These wells must also be properly maintained during and following the Project such that the wells are accessible by a drill rig so that work can be performed on the wells as needed. In addition, please note that any change in the surface construction features (including lowering or raising of the well boxes) requires prior approval from ACWD.</p>	<p>Figure I-9 from the IS/MND has been revised to show the location of the second well (4S/2W-16C011). This figure and edits to supporting text are included in Section 3 of the Response Document. Both wells are removed from ETSU Phase 1 construction activities and will continue to be afforded protection during construction and access by ACWD.</p>
	<p>2-8. ACWD has identified a number of additional monitoring, dewatering, and geotechnical wells within the Project area. In order to protect the groundwater basin, each well located within the Project area must be in compliance with ACWD Ordinance No. 2010-01. If the well is to remain, a letter indicating its intent must be sent to ACWD and will require a permit for inactive classification if the well will not be used for a period of twelve (12) months. In addition, any abandoned wells located within the project area must be properly destroyed prior to construction activities.</p>	<p>The Contractor(s) will comply with ACWD Ordinance No. 2010-01 and requirements for commissioning and decommissioning water wells.</p>

Table 1
Comments and Responses
Initial Study and Mitigation Negative Declaration
ETSU Phase 1 Program

AGENCY	COMMENT	RESPONSE
	<p>2-9. Page 93 of the Draft IS/MND states, "Pursuant to ACWD Ordinance No. 2020-01 discussed below, any penetration into the aquifer requires the review and approval of ACWD." The ordinance number referenced requires correction and permits are required for any well, exploratory hole, or other excavation and are not solely restricted to whether an aquifer is penetrated. Specific details regarding permitting requirements are provided in ACWD's Ordinance and corresponding Standards. As a result, ACWD requests the above sentence to be corrected to the following:</p> <p>"Pursuant to ACWD Ordinance No. 2010-01 discussed below, ACWD requires permits for wells, exploratory holes, and other excavations."</p>	<p>The broader scope of Ordinance No. 2010-01 beyond aquifer penetration is mentioned elsewhere in the IS/MND. For purposes of the discussion on page 93, reference to only Ordinance No. 2010-01 and aquifer penetration is appropriate. No correction to the text other than the ordinance number is necessary. See Section 3 of the Response Document amendments on page 93.</p>
	<p>2-10. ACWD appreciates the inclusion of permit requirements and coordination with ACWD regarding drilling permits for dewatering wells in the Draft IS/MND. Pursuant to ACWD Ordinance No. 2010-01, drilling permits are required prior to the start of any subsurface drilling activities for wells, exploratory holes, and other excavations which includes sheet piles if they intersect an aquifer or may impact the integrity of any aquitard located direction above an aquifer.</p> <p>Pages 74 an 97 of the Draft IS/MND indicate that any excavation dewatering of more than one foot below groundwater level will be contained within relatively impermeable (watertight) shoring. As previously</p>	<p>See Section 3 of the Response Document for edits to Control Measure G1.</p>

Table 1
Comments and Responses
Initial Study and Mitigation Negative Declaration
ETSU Phase 1 Program

AGENCY	COMMENT	RESPONSE
	<p>mentioned, ACWD requires permits for the installation of sheet piles to ensure they are constructed in a manner that will prevent the creation of a preferential pathway that could: 1) allow runoff to rapidly infiltrate the subsurface and bypass soils which have the capacity to remove pollutants, and/or 2) create an interconnection of aquifers or water bearing zones. Therefore, ACWD requests the Draft IS/MND include the installation of sheet piles under the permit requirements and includes a provision that project proponents coordinate with ACWD regarding the design and construction of the shoring system prior to final design approval.</p>	
	<p>2-11. ACWD owns and maintains water system facilities within Veasy Street and Benson Road. The facilities must be protected, or if they need to be relocated, ACWD's requirements must be met. The Draft IS/MND should describe any potential main relocations and address any associated environmental impacts that may arise from their construction.</p>	<p>Ongoing engineering design has identified the need to relocate PG&E and ACWD utilities in the Veasy Road and Benson Road extensions within the WWTP as part of the ETSU Phase 1B-Campus Building Project. Relative to ACWD, about 500 feet of the existing 12-inch ACP water main within the Benson Road extension will need to be relocated to the north. Open cut excavation will be used to remove the affected water main and to install the replacement line and will not result in new impacts beyond those addressed in the IS/MND. USD and Hazen and Sawyer, the design engineer, have consulted with ACWD to discuss this project feature and to discuss ACWD requirements as identified in Comment 2-11. This activity, by itself, would actually qualify for various exemptions included in the CEQA Guidelines, including Section 15282(k) which is a statutory exemption for installation of new pipelines within a public ROW which are less than one mile in length, and a Class 2 Categorized Exemption (Section 15302) which addresses replacement or reconstruction of existing structures and facilities at the same site. These exemptions have been determined by the Secretary</p>

Table 1
Comments and Responses
Initial Study and Mitigation Negative Declaration
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AGENCY	COMMENT	RESPONSE
		of Resources to not have a significant effect on the environment. In addition, as USD will maintain coordination with PG&E and ACWD and comply with their requirements, no impacts will occur. See Section 3 for edits to Chapter 3 Section S of the IS/MND.
	<p>2-12. The following ACWD contacts are provided so that USD can coordinate with ACWD as needed during the CEQA process:</p> <p>Michelle Myers, Groundwater Resources Manager, at (510) 668-4454, or by email at michelle.myers@acwd.com, for coordination regarding ACWD's groundwater resources, groundwater wells, and drilling permits.</p> <p>Juniet Rotter, Development Services Manager, at (510) 668-4472, or by email at juniet.rotter@acwd.com, for coordination regarding public water systems and water service.</p>	Thank you for your contact information.
Union City	3-1. The City notes that relative to cul-de-sac acquisitions, USD must submit a preliminary application to allow the City to provide feedback. Additionally, the preliminary application should include details on any projects within Phase 1A that will require a building permit.	USD will work with the City on the proposed acquisition of the current right-of-way and provide information necessary for the City to evaluate the proposal. The District has and will continue to work with the City on the processing of any required building and grading permits.”
	3-2. The City notes that the Shri Guru Ravidass Bay Area facility just north of the plant received land use approvals in December 2017 and the applicant is in the process of obtaining building permits.	See Section 3 of the Response Document for edits to page 31.

Table 1
Comments and Responses
Initial Study and Mitigation Negative Declaration
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AGENCY	COMMENT	RESPONSE
	3-3. The WWTP is in the 100-year floodplain which requires compliance with the City's Floodplain Ordinance. In addition, a C-LOMR (conditional letter of map revisions) must be obtained from FEMA.	The City and Hazen and Sawyer have consulted with the City Engineer acting as the local Floodplain Administrator and will continue a dialogue to comply with the City's Floodplain Ordinance.
	3-4. The City notes that Control Measure Q1 requires the selected Contractor(s) for each ETSU Program project to prepare a traffic control plan (TCP) for USD review and approval prior to start of construction. The City requests a copy of the TCP be submitted to the City's Public Works Department for review and approval prior to start of construction.	Any Traffic Control Plan prepared by a Contractor will be provided to the City's Public Works Department for review and approval prior to start of construction. See Section 3 of the Response Document for edits to Control Measure Q1.

RESPONSE DOCUMENT

**INITIAL STUDY/MITIGATED
NEGATIVE DECLARATION
(SCH NO. 2021030219)**

Union Sanitary District

ETSU Phase 1 Program

May 2021

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Section 2. Comment Letters and Responses

Section 3. Text Revisions Based on Review Comments

Section 1

Introduction

The Initial Study and Mitigated Negative Declaration (IS/MND) for Union Sanitary District's Enhanced Treatment and Site Upgrade (ETSU) Program was published in March 2021. The IS/MND was submitted to the State Clearinghouse for review by selected state agencies. The public review period was from March 9 through April 8, 2021. A Notice of Document Availability and Intent to Adopt a MND appeared in the *Tri-City Voice* on March 9, 2021 and *The Argus* on March 12, 2021. A public hearing was held on March 22, 2021, to accept comment on the IS/MND and no comments were received.

Section 2

Comment Letters and Responses

During the public and agency review period, three comment letters were received by USD. The comment letters are as follows:

1. State Water Resources Control Board, April 1, 2021
2. Alameda County Water District, April 8, 2021
3. Union City, April 14, 2021

For each letter, substantive comments are identified by number. Each comment letter is followed by responses to the numerically identified comment. If the responses indicate a change in the text of the IS/MND has been made, those are included in Section 3 by page number of the IS/MND.



State Water Resources Control Board

Ric Pipkin
Union Sanitary District
5072 Benson Road
Union City, CA 94587-2508

Dear Mr. Pipkin:

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR UNION SANITARY DISTRICT (DISTRICT); PHASE 1 ENHANCED TREATMENT AND SITE UPGRADE (ETSU) PROGRAM (PROJECT); ALAMEDA COUNTY; STATE CLEARINGHOUSE NO. 2021030219

We understand that the District is pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project (CWSRF No. C-06-8598-110). As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing the following information on the IS/MND to be prepared for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the CWSRF Program (Program). The primary purpose for the Program is to implement the Clean Water Act and various state laws by providing financial assistance for wastewater treatment facilities necessary to prevent water pollution, recycle water, correct nonpoint source and storm drainage pollution problems, provide for estuary enhancement, OR facilities improvements to provide clean potable water, and thereby protect and promote health, safety and welfare of the inhabitants of the state.

The Program is partially funded by the United States Environmental Protection Agency (USEPA) and requires additional "California Environmental Quality Act (CEQA)-Plus" environmental documentation and review. Two enclosures are included that illustrate the Program environmental review process including the additional CEQA-Plus federal requirements. For the complete environmental application package and instructions please visit:

http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/srf_forms.shtml
. The State Water Board is required to consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to the State Water Board's approval of a CWSRF financing commitment for your proposed

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

Project. For further information on the Program, please contact Mr. Brian Cary, at (916) 449-5624.

It is important to note that prior to a CWSRF financing commitment, projects subject to provisions of the Federal Endangered Species Act (ESA), must obtain ESA, Section 7 clearance from the United States Department of the Interior, Fish and Wildlife Service (USFWS), and/or the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) specific to any potential effects to special-status species.

Please be advised that the State Water Board will coordinate with the USEPA to consult with the USFWS, and/or the NMFS regarding all federal special-status species that the Project has the potential to affect if the Project is to be financed by the Program. The District will need to identify whether the Project will involve any direct effects from construction activities, or indirect effects such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur in the Project site, in the surrounding areas, or in the service area, and to identify applicable conservation measures to reduce such effects.

In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act (Section 106). The State Water Board is responsible for ensuring compliance with Section 106 and is required to consult directly with the California State Historic Preservation Officer (SHPO). The SHPO consultation is initiated once sufficient information is provided by the CWSRF applicant. If the District decides to pursue CWSRF financing, please retain a consultant that meets the Secretary of the Interior's Professional Qualifications Standards (http://www.nps.gov/history/local-law/arch_stnds_9.htm) to prepare a Section 106 compliance report.

Note that the District will need to identify the Area of Potential Effects (APE), including construction and staging areas, and the depth of any excavation. The APE is three-dimensional and includes all areas that may be affected by the Project. The APE includes the surface area and extends below ground to the depth of any Project excavations. The records search request should extend to a ½-mile beyond project APE. The appropriate area varies for different projects but should be drawn large enough to provide information on what types of sites may exist in the vicinity.

Other federal environmental requirements pertinent to the Project under the Program include the following (for a complete list of all federal requirements and instructions please visit http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/srf_forms.shtml):

- A. An alternative analysis discussing environmental impacts of the Project in either the CEQA document (i.e. Environmental Impact Report) or in a separate report (i.e. for projects utilizing a Negative Declaration or Mitigated Negative Declaration).
- B. A public hearing or meeting for adoption/certification of all CEQA documents except for those with little or no environmental impacts.
- C. Compliance with the Federal Clean Air Act: (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.
- D. Compliance with the Coastal Zone Management Act: Identify whether or not the Project is within a coastal zone and the status of any coordination with the California Coastal Commission.
- E. Protection of Wetlands: Identify any portion of the proposed Project area that should be evaluated for wetlands or United States waters delineation by the United States Army Corps of Engineers (USACE), or requires a permit from the USACE, and identify the status of coordination with the USACE.
- F. Compliance with the Farmland Protection Policy Act: Identify whether or not the Project will result in the conversion of farmland. Identify the status of farmland (prime, unique, local or statewide Importance) in the Project area and determine if this area is under a Williamson Act Contract.
- G. Compliance with the Migratory Bird Treaty Act: List any birds protected under this act that may be impacted by the Project and identify conservation measures to minimize impacts.
- H. Compliance with the Flood Plain Management Act: Identify whether or not the Project is in a Flood Management Zone and include a copy of the Federal Emergency Management Agency flood zone maps for the area.
- I. Compliance with the Wild and Scenic Rivers Act: Identify whether or not any Wild and Scenic Rivers would be potentially impacted by the Project and include conservation measures to minimize such impacts.

Following are specific comments on the District's draft IS/MND

Pipkin, USD

- 4 -

April 1, 2021

1. The Biological Resource Assessment for On-Site Biological Impacts (Appendix E) is intended for the Union Sanitary District Standby Power Generation System Upgrade Project, and the Biological Resource Assessment for Off-Site Biological Impacts (Appendix F) does not evaluate impacts within the project area. While it is understood that the Phase 1 ETSU Program project has the same area of potential effects (APE) as the Standby Power Generation System Upgrade Project, and that the ISMND document provides responses to the Appendix G questions, the biological resource impact analysis is not specific to the Phase 1 ETSU Program project. Please provide a project specific memo with relevant analysis with your SRF funding application and include up to date CNDDDB and CNPS lists.

1-1

2. Since the project is within a 100-year floodplain, consultation with your local Floodplain Administrator will need to be done to comply with the Floodplain Management cross cutter. Under this cross cutter, the local Floodplain Administrator must be given the opportunity to review and comment on the project design and supporting information to confirm that the Project Design is in compliance with all Federal Emergency Management Agency (FEMA) technical requirements and local ordinances for construction within the 100-year floodplain. The local Floodplain Administrator must confirm that the Project will have no potential to adversely impede or redirect flood flows within a 100-year floodplain. Once you have reached out to them, please provide the State Water Board with the name of the local Floodplain Administrator and documentation of your correspondence with them.

1-2

Please upload to FFAST the following documents applicable to the proposed Project following the District's CEQA process: (1) one copy of the draft and final IS/MND, (2) the resolution adopting/certifying the IS/MND and making CEQA findings, (3) all comments received during the review period and the District's response to those comments, (4) the adopted Mitigation Monitoring and Reporting Program and (5) the Notice of Determination filed with the Alameda County Clerk and the Governor's Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

1-3

Thank you for the opportunity to review the District's draft IS/MND. If you have any questions or concerns, please feel free to contact me at (916) 319-8574, or by email at Chi-Hai.HKalita@waterboards.ca.gov or contact Brian Cary at (916) 449-5624, or by email at Brian.Cary@waterboards.ca.gov.

Sincerely,

Chi-Hai Kalita

Environmental Scientist

Enclosures (3):

1. Clean Water State Revolving Fund Environmental Review Requirements
2. Quick Reference Guide to CEQA Requirements for State Revolving Fund Loans
3. Basic Criteria for Cultural Resources Reports

cc: State Clearinghouse
(Re: SCH# 2021030219)
P.O. Box 3044
Sacramento, CA 95812-3044

bcc: Chi-Hai Kalita, Division of Financial Assistance
Brian Cary, Division of Financial Assistance

ENVIRONMENTAL REVIEW REQUIREMENTS

All applicants for SRF financing must thoroughly analyze the environmental consequences of their project. Applicants must comply with the California Environmental Quality Act (CEQA) and federal cross-cutting authorities as part of the SRF environmental review requirements. All SRF environmental requirements must be met prior to the start of construction activities.

CEQA

The environmental review process used to determine compliance with appropriate state and federal environmental regulations begins with successful completion of CEQA.

Typically, the applicant is the CEQA Lead Agency and must prepare and circulate an environmental document before approving a project. Only a public agency, such as a local, regional, or state government may serve as the Lead Agency under CEQA. If a project will be completed by a non-governmental organization, Lead Agency responsibility goes to the first public agency providing discretionary approval for the project. In these instances, the State Water Board may serve as Lead Agency on behalf of the applicant.

Usually, the State Water Board is a CEQA Responsible Agency, making its own independent findings using information submitted by the Lead Agency prior to approving funding for a project.

The applicant must provide the final project-specific environmental document, associated reports, and other supporting materials demonstrating compliance with CEQA as part of the application's Environmental Package.

FEDERAL CROSS-CUTTING AUTHORITIES

In addition to completing CEQA, the applicant must conduct the necessary studies and analyses and prepare documentation demonstrating that the proposed project is in compliance with the federal cross-cutting environmental authorities. As the USEPA designated, "non-federal" state agency representative responsible for consultation with appropriate federal agencies, the State Water Board staff will review materials for compliance with relevant cross-cutters. Staff may require additional studies or documentation to fulfill this obligation. The principal federal authorities that need addressing in the application are:

- Archaeological & Historic Preservation Act
- Clean Air Act
- Coastal Barriers Resources Act
- Coastal Zone Management Act
- Endangered Species Act
- Environmental Justice Executive Order
- Farmland Protection Policy Act
- Fish & Wildlife Conservation Act
- Flood Plain Management
- Magnuson-Stevens Fishery Conservation & Management Act
- Migratory Bird Treaty Act
- National Historic Preservation Act
- Protection of Wetlands
- Rivers & Harbors Act
- Safe Drinking Water Act, Sole Source Aquifer Protection
- Wild & Scenic Rivers Act

Material in this brochure highlights key SRF environmental requirements

OUR SRF PROGRAMS

The State Water Resources Control Board (State Water Board) administers the Clean Water and Drinking Water State Revolving Fund (SRF) Programs to support a wide range of infrastructure projects. The SRF Programs represent a powerful partnership between the State and the United States Environmental Protection Agency (USEPA), who provides partial Program funding. The applicant will need to complete the Environmental Package, which compiles and transmits the necessary environmental documents and supporting information for State Water Board staff to review to determine compliance with state and federal environmental laws and regulations. SRF funds are available for planning and design, as well as construction activities.

QUESTIONS

The consultation process can be lengthy, especially if the project is expected to affect biological or cultural resources. Please contact your State Water Board Project Manager and/or Environmental Section staff early in the planning process to discuss what environmental information may be needed for your project.

WEBSITE

https://www.waterboards.ca.gov/water_issues/programs/grants_loans/environmental_requirements.html

October 2018-TAGraphics

CLEAN WATER & DRINKING WATER
STATE REVOLVING FUND

ENVIRONMENTAL REVIEW REQUIREMENTS

STATE OF CALIFORNIA
Water Resources Control Board
Division of Financial Assistance

FEDERAL CROSS-CUTTING AUTHORITIES THAT USUALLY REQUIRE ADDITIONAL STUDIES

KEY PROCEDURAL REQUIREMENTS

Clean Air Act (CAA)

CAA requires federally funded projects to meet the General Conformity requirements and applies in areas where National Ambient Air Quality Standards are not met or in areas that are subject to a maintenance plan.

If project emissions are below the federal "de minimis" levels, then a General Conformity determination is not required.

If project emissions are above the federal "de minimis" levels, then a General Conformity determination must be made.

An air quality modeling analysis may be needed regardless of the attainment status for the following constituents:

- Ozone;
- Carbon monoxide;
- Nitrous oxide;
- Sulfur dioxide;
- Lead; and
- Particulate matter (PM_{2.5} and PM₁₀).

Commonly, applicants use the California Emissions Estimator Model (CalEEMod) to approximate project related emissions. This model can be downloaded from www.caleemod.com. A user's guide and Frequently Asked Questions document are available at this site as well. Applicants also may want to discuss project impacts with the local air district.

Endangered Species Act (ESA)

ESA, Section 7, requires an assessment of the direct and indirect effects of the project on federally listed species and critical habitat. A biological resources assessment report is required and must include, but is not limited to:

- Recent species and critical habitat lists generated from the US Fish and Wildlife Service's Information for Planning and Consultation online database;
- A recent species list from the National Marine Fisheries Service, if appropriate;
- A recent search of the California Department of Fish and Wildlife's Natural Diversity Database, including appropriate species observation information and maps;
- A field survey performed by a qualified biologist;
- An evaluation (usually presented in table form) of the project's potential to affect federally listed species;
- Special surveys, as appropriate;
- Maps delineating the project area and species occurrence;
- Identification of measures to minimize, and/or avoid impacts; and
- A recommendation on an ESA determination (i.e., "no effect," "may affect, but not likely to adversely affect," or "may affect and is likely to adversely affect").

The State Water Board staff will conduct an independent review of these materials to determine the potential effect of the project on the federally listed species and will make a recommendation to USEPA on how to proceed under ESA, Section 7.

National Historic Preservation Act (NHPA)

NHPA, Section 106, requires an analysis of the effects of the project (or undertaking) on "historic properties." Historic properties (i.e., prehistoric or historic districts, sites, buildings, structures, or objects 50 years or older) are properties that are included in or eligible for inclusion in the National Register of Historic Places. A historic properties identification report (HPIR) must be prepared in accordance with Section 106 requirements by a qualified professional meeting the Secretary of the Interior's Standards in archaeology or history.

Specific requirements of the HPIR include, but are not limited to:

- The project description and a clearly defined area of potential effects (APE), specifying length, width, and depth of excavation, with a labeled map;
- A recent Information Center records search extending to half-mile beyond the project APE;
- Background research (e.g., old USGS maps, ethnographic records, historical records, etc.);
- Documentation of outreach to the Native American Heritage Commission, appropriate Tribes, historical societies, and interested parties;
- Detailed description of survey methods and findings; and
- Identification and evaluation of cultural resources within the APE.

Cultural resources reports prepared for CEQA may be used, but often require more information.

Environmental Alternatives Analysis

SRF regulations require that an explanation of the alternatives considered for the project and the rationale for selection of the chosen project alternative be prepared and that it assess the environmental impacts of each alternative. Known as the environmental alternative analysis, this information can be included in the project engineering report, the CEQA document, or a technical memorandum. The environmental alternative analysis must include the following:

- Range of feasible alternatives, including a "no project/no action" alternative;
- Comparative analysis among the alternatives that discusses direct, indirect, and cumulative, beneficial and adverse environmental impacts on the existing and future environment, as well as sensitive environmental issues; and
- Appropriate mitigation measures to address impacts.

Public Participation

SRF regulations also require adequate opportunity for the public, responsible agencies, and trustee state agencies under CEQA to review and comment on the project. All projects, except those with little to no environmental impacts (namely, CEQA exempt projects), must hold a public hearing or meeting to approve the CEQA document(s). The CEQA process includes public noticing opportunities, but other public meetings may be needed to meet the federal requirements. The applicant will be asked to provide the date(s) of when such meeting(s) were held for the project as part of the environmental review.

**STATE WATER RESOURCES CONTROL BOARD,
DIVISION OF FINANCIAL ASSISTANCE**

California Environmental Quality Act Requirements

The State Water Resources Control Board (State Water Board) Division of Financial Assistance (DFA) funds wastewater, recycled water, and drinking water infrastructure projects as well as water quality improvement projects using resources from various state grant programs. All applicants seeking grant funds must comply with the California Environmental Quality Act (CEQA) and provide appropriate documents to the State Water Board so that it can fulfill its CEQA responsibilities.

LEAD AGENCY

The applicant is usually the Lead Agency and must prepare and circulate an environmental document before approving a project. Only a public agency, such as a local, regional or state government, may be the Lead Agency under CEQA. If a project will be completed by a non-governmental organization, Lead Agency responsibility goes to the first public agency providing discretionary approval for the project. In this situation, the State Water Board may serve as Lead Agency.

RESPONSIBLE AGENCY

Typically, the State Water Board is a Responsible Agency. As a Responsible Agency, the State Water Board must make its own findings using information provided by the Lead Agency before funding a project.

STATE WATER BOARD RESPONSIBILITIES

The State Water Board's mission is to preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure their proper allocation and efficient use for the benefit of present and future generations. To fulfill this responsibility, and to carry out obligations as a Responsible Agency under CEQA, the State Water Board must consider the Lead Agency's environmental document before funding a project.

ENVIRONMENTAL REVIEW

The State Water Board's environmental review process must be completed before the State Water Board can approve a project for funding and the project can begin construction.

DOCUMENT REVIEW

The State Water Board would like to review CEQA documents as early as possible. Applicants are encouraged to consult with agency staff during development of CEQA documents if considering applying for funding from DFA. Potential applicants should consider sending their environmental documents to DFA, Environmental Section during the CEQA public review period. This way, any environmental concerns the State Water Board has about the project can be addressed early in the process.

REQUIRED DOCUMENTS

The Environmental Section within DFA requires the documents listed below to complete the environmental review:

1. **Draft and Final Environmental Documents** – Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, Notice of Exemptions, as appropriate for the project;
2. **All comments** – that were received during the public review period and the Lead Agency's responses to those comments;
3. **Adopted Mitigation Monitoring and Reporting Plan** – this is separate from, and in addition to, the identification of mitigation measures in the CEQA document;

4. **Resolution/Minutes** – these document that the applicant adopted or certified the CEQA document, made CEQA findings, and approved the project;

5. **Date-stamped copy of the Notice of Determination or Notice of Exemption** – these result after filing of the document with the County Clerk and the Governor's Office of Planning and Research; and

6. **Completed Environmental Package** – this is a component of the Funding Application.

Once the State Water Board receives all the required documents and determines them to be adequate to make its own findings, the environmental review for the funding application will be completed.

CONTACT INFORMATION

For more information about the State Water Board's environmental review process, please visit our website: https://www.waterboards.ca.gov/water_issues/programs/grants_loans/environmental_requirements.html



GUIDELINES FOR APPLICANTS AND THEIR CONSULTANTS ON PREPARING HISTORIC PROPERTY IDENTIFICATION REPORTS FOR THE CLEAN AND DRINKING WATER STATE REVOLVING FUND (SRF) PROGRAMS

All applicants seeking Clean Water or Drinking Water SRF financing for construction projects from the State Water Resources Control Board (State Water Board), Division of Financial Assistance (DFA), must comply with both California Environmental Quality Act (CEQA) and the federal cross-cutting regulations. CEQA requires public agencies to assess the impacts of their projects on historical resources. In addition to CEQA, Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (Section 106), requires federal agencies to take into account the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. (Tip: "undertaking" is a NHPA term equivalent to "project" in CEQA). A historic property is a prehistoric or historic district, site, building, structure, or object that is eligible for or listed on the National Register of Historic Places (NRHP).

The State Water Board administers the SRF Programs. The SRF Programs are partially funded by annual capitalization grants from the United States Environmental Protection Agency (USEPA). Issuance of SRF funds by the State Water Board is considered equivalent to a federal action, thereby necessitating compliance with Section 106. The USEPA has delegated lead agency responsibility to the State Water Board for carrying out the requirements of Section 106.

The State Water Board requires the applicant to provide a complete environmental package with their financial assistance application. The Historic Property Identification Report (HPIR) is key to showing a reasonable and good faith effort was made to identify historic properties. The State Water Board uses this report to make NRHP eligibility determinations and to support the State Water Board's finding of effect for the undertaking. Documentation of concluded consultation with the State Historic Preservation Officer (SHPO) is required to illustrate compliance with NHPA. The HPIR is part of the State Water Board's submittal to the SHPO.

SHPO CONSULTATION

The State Water Board is responsible for SHPO consultation. Submit two hard copies of the final HPIR to the State Water Board. One hard copy of the report will be submitted to the SHPO as part of the State Water Board's consultation package and one will be kept on file.

BEFORE HIRING A CULTURAL RESOURCES CONSULTANT

If you think your project is the type of activity that does not have the potential to cause effects on historic properties, contact DFA, Senior Cultural Resources Officer (CRO)

before contracting a cultural resources consultant. This decision is based on the nature of the undertaking, not on the presence or absence of cultural resources. If the State Water Board determines the undertaking does not have the potential to cause effects, no further study is required. Projects like this would likely involve no ground disturbance, no modification of buildings, and be exempt under CEQA (e.g. replacing standard meters with AMR meters or re-coating tank interiors).

If the CRO determines that the undertaking is a type of activity that has the potential to cause effects, an HPIR will be required, even if the project is exempt from CEQA. Many applicants may have already had a cultural resources report completed for CEQA compliance. Those reports may be used to partially fulfill the requirements of Section 106. Be aware that cultural resources reports written for CEQA assessments often need to be revised or supplemented with additional information to meet NHPA requirements, especially when resources are present in the project footprint (called the area of potential effects [APE] in NHPA).

PROFESSIONAL QUALIFICATION STANDARDS

The HPIR must be prepared by a Principal Investigator(s) who meets the Secretary of the Interior's Standards for Professional Qualifications (SIPQS; 62 FR 33708-33723) in the discipline most relevant to the resource types likely to be in the study area. For example, if the undertaking is located in a city center, a qualified architectural historian may be most appropriate. On the other hand, if an undertaking is located in an area that may have Native American archaeological sites, a qualified archaeologist should be employed. Some undertakings may require more than one expertise. The SIPQS is available at <https://www.gpo.gov/fdsys/pkg/FR-1997-06-20/pdf/97-16168.pdf>.

The report must be attributed to an author and the author must summarize their SIPQS in the report. It is important to note that a graduate degree in the appropriate field and a year full-time experience as a supervisor is required (62 FR 33708-33723). Using unqualified personnel for fieldwork is not acceptable unless accompanied in the field by a SIPQS supervisor.

HISTORIC PROPERTIES IDENTIFICATION REPORT CONTENTS

To comply with NHPA and assist applicants and their consultants, the DFA has prepared these guidelines to help expedite the review and consultation process. Reports not meeting these guidelines will delay the environmental review process.

The HPIR should be a stand-alone document that includes all supporting documentation in the appendices. If the applicant is using information from more than one cultural report, there should be an accompanying explanation of how they relate. A new map showing the APE with resources from all the reports may need to be produced to tie it all together as one submittal.

The State Water Board is responsible for the finding of effect. The HPIR only needs to identify historic properties.

The following is an outline of topics that should be included in the HPIR:

Summary of Findings – This is a succinct synopsis of the report findings, located before the Table of Contents. It is an abstract of the report.

Table of Contents and Table and Figure lists- This allows the reviewer to quickly find information they seek and helps speed up the review process.

Undertaking Description – The undertaking description should include the basic purpose and need and a description and location of the work. It does not need to have technical specifications.

Undertaking Vicinity Map – A map showing the undertaking vicinity or an inset map showing the undertaking location in relation to cities and known landmarks should be included in the report.

Area of Potential Effects – The APE must be described in both horizontal and vertical terms (belowground and aboveground elevation) and should include all components of the undertaking that have the potential to effect cultural resources, such as, construction footprint, staging areas, borrow areas, spoils locations, utility tie-ins, new access roads, vibrations, and visual effects, if applicable. The APE can be contiguous or discontinuous (Tip: If the undertaking is in the early design phase and the exact footprint isn't known, you should start by delineating a "study area", the largest area where work may be done. It is more time efficient to scale a study area down to an APE rather than to add new areas later.)

NOTE – When the APE crosses a historic property, the entire property should be included in the APE, because if part of the property is affected, all of the property, either directly or indirectly, is also affected. See OHP guidance on the APE http://ohp.parks.ca.gov/pages/1071/files/106Checklist_2018_Apr.pdf.

APE Map(s) – The APE map is one of the most important pieces of the HPIR. Provide a map showing the whole APE in an appropriate scale. If there are resources in or near the APE, the APE map should also show all identified resources from both the records search and the survey. The APE and resources should be depicted on one map and additional detail maps may be appropriate when there are resources in or adjacent to the APE. APE detail maps should be depicted at a more detailed scale on an aerial background clearly labeled with APE elements, primary numbers, and street names if appropriate. The entire APE doesn't need to be depicted that way, only the areas that are in or close to resources. At a minimum, maps must have a north arrow, scale bar, scale text, legend, figure number, and title. Resources should also be labeled. Maps produced in GIS are highly encouraged as are digital record search results.

Natural and Cultural Context – A discussion of the undertaking's prehistoric and historic context should be proportionate to the resources identified. Context aids in identification and is also necessary for evaluation. Provide context that is applicable to the study area and resources identified.

Literature Review – At a minimum, the literature review should include a records search from the appropriate regional Information Center of the California Historical Resources Information System with GIS maps of resources and reports (Hand-drawn records search maps are strongly discouraged). Pre-field research should also include a review of historic-era maps (e.g. General Land Office Survey Plats, USGS topographic quadrangles, Rancho maps, Sanborn Fire Maps, official county maps etc. as appropriate).

Tribal and Additional Consulting Party Coordination – Contact the Native American Heritage Commission and request a Sacred Lands File search of the study area or APE and a Native American contact list. Send letters to the tribes and other interested parties, such as local historical societies, with the undertaking description, map, and contact information. Use the State Water Board provided Applicant 106 Template (https://www.waterboards.ca.gov/water_issues/programs/grants_loans/docs/nahc_letter_template_tribal_info.docx) for tribal notification letters if possible. Follow-up all letters with a phone call or email to make sure the parties received the information and to answer questions and receive comments. Document all correspondence in a tracking table, like the one provided on our website, and include all correspondence in an appendix to the report. Lack of responses must also be documented.

Field Inspection Methods and Results– Tailor the field methodology to the APE conditions and kinds of resources that may be present. Describe the ground visibility, kind of survey, and transect intervals if used. If only part of the APE was surveyed either provide a map of the portion that was surveyed or describe it accurately enough for someone else to map it. Document all potential historic properties on the appropriate Department of Parks Recreation 523 forms.

NRHP Eligibility– Evaluate all prehistoric and historic-era sites, districts, buildings, structures, objects, and sites of religious and cultural significance in the APE that are 50 years old or older, that have not already had a consensus determination and are potentially significant for the NRHP. A cultural resource is a prehistoric or historic district, site, structure, or object that is at least 50 years old, regardless of historical significance. To qualify as a historic property, it must meet at least one of the four eligibility criteria listed in 36 CFR Section 60.4 and retain sufficient integrity. <https://www.nps.gov/nr/publications/bulletins/nrb15/>

Evaluations by qualified individuals in the appropriate fields must address each of the four criteria for each resource. If one of the criteria or more apply, the seven characteristics of integrity should also be discussed. A concise and rational argument for or against eligibility must be made for each resource. Recommendations without justification or an appropriate level of research are not acceptable.

NOTE: You must evaluate the entire resource, even if only a part of it is in the APE. If that is not feasible for reasons including, lack of access to private property or the scope of the resource is outside the scope of the undertaking, estimated boundaries may be used to set reasonable limits. Boundaries should be based on historic maps or other documentation, and the reasoning behind the estimations explained. Discuss possible solutions with the CRO.

Appendices – Records Search Appendix: All records search data should be provided, including record search letter, maps of previously recorded resources and surveys, all site records from the record search that are in or adjacent to the APE, and Office of Historic Preservation Archaeological Determinations of Eligibility and Historic Properties Directory printouts. **Tribal Outreach Appendix:** Include the NAHC Sacred Lands File Search request and NAHC response, letters to and from tribes, copies of email responses from tribes, and a communications log detailing all correspondence including follow-up phone calls.

PRECAUTIONS

The following are common areas where cultural resources reports prepared for CEQA fall short of what is required under Section 106.

- A potential historic property is identified in the APE, but not evaluated. A cultural resource is not a historic property until it has been evaluated and found to be historically significant. If a resource is evaluated, it must also be documented on DPR forms.
- Evaluating a portion of a site or district is not acceptable. If an undertaking affects part of a historic property, it affects the whole property. The whole property must be evaluated. There are a few exceptions. If evaluation of a large property isn't feasible, discuss with the CRO.
- The APE is deemed "highly sensitive for buried archaeological sites" and monitoring is recommended as a mitigation. If the APE is highly sensitive for buried sites, additional analysis including sub-surface testing will likely be required. Monitoring may not be used as a substitute for thorough identification efforts.

- “The area has already been disturbed by previous construction” is not a sufficient basis for a “No historic properties affected” recommendation. Disturbance may affect the integrity of a portion of a site, but it doesn’t mean the whole site has been destroyed or is not eligible for the NRHP. Documentation is still required to demonstrate that the proposed undertaking will not affect historic properties or other sensitive resources, such as human remains.
- Recommendations are made for Inadvertent discovery procedures pursuant to CEQA instead of Section 106 post-review discovery procedures (See 36 CFR Section 800.13[b]).

CONFIDENTIALITY

HPIRs often contain confidential information about the location of archaeological sites. The Applicant or their consultant must provide the confidential version of the report to the State Water Board. Please do not upload confidential HPIRs to the State Water Board Financial Assistance Applications Submittal Tool (FAAST). Instead, send HPIRs directly to one of the cultural resources staff listed below that work in the Division of Financial Assistance. Hard copies can be mailed to State Water Resources Control Board, Division of Financial Assistance (Attn: <insert name>) P.O. Box 100 Sacramento CA 95812-0100.

•Wendy Pierce, Senior Environmental Scientist, at (916) 449-5178, or Wendy.Pierce@Waterboards.ca.gov

•Lisa Machado, Senior Cultural Resources Officer (Senior Environmental Planner) at (916) 323-0626, or Lisa.Machado@Waterboards.ca.gov

Letter State Water Resources Control Board
1 Chi-Hai Kalita, Environmental Scientist
Response April 1, 2021

- 1-1 As requested, a Biological Resource Assessment for On-Site Biological Impacts with up to date CNDDDB and CNPS lists will be prepared and forwarded to the SWRCB by USD as part of the CWSRF loan application.
- 1-2 Consultation with the local Floodplain Administrator has begun. As you requested, USD will provide the SWRCB with the Floodplain Administrator's name and documentation of the consultation process.
- 1-3 All requested documents will be forwarded to the SWRCB by USD when the CWSRF loan application is submitted.



Letter 2

DIRECTORS

AZIZ AKBARI
JAMES G. GUNTHER
JUDY C. HUANG
PAUL SETHY
JOHN H. WEED

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April 8, 2021

VIA ELECTRONIC MAIL

Ric Pipkin (ric_pipkin@unionsanitary.com)
Union Sanitary District
34009 Alvarado-Niles Road
Union City, CA 94587-4497

Dear Mr. Pipkin:

Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Union Sanitary District's Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Program

The Alameda County Water District (ACWD) wishes to thank you for the opportunity to comment on the Draft Initial Study and Mitigated Negative Declaration (IS/MND) for the Union Sanitary District's (USD) Enhanced Treatment and Site Upgrade Phase 1 Program (Project) located at the USD Alvarado Wastewater Treatment Plan (WWTP).

ACWD staff has reviewed the Draft IS/MND and offers the following comments for your consideration:

1. Groundwater Protection: ACWD requests that the following potential impacts to the protection of groundwater be addressed by the Draft IS/MND:
 - a. Dewatering: Since groundwater is very shallow within the project area, it is critical that the amount of water that may be extracted by either temporary or permanent dewatering be evaluated and documented. If appropriate, alternative designs should be considered that would minimize the amount of dewatering required during and subsequent to construction. Groundwater losses due to dewatering must be measured and may be subject to a replenishment assessment fee. Mitigation measures should be identified to replace all significant losses of ACWD's water supplies. 2-1
 - b. Hazards and Hazardous Materials: Section I of Chapter 3 of the Draft IS/MND (Hazards and Hazardous Materials) should acknowledge that as part of ACWD's Groundwater Protection Program, ACWD entered into Cooperative Agreements with both the California Regional Water Quality Control Board – San Francisco 2-2

Bay Region (Regional Board) and the City of Union City, which allows ACWD to provide technical oversight for the investigation and remediation at Leaking Underground Fuel Tank (LUFT) sites and sites where the pollution is attributed to spills or leaks from structures other than underground fuel tanks now referred to as Site Cleanup Program sites or SCP (formerly known as Spills, Leaks, Investigation, and Cleanup sites or SLIC sites). In addition, ACWD requests the following be addressed in the Draft IS/MND:

2-2

1) Pages 84 and 90-91 of the Draft IS/MND identify the Alvarado WWTP as an existing LUFT cleanup site identified on the State Water Resources Control Board (State Board) GeoTracker database (GeoTracker ID #T0600100063). However, there is also an open SCP site located within the Project area (GeoTracker ID #SL0600100493). As needed, please update the corresponding sections of the Draft IS/MND, including Figure 3-7, to reflect all known areas of contamination.

2-3

2) There are portions of the proposed excavation and construction area that intersect areas of known groundwater and soil contamination, mainly in the northern and western portions of the proposed work areas. ACWD requests that the Draft IS/MND include a provision that project proponents coordinate with ACWD if there is a proposal to excavate soil in the impacted areas within the proposed development.

2-4

3) Dewatering is proposed during Phases 1A and 1B of the Project. ACWD requests the Draft IS/MND address how the Project proponents will manage contaminated groundwater during dewatering activities, including disposal and potential plume migration.

2-5

4) Pages 22 and 74 of the Draft IS/MND indicate the proposed use of backfill material, subject to review by a geotechnical engineer. It is unclear from the Draft IS/MND what sampling and analytical specifications are required of the backfill material. ACWD recommends that, at a minimum, all backfill material comply with recommendations set forth in the Department of Toxic Substances Control's (DTSC) *Information Advisory, Clean Imported Fill Material* (October 2001).¹

2-6

2. Groundwater Well Protection/Destruction:

a. ACWD has two active monitoring wells located near the Project area: 4S/2W-09P010 located on the north west corner, and 4S/2W-16C011 located on the western side of the property. ACWD installed the monitoring wells as part of ACWD's groundwater management efforts. Groundwater sampling and monitoring of these wells are imperative to the continued management of the Niles

2-7

¹ DTSC, 2001. Information Advisory, Clean Imported Fill Material. Available online: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf. October.

Cone Groundwater Basin. For this reason, ACWD appreciates USD's assistance in protecting the monitoring wells during construction activities related to the proposed Project. These wells must also be properly maintained during and following the Project such that the wells are accessible by a drill rig so that work can be performed on the wells as needed. In addition, please note that any change in the surface construction features (including lowering or raising of the well boxes) requires prior approval from ACWD.

2-7

- b. ACWD has identified a number of additional monitoring, dewatering, and geotechnical wells within the Project area. In order to protect the groundwater basin, each well located within the Project area must be in compliance with ACWD Ordinance No. 2010-01. If the well is to remain, a letter indicating its intent must be sent to ACWD and will require a permit for inactive classification if the well will not be used for a period of twelve (12) months. In addition, any abandoned wells located within the project area must be properly destroyed prior to construction activities.

2-8

3. Drilling Permit Requirement:

- a. Page 93 of the Draft IS/MND states, "Pursuant to ACWD Ordinance No. 2020-01 discussed below, any penetration into the aquifer requires the review and approval of ACWD." The ordinance number referenced requires correction and permits are required for any well, exploratory hole, or other excavation and are not solely restricted to whether an aquifer is penetrated. Specific details regarding permitting requirements are provided in ACWD's Ordinance and corresponding Standards. As a result, ACWD requests the above sentence be corrected to the following:

2-9

"Pursuant to ACWD Ordinance No. 2010-01 discussed below, ACWD requires permits for wells, exploratory holes, and other excavations."

- b. ACWD appreciates the inclusion of permit requirements and coordination with ACWD regarding drilling permits for dewatering wells in the Draft IS/MND. Pursuant to ACWD Ordinance No. 2010-01, drilling permits are required prior to the start of any subsurface drilling activities for wells, exploratory holes, and other excavations, which includes sheet piles if they intersect an aquifer or may impact the integrity of any aquitard located directly above an aquifer.

2-10

Pages 74 and 97 of the Draft IS/MND indicate that any excavation dewatering of more than one foot below groundwater level will be contained within relatively impermeable (watertight) shoring. As previously mentioned, ACWD requires permits for the installation of sheet piles to ensure they are constructed in a manner that will prevent the creation of a preferential pathway that could: 1) allow runoff to rapidly infiltrate the subsurface and bypass soils which have the capacity to remove pollutants, and/or 2) create an interconnection of aquifers or water bearing zones. Therefore, ACWD requests the Draft IS/MND include the installation of sheet piles under the permit requirements and includes a provision that project

proponents coordinate with ACWD regarding the design and construction of the shoring system prior to final design approval.

2-10

4. Utilities and Service Connections:

- a. ACWD currently owns and maintains water system facilities within the Project site, including an existing 6-inch asbestos-cement pipe (ACP) water main located within Veasy Street, an existing 12-inch ACP water main located within Benson Road, fire hydrants, and service connections. These facilities must be protected in place or relocated if they are in conflict with the proposed Project. Any proposed improvements must meet minimum clearance requirements from these existing public water system facilities. The Draft IS/MND should describe any potential main relocations and address any associated environmental impacts that may arise from their construction.
- b. If modifications to existing water facilities or installation of new water service to the property are required, the project proponent shall contact ACWD's Engineering Department. Any existing water services which will not be used in the new development must be removed by ACWD at project proponent's expense.
- c. Particular attention should be paid to any proposed work underneath existing ACWD ACP water mains within the Project site. No excavations or crossings under ACP mains will be permitted. If Project includes utility installations below ACP mains, ACWD may replace a portion of the existing main with PVC or steel pipe. Such replacement must be completed by ACWD forces at the project proponent's expense.
- d. In order to protect ACWD's distribution system, project proponents should contact ACWD at least 60 days prior to the demolition or construction of any existing structures to request that existing water meters be disconnected or removed. The Draft IS/MND should be revised to reflect this process.
- e. During the COVID-19 pandemic, and while shelter in place orders are in effect, ACWD will not support field construction-related activities nor extend water services to the site unless the City of Union City determines that the Project and such work are in compliance with the applicable orders.

2-11

5. ACWD Contacts: The following ACWD contacts are provided so that USD can coordinate with ACWD as needed during the CEQA process:

- a. Michelle Myers, Groundwater Resources Manager, at (510) 668-4454, or by email at michelle.myers@acwd.com, for coordination regarding ACWD's groundwater resources, groundwater wells, and drilling permits.

2-12

Union Sanitary District
Page 5
April 8, 2021

- b. Juniet Rotter, Development Services Manager, at (510) 668-4472, or by email at juniet.rotter@acwd.com, for coordination regarding public water systems and water service.

2-12

Again, thank you for the opportunity to comment on the Draft Initial Study/Mitigated Negative Declaration for the for the Union Sanitary District's Enhanced Treatment and Site Upgrade Phase 1 Program.

Sincerely,



Laura J. Hidas
Manager of Water Resources

al/cs

By Email

cc: Ed Stevenson, ACWD
Juniet Rotter, ACWD
Michelle Myers, ACWD

Letter Alameda County Water District
2 Laura J. Hidas, Manager of Water Resources
Response April 8, 2021

- 2-1 The IS/MND discusses that groundwater losses due to dewatering will be measured, reported to ACWD, and may be subject to a replenishment assessment fee. For the Phase 1A-Aeration Basin (AB) Improvements Project, ongoing design has determined that for the new AB 8 groundwater levels must be lowered to 18 feet below ground surface due to constructability reasons. However, a watertight interlocking sheet pile system will be installed with grouting to mitigate the need for continuous dewatering and extraction of underlying shallow groundwater. For the ongoing Digester 7 Project, the site was dewatered and an interlocking sheet pile system was installed which resulted in only minor seepage occurring during the course of construction. The contractor will be required to submit their plan to ACWD for ACWD's approval and to obtain a dewatering permit. It is the intention to utilize the same approach for the ETSU Phase 1B-Secondary Clarifiers and Effluent Facilities Project which will require excavation. See Section 3 of this Response Document for recommended revision to Chapter 3, Control Measure G1, page 74.
- 2-2 See Section 3 of this Response Document for the recommended revision to Chapter 3, Section I, page 84.
- 2-3 The IS/MND discusses that the Alvarado WWTP is a program cleanup area. As the commentor notes, there are two open cleanup sites within the WWTP, one denoted by GeoTracker ID #T0600100063 and the other by Geotracker ID #SL00600100493 which are subject to verification monitoring. At the WWTP T0600100063 is referred to as the former 550-gallon gasoline underground storage tank area or waste oil tank area (ACWD Site #0428), and SL0600100493 is referred to as the boneyard area or Veasy Street expansion area. In the IS/MND, both areas are included in reference to the WWTP as a program cleanup area. Thus, all known areas of contamination at the WWTP have been identified and discussed and no updates to Figure 3-7 which has been reviewed by Brown and Caldwell, or text are necessary.
- 2-4 Control Measure I8 requires the Contractor to prepare a Job Plan which will contain the proposed methods and procedures for managing contaminated soil or groundwater. ACWD has been added to the reviewing parties. See Section 3 for the revisions to Chapter 3, Section I, page 85, Control Measure I8(a).
- 2-5 Control Measures I7-I10 describe how the Contractor will manage contaminated soil and groundwater. ACWD will be consulted in preparation of the Job Plan (Response 2-4). Depending on the quality of the groundwater that is extracted, disposal may be to the plant headworks or suitable off-site

disposal facility. As indicated in Response 2-1, measures will be taken to minimize the amount of dewatering needed to minimize any effects on local groundwater.

- 2-6 Sampling and analytical specifications for backfill material will be provided as design of the Phase 1 projects progresses. Control Measure G8 requires that all imported fills not contain environmental contaminants or debris, shall be non-corrosive, and comply with the recommendations in the Department of Toxic Substances Control Information Advisory Imported Fill Material (October 2001).
- 2-7 Figure I-9 from the IS/MND has been revised to show the location of the second well (4S/2W-16C011). This figure and edits to supporting text are included in Section 3. Both wells are removed from ETSU Phase 1 construction activities and will continue to be afforded protection during construction and access by ACWD.
- 2-8 The Contractor(s) will comply with ACWD Ordinance No. 2010-01 and requirements for commissioning and decommissioning water wells.
- 2-9 The broader scope of Ordinance No. 2010-01 beyond aquifer penetration is mentioned elsewhere in the IS/MND. For purposes of the discussion on page 93, reference to only Ordinance No. 2010-01 and aquifer penetration is appropriate. No correction to the text other than the ordinance number is necessary. See Section 3 for amendments on page 93.
- 2-10 See Section 3 for edits to Control Measure G1.
- 2-11 Ongoing engineering design has identified the need to relocate PG&E and ACWD utilities in the Veasy Road and Benson Road extensions within the WWTP as part of the ETSU Phase 1B-Campus Building Project. Relative to ACWD, about 500 feet of the existing 12-inch ACP water main within the Benson Road extension will need to be relocated to the north. Open cut excavation will be used to remove the affected water main and to install the replacement line and will not result in new impacts beyond those addressed in the IS/MND. USD and Hazen and Sawyer, the design engineer, have consulted with ACWD to discuss this project feature and to discuss ACWD requirements as identified in Comment 2-11. This activity, by itself, would actually qualify for various exemptions included in the CEQA Guidelines, including Section 15282(k) which is a statutory exemption for installation of new pipelines within a public ROW which are less than one mile in length, and a Class 2 Categorized Exemption (Section 15302) which addresses replacement or reconstruction of existing structures and facilities at the same site. These exemptions have been determined by the Secretary of Resources to not have a significant effect on

the environment. In addition, as USD will maintain coordination with PG&E and ACWD and comply with their requirements, no impacts will occur. See Section 3 for edits to Chapter 3 Section S of the IS/MND.

2-12 Thank you for your contact information.



April 14, 2021

Union Sanitary District
c/o Ric Pipkin
via email ricp@unionsanitary.ca.gov

Thank you for the opportunity to comment on the ETSU Phase 1 Program Initial Study and Mitigated Negative Declaration. See comments below.

1. Page 17 of the document states that there is a desire to acquire portions of the City's current right-of-way including the eastern portion of the existing Veasy Street cul-de-sac and the Benson Road cul-de-sac to accommodate the new campus facility and a related modification to emergency access in and around the site. The City's Public Works Department has expressed concern regarding potential impacts on access within the Horner-Veasby area that could result from these changes. To better evaluate the proposed changes, it is requested that a preliminary application be submitted to provide City staff an opportunity to provide feedback. In addition, the preliminary application submittal should include details on any projects within Phase 1a that will require issuance of a building or grading permit from the City. Please visit the City's Planning Division webpage (<https://www.unioncity.org/208/Planning>) for information regarding the City's preliminary review process including application submittal requirements and application forms.
2. Page 31 of the document includes an overview of surrounding land uses and includes a discussion of the Shri Guru Ravidass Sabha Bay Area facility, which is proposed adjacent to the northerly boundary of the USD facility. The document states that the "applicant must still obtain land use approvals." Land use approvals were previously granted in December 2017 and the applicant is in the process of obtaining building permits.
3. Page 92 of the document states, 'The WWTP site is within Zone AE of the 100-year floodplain.' Any development located within the floodplain must comply with the City's Floodplain Ordinance listed in Chapter 18.98, Floodplain Combining District, of the Union City Municipal Code. In addition, a C-LOMR is required to be obtained from FEMA to demonstrate that any impacted structures are effectively located outside the Flood Zone.
4. Page 115 of the document states "Control Measure Q1 requires the selected Contractor(s) for each ETSU Program phase to prepare a TCP for USD review and approval prior to start

3-1

3-2

3-3

3-4

Letter 3

Page 2/2
Union City Comments on ETSU
Phase 1 Program ISMND

of construction. The TCP will address needed traffic controls, safety measures, and haul rates acceptable to the City." As there is potential for impacts to City streets from construction activities, provide a copy of any Traffic Control Plans (TCP) to the Union City Public Works Department for review and approval prior to start of construction phase and update Control Measure Q1 on page 115 of the document accordingly.

3-4

If you have any questions or would like to set up a meeting to discuss the comments, please contact me at (510) 675-5316 or via email at carmelac@unioncity.org.

Sincerely,

Carmela Campbell

Carmela Campbell
Economic and Community Development Director

Letter	Union City
3	Carmela Campbell, Economic and Community Development Director
Response	April 14, 2021
3-1	USD will work with the City on the proposed acquisition of the current right-of-way and provide information necessary for the City to evaluate the proposal. The District has and will continue to work with the City on the processing of any required building and grading permits.
3-2	See Section 3 for edits to page 31.
3-3	The City and Hazen and Sawyer have consulted with the City Engineer acting as the local Floodplain Administrator and will continue a dialogue to comply with the City's Floodplain Ordinance.
3-4	Any Traffic Control Plan proposed by a Contractor will be provided to the City's Public Works Department for review and approval prior to start of construction. See Section 3 for edits to Control Measure Q1.

Section 3

Text Revisions Based on Review Comments

Chapter 1. Introduction and Project Description

- Page 31. Edit the first paragraph as follows:

~~An Two~~ Alameda County Water District (ACWD) monitoring wells ~~is~~ are located at the northwest corner of the WWTP, ~~and along the western side of the site.~~ ~~This~~ These wells ~~is~~ are used . . .

Figure 1-9, which follows, has been revised to show the second well along the western plant boundary.

- Page 31. Edit the last sentence of the third paragraph as follows:

The applicant ~~must still obtain~~ **obtained** land use approvals in **December 2017** from Union City ~~and permits and is in the process of obtaining building permits,~~ thus it likely . . .

Chapter 3 Discussion of Environmental Checklist

- Page 74. Add the following sentence to the end of Control Measure G1:

The contractor shall coordinate with USD and ACWD during the design and construction of the shoring systems for the ETSU Phase 1A-AB Improvements and Phase 1B-Secondary Clarifiers and Effluent Facilities Projects to comply with ACWD Ordinance No. 2010-01.

- Page 84. Add the following paragraph after the second full paragraph:

ACWD's Groundwater Protection Program is designed to protect and preserve the community's drinking water resources for present and future use. As part of this program, ACWD entered into Cooperative Agreements with both the RWQCB and the City of Union City, which allows ACWD to provide technical oversight for the investigation and remediation at Leaking Underground Fuel Tank (LUFT) sites and sites where the pollution is attributed to spills or leaks from structures other than underground fuel tanks now referred to as Site Cleanup Program sites or SCP (formerly known as Spills, Leaks, Investigation, and Cleanup sites or SLIC sites).

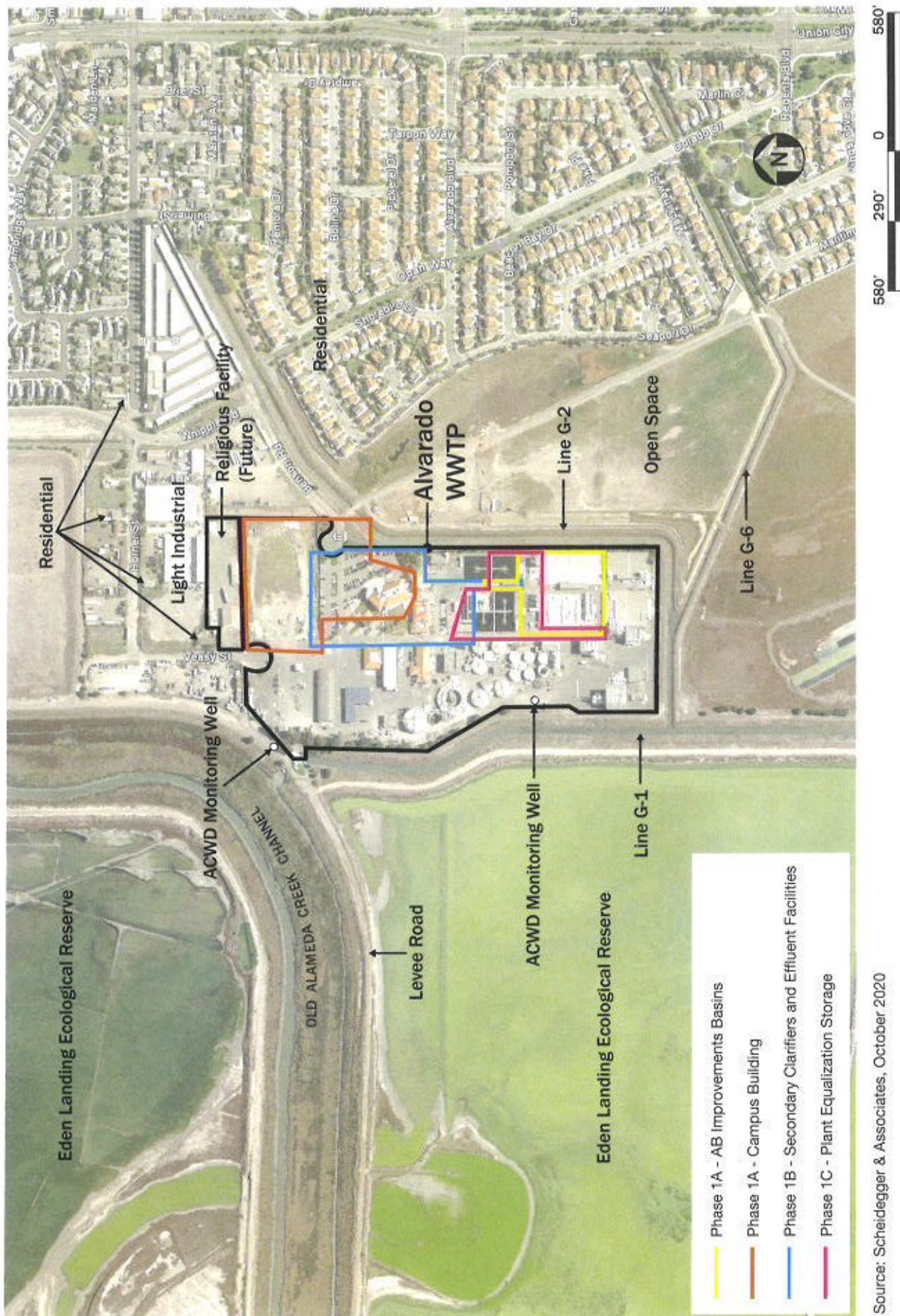


Figure 1-9. Land Use Characteristics (Revised)

Source: Scheidegger & Associates, October 2020

- Page 85. Add the following edits to Control Measure I8(a):

Pursuant to the Contract Documents, relative to contaminated materials, the Contractor shall submit the following to USD and ACWD for review:

- a. The Contractor shall review the latest WWTP groundwater monitoring report and the environmental soil screening test results and prepare and submit to USD or its appointed Representative, and ACWD, for review, a detailed Job Plan describing the proposed methods and procedures for excavating, segregating, testing, and disposing of contaminated soil or groundwater. The Job Plan shall be submitted to the District or its appointed Representative, and ACWD no less than fourteen (14) days prior to the start of any excavation work at locations where contaminated soils and groundwater is anticipated.

- Page 93. Make the following edit to the last sentence of the last paragraph as follows:

Pursuant to ACWD Ordinance 20210-01 discussed below, . . .

- Page 115. Add the following sentence to the end of Control Measure Q1:

Any TCP prepared by a Contractor will also be reviewed and approved by the Union City Public Works Department prior to start of construction.

- Page 123. Make the following edit to the No Impact discussion:

The ETSU Phase 1B-Campus Building Project will require relocation of the PG&E electrical lines and about 500 feet of a 12-inch asbestos-cement pipe (ACP) water main located in the Veasy Road and Benson Road extensions within the plant. The utilities will be relocated to the north side of the roadways. USD and the Contractor will establish and maintain coordination with PG&E and ACWD to assure their requirements are met. As a result, no impacts will occur relative to Criterion S1. Additionally, Criterion S3 is not relevant to the ETSU Phase 1 Program. ~~The proposed ETSU Phase 1 Program will not require the construction or relocation of wastewater water or other utilities (Criterion S1) or wastewater treatment capacity (Criterion S3) except for the actual program construction that is analyzed in this IS/MND.~~

UNION SANITARY DISTRICT

NOTICE OF DOCUMENT AVAILABILITY AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that a Mitigated Negative Declaration has been prepared for Union Sanitary District's Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Program and is available for public review and comment. The document can be reviewed at the Union Sanitary District, 5072 Benson Road, Union City, California.

PUBLIC REVIEW AND COMMENT PERIOD: March 9, 2021 through April 8, 2021. Please send all comments to Ric Pipkin, Union Sanitary District, 5072 Benson Road, Union City, California 94587-2508.

PROJECT LOCATION AND DESCRIPTION: The ETSU Program was developed to meet the wastewater treatment and disposal needs for USD over the next 20 to 40 years. Phase 1 is the most immediate priority for the District's Alvarado Wastewater Treatment Plant and calls for the first phase of Secondary Treatment Process Improvements by 2027. Through four projects, Phase 1 will provide for improvements to the aeration basins (ABs) and addition of AB8, new secondary clarifiers, effluent facilities, equalization, and replacement of the existing Administration and Control Buildings with a new campus layout.

INITIAL STUDY: An Initial Study was prepared to determine if the proposed Project would result in significant adverse impacts on the environment. That document concluded that while several potential adverse environmental impacts could result from the Project, measures could be used to effectively mitigate these impacts. Accordingly, it has been determined that a Mitigated Negative Declaration is appropriate for the Phase 1 Program.

TO REVIEW DOCUMENT: Copies of the Initial Study and proposed Mitigated Negative Declaration can be reviewed at the Union Sanitary District, 5072 Benson Road, Union City, California or on the District's website at <https://www.unionsanitary.ca.gov>. All written comments on the proposed Mitigated Negative Declaration must be submitted no later than the April 8, 2021 deadline.

PUBLIC HEARING: The Union Sanitary District Board of Directors will conduct a public hearing to receive oral comments at a regularly scheduled meeting on March 22, 2021, beginning at 4:00 p.m. The Board will consider adoption of the Mitigated Negative Declaration at a regularly scheduled meeting on May 10, 2021, beginning at 4:00 p.m.

TOXIC SITES: The Alvarado WWTP site is identified as a program cleanup site as enumerated under Section 65962.5 of the California Government Code due to historical occurrence of petroleum hydrocarbon contamination in several areas of the plant site.



Ric Pipkin
Enhanced Treatment and Site Upgrade Program Manager

March 3, 2021

Date

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research
U.S. Mail: _____ Street Address: _____
P.O. Box 3044 1400 Tenth Street, Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

From:

Public Agency: _____ Union Sanitary District
Address: _____ 5072 Benson Road
_____ Union City, CA 94587
Contact: _____ Ric Pipkin
Phone: _____ (510) 477-7562

☒ County Clerk

County of: _____ Alameda
Address: _____ 1106 Madison Street, First Floor
_____ Oakland, CA 94607

Lead Agency (if different from above): _____

Address: _____
Contact: _____
Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): SCH No. 2021030219

Project Title: ETSU Phase 1 Program

Project Applicant: Union Sanitary District

Project Location (include county): Alvarado WWTP, Union City, Alameda County

Project Description: The ETSU Program was developed to meet the wastewater treatment and disposal needs for USD over the next 20 to 40 years. Phase 1 is the most immediate priority for the District's Alvarado Wastewater Treatment Plant and calls for the first phase of Secondary Treatment Process Improvements by 2027. Through four projects, Phase 1 will provide for improvements to the aeration basins (ABs) and addition of AB8, new secondary clarifiers, effluent facilities, equalization, and replacement of the existing Administration and Control Buildings with a new campus layout.

This is to advise that the Union Sanitary District has approved the above
☒ Lead Agency or ☐ Responsible Agency

described project on May 10, 2021 and has made the following determinations regarding the above
(Date)
described project:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A Statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at:

Union Sanitary District, 5072 Benson Road, Union City, CA 94587

Signature (Public Agency) _____ Title _____

Date _____ Date Received for filing at OPR _____

RESOLUTION NO. _____

**ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION
MONITORING AND REPORTING PLAN FOR THE ENHANCED TREATMENT AND
SITE UPGRADE PHASE 1 PROGRAM AND APPROVE THE ENHANCED
TREATMENT AND SITE UPGRADE PHASE 1 PROGRAM**

WHEREAS, the Union Sanitary District (the “District”) has prepared and distributed for review and comment the Initial Study and Mitigated Negative Declaration (the “IS/MND”) of potential environmental impacts of the Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Program (the “Project”); and

WHEREAS, the District provided a public comment period from March 9, 2021 through April 8, 2021 and conducted a public hearing to accept public comment on March 22, 2021 and no comments were made; and

WHEREAS, the Mitigated Negative Declaration was noticed in accordance with Title 14, California Code of Regulations, Sections 15072 and 15105; and

WHEREAS, the District received written comments from three public agencies and no comments from members of the public; and

WHEREAS, the District prepared a Response Document to address the comments and make minor clarifying revisions to the text of the IS/MND; and

WHEREAS, although the proposed Project could have a significant effect on the environment, mitigation measures included in the IS/MND would reduce all of the impacts to a less than significant level.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Union Sanitary District that:

1. The Board hereby makes the following findings and determinations with respect to the Enhanced Treatment and Site Upgrade Phase 1 Program IS/MND:
 - a. The Board has reviewed and considered the draft MND, comments received during the public review period, and the District’s written responses to any comments prior to acting on the project.
 - b. The revisions to the MND in response to comments constitute clarifying or amplifying revisions or insignificant modifications, under CEQA Guidelines Section 15073.5, and no recirculation of the MND is required.
 - c. The MND adequately describes the environmental impacts of the Project. On the basis of the whole record before it, the Board finds that there is no

substantial evidence that the project, as mitigated, will have a significant effect on the environment.

- d. The MND has been completed in compliance with CEQA and the CEQA Guidelines.
 - e. The MND is complete and adequate and reflects the Board's independent judgment and analysis as to the environmental effects of the Project.
2. The Board hereby adopts the MND for the proposed Enhanced Treatment and Site Upgrade Phase 1 Program and hereby approves the Enhanced Treatment and Site Upgrade Phase 1 Program, including the Phase 1A-AB Improvements Project.
 3. The Board hereby adopts the Mitigation Monitoring and Reporting Program included in the IS/MND, which is incorporated herein by reference.
 4. The Board directs staff to file a notice of determination with the County Clerk of Alameda County.
 5. Pursuant to CEQA Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the Board of Directors has based its recommendations are located in and may be obtained from, the Office of the Union Sanitary District at 5072 Benson Road, Union City, 94587. The Board Clerk is the custodian of records for all matters before the Board.

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Board of Directors of the Union Sanitary District, in Alameda County, California, held on the 10th day of May 2021.

AYES:

NOES:

ABSTAIN:

ABSENT:

Attest:

TOM HANDLEY
President, Board of Directors
Union Sanitary District

ANJALI LATHI
Secretary, Board of Directors
Union Sanitary District

**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**MAY 10, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 9**

TITLE: Award the Construction Contract of the Emergency Outfall Improvements Project to Garney Pacific, Inc. *(This is a Motion Item)*

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Sami E. Ghossain, Technical Services Work Group Manager
Raymond Chau, CIP Team Coach
Andrew Baile, Assistant Engineer

Recommendation

Staff recommends the Board award the construction contract, including Bid Alternate A, for the Emergency Outfall Improvements Project (Project) to Garney Pacific, Inc. (Garney) in the amount of \$1,399,700. Funds for the project have been budgeted in the Renewal and Replacement Fund and Capacity Fund.

Discussion

The Project was advertised for bids on March 30, 2021. Five bids were received and opened on April 27, 2021 with the results shown in the table below. Please refer to the attached Table 1 for a detailed breakdown of the bids.

Contractor	Total Contract Price
Garney Pacific, Inc. Tracy, CA	\$1,399,700
JMB Construction, Inc South San Francisco, CA	\$1,498,770
McGuire and Hester Alameda, CA	\$1,534,014

Contractor	Total Contract Price
Con-Quest Contractors, Inc. San Francisco, CA	\$1,599,890
Granite Rock Company San Jose, CA	\$1,603,475

The Engineer's Estimate for the Project's Total Contract Price is \$1,250,000. The bids ranged from 12% to 28% above the Engineer's Estimate. Staff, design consultant, Garney, and another bidder believe that the higher bids were due to the extensive permitting requirements, restrictive construction schedule, and higher material costs.

The Total Contract Price includes one bid alternate. Bid Alternate A is for providing "Acts of God" Insurance that indemnifies against the loss of or damage to the concrete outlet structure during construction, under the following conditions: earthquakes in excess of a magnitude 3.5 on the Richter Scale and tidal waves. Garney's bid for Bid Alternate A is reasonably priced, and staff recommends including it in the construction contract.

Staff reviewed the apparent low bid submitted by Garney and found no irregularities. No bid protests were received by the District. Garney has confirmed that they will construct the Project as bid. Garney is a General Engineering Class A licensed contractor who has successfully completed multiple projects that included large diameter pipeline installations, concrete outlet structure construction, access structure installations, and slip-line pipe rehabilitations for Contra Costa Water District, City of Dublin, and developers of large residential subdivisions. Staff contacted several of Garney's references and received positive comments on their performance on those projects.

The contractor has 210 calendar days to complete project construction, which places the estimated substantial completion in December 2021. Staff plans to hire a consultant to provide construction management and inspection services for the Project.

Background

The District's Alvarado Effluent Pump Station normally pumps the final effluent from the Alvarado Wastewater Treatment Plant (WWTP) to the East Bay Dischargers Authority (EBDA) system where the combined effluent from the EBDA agencies is dechlorinated and discharged from the EBDA Common Outfall to Lower San Francisco Bay. The District has an NPDES permit to discharge final effluent to Old Alameda Creek through the Emergency Outfall pipeline and flap gate during wet weather and when the capacity of the EBDA system is maximized. The District doses calcium thiosulfate to dechlorinate the final effluent prior to discharging to the creek.

The Emergency Outfall pipeline exits the WWTP at the northwest corner of the property and crosses the private parcel owned by Bertelson Pre Cast Steps Inc. (Bertelson) and the levee road owned by the Alameda County Flood Control & Water Conservation District (ACFC&WCD) before extending into the Old Alameda Creek. The creek is influenced by the tidal cycle, and the Emergency Outfall flap gate is normally submerged below the water during high tides and is exposed during low tides. This presents a maintenance challenge as water brings in sediment that routinely buries the flap gate and promotes vegetation growth, which then impedes the operation of the flap gate. The District currently inspects the flap gate every month and schedules staff to clear the vegetation growth. Figures 1 through 3 show the location of the emergency outfall pipeline and photos of the discharge at the Old Alameda Creek.

The purpose of the Project is to make improvements to the Emergency Outfall to reduce the maintenance activities associated with the Emergency Outfall flap gate and increase the reliability of its operation during wet weather events.

Because most of the construction will take place in the Old Alameda Creek and within the parcels owned by ACFC&WCD and Bertelson, the District needed to acquire permits from multiple agencies, easements from ACFC&WCD, and property from Bertelson.

Staff began the permit acquisition process in March 2018 and completed it in February 2021. The permitting agencies included the following:

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- Regional Water Quality Control Board
- San Francisco Bay Conservation & Development Commission
- California Department of Fish and Wildlife
- California State Lands Commission

Staff should complete the property purchase from Bertelson in May 2021 and the easement acquisition from ACFC&WCD by June 2021.

Brown and Caldwell completed the Project's design in January 2021. The Project's scope includes:

1. Replacement of 48-inch diameter pipeline that extends into Old Alameda Creek.
2. Rehabilitation of the existing 48-inch diameter pipeline under the ACFC&WCD levee road by slip-lining.
3. Construction of a redundant, parallel, 48-inch diameter pipeline from the Old Alameda Creek to inside the WWTP property line.

4. Construction of a new riser pipe and cap on the new redundant pipeline to allow access for inspection and cleaning.
5. Installation of a temporary sheet pile cofferdam in Old Alameda Creek to allow construction of the new concrete outlet structure.
6. Construction of a concrete outlet structure consisting of a slab, headwalls, and wing walls.
7. Construction of an access vault and drainage piping system on the existing outfall pipeline located in the WWTP property.
8. Implementation of all mitigation measures in the Project's Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan.
9. Bypass contingency allowance, when directed by the District, will provide a bypass piping system to discharge final effluent to the Old Alameda Creek if construction impacts the availability of the emergency outfall during wet weather.

Previous Board Action

November 13, 2017, the Board authorized the General Manager to execute Task Order No. 2 with Brown and Caldwell to provide design services for the Project.

June 25, 2018, the Board conducted a public hearing to receive comments regarding the Initial Study and Mitigated Negative Declaration (MND) for the Project. No comments were received at the public hearing.

December 10, 2018, the Board adopted the MND and Mitigation Monitoring and Reporting Plan for the Project for the purpose of filing the Notice of Determination.

July 22, 2019, the Board authorized the General Manager to execute a lease agreement with the California State Lands Commission for the use, operation, and maintenance of an existing 48-inch diameter reinforced concrete emergency outfall pipeline, concrete outlet structure, access stairway, riprap chute, and temporary sheet pile cofferdam located along the Old Alameda Creek Flood Control Channel in the City of Union City.

April 13, 2020, the Board authorized the General Manager to execute Amendment No. 3 to Task Order No. 2 with Brown and Caldwell to provide additional design services for the Project.

PRE/SEG/RC/ACB;mb

Attachments: Figure 1 – Site Plan

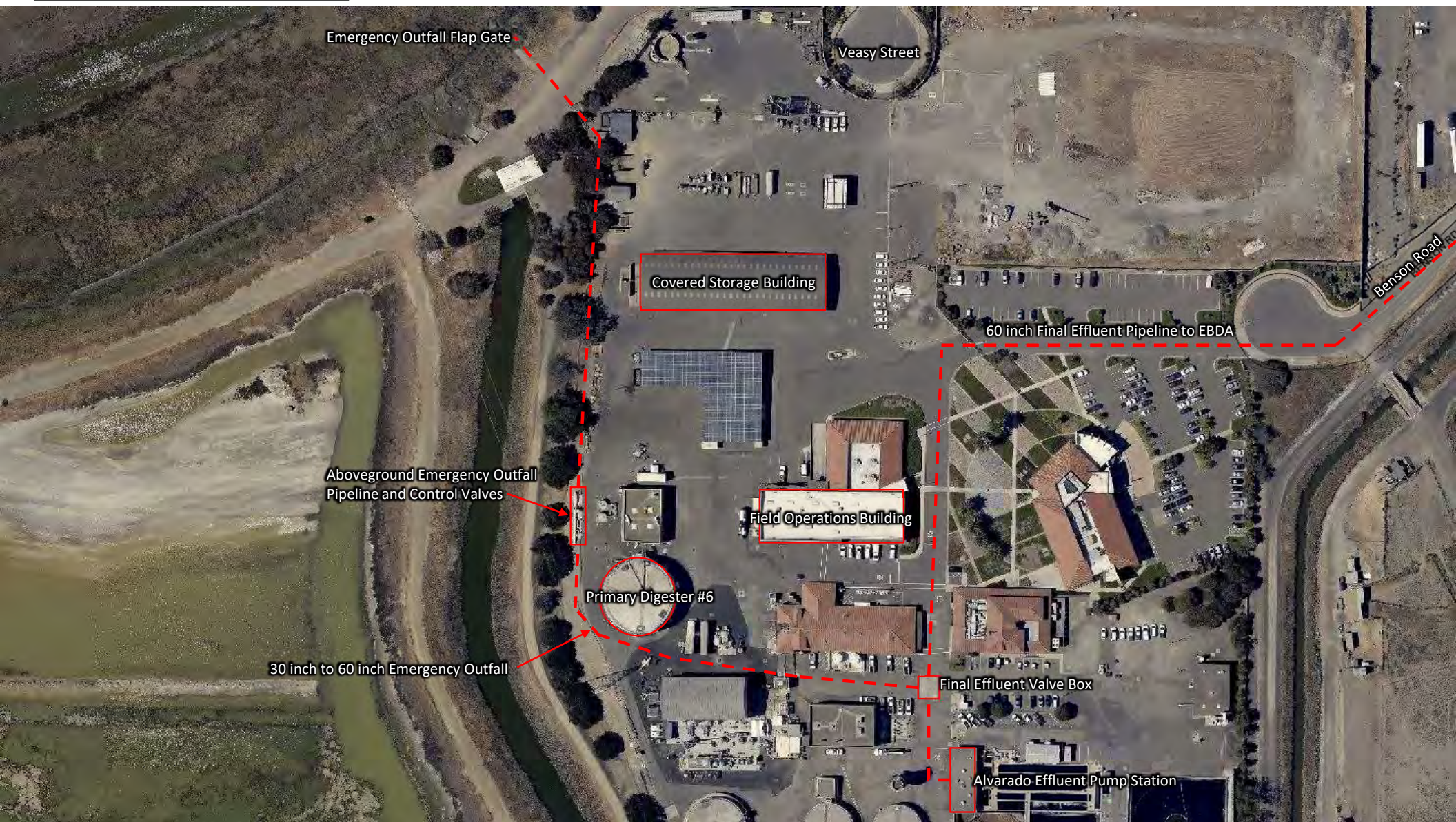
Figure 2 – Emergency Outfall Improvements Site Location

Figure 3 – Existing Outfall Flap Gate Photos

Table 1 – Bid Tabulation Sheet

Agreement

Figure 1: Site Plan



EBDA (Alvarado Effluent) Pump Station including pipelines to EBDA and the Emergency Outfall.

Figure 2: Emergency Outfall Improvements Site Location



Inset pictures show emergency outfall flap gate under current high and low tide conditions. Both photographs taken September 13, 2016.

Figure 3: Existing Outfall Flap Gate



The 2016 photograph was taken after maintenance had been performed, which included exercising of the flap gate and clearing of surrounding sediment. The 2017 photograph shows the current condition of the flap gate.

Table 1 - Bid Tabulation Sheet

Emergency Outfall Improvements Project, Project No. 800-494
 Bid Opening: 11:30 am, April 27, 2021

Bid Item No.	Bid Item	Unit	Estimated Quantity	Engineer's Estimate	GARNEY PACIFIC		JMB CONSTRUCTION		MCGUIRE AND HESTER	
					Unit Bid Price	Total Bid Price	Unit Bid Price	Total Bid Price	Unit Bid Price	Total Bid Price
1	Cost for completing all Work included as part of Contract Documents for Project No. 800-494, except as specified under bid items 2 through 16.	LS	1		LS	\$ 202,000.00	LS	\$ 132,000.00	LS	\$ 5,500.00
2	Mobilization/Demobilization	LS	1	\$ 50,475.00	LS	\$ 69,000.00	LS	\$ 70,000.00	LS	\$ 217,000.00
3	Clear and Grub	LS	1	\$ 485.00	LS	\$ 25,000.00	LS	\$ 12,000.00	LS	\$ 6,000.00
4	Abandonment/Removal of existing facilities	LS	1	\$ 11,153.00	LS	\$ 30,000.00	LS	\$ 17,000.00	LS	\$ 13,000.00
5	Replacement of existing CMP with CCFRPM pipe and fittings by open-cut = 48-inch diameter	LF	20	\$ 103,493.00	\$ 2,750.00	\$ 55,000.00	\$ 3,100.00	\$ 62,000.00	\$ 2,529.00	\$ 50,580.00
6	Rehabilitation of 48-inch diameter pipeline by slip lining method	LF	61	\$ 46,535.00	\$ 1,200.00	\$ 73,200.00	\$ 820.00	\$ 50,020.00	\$ 1,677.00	\$ 102,297.00
7	Construction of CCFRPM by open-cut - 48-inch diameter	LF	93	\$ 243,216.00	\$ 1,500.00	\$ 139,500.00	\$ 1,550.00	\$ 144,150.00	\$ 2,194.00	\$ 204,042.00
8	Construction of concrete outlet structure	LS	1	\$ 140,425.00	LS	\$ 229,000.00	LS	\$ 340,000.00	LS	\$ 262,000.00
9	Removal and disposal of sediment	LS	1	\$ 73,650.00	LS	\$ 40,000.00	LS	\$ 45,000.00	LS	\$ 46,000.00
10	Placement of stone riprap	CY	90	\$ 53,591.00	\$ 285.00	\$ 25,650.00	\$ 320.00	\$ 28,800.00	\$ 152.00	\$ 13,680.00
11	Construction of 72-inch access vault and blow-off piping system	LS	1	\$ 101,762.00	LS	\$ 100,000.00	LS	\$ 115,000.00	LS	\$ 107,000.00
12	Construction of redundant pipe access riser and cap	LS	1		LS	\$ 30,000.00	LS	\$ 33,000.00	LS	\$ 46,000.00
13	Site Restoration	LS	1	\$ 18,843.00	LS	\$ 18,000.00	LS	\$ 18,000.00	LS	\$ 7,500.00
14	Hauling and Disposal of Hazardous Material	TON	1	\$ 377.00	\$ 850.00	\$ 850.00	\$ 300.00	\$ 300.00	\$ 1,915.00	\$ 1,915.00
15	Bypass Contingency Allowance	LS	1	\$ 200,000.00	LS	\$ 200,000.00	LS	\$ 200,000.00	LS	\$ 200,000.00
16	Cost for providing all shoring and bracing on all Bid Items above including but not limited to that as required by Sections 6700-6708 of the Labor Code	LS	1	\$ 205,247.00	LS	\$ 160,000.00	LS	\$ 230,000.00	LS	\$ 250,000.00
Total Base Bid				\$ 1,249,252.00		\$ 1,397,200.00		\$ 1,497,270.00		\$ 1,532,514.00
BID ALTERNATE A				\$ -		\$ 2,500.00		\$ 1,500.00		\$ 1,500.00
Total				\$ 1,249,252.00		\$ 1,399,700.00		\$ 1,498,770.00		\$ 1,534,014.00

Table 1 - Bid Tabulation Sheet

Emergency Outfall Improvements Project, Project No. 800-494
 Bid Opening: 11:30 am, April 27, 2021

Bid Item No.	Bid Item	Unit	Estimated Quantity	Engineer's Estimate	CON-QUEST CONTRACTORS, INC		GRANITE ROCK COMPANY	
					Unit Bid Price	Total Bid Price	Unit Bid Price	Total Bid Price
1	Cost for completing all Work included as part of Contract Documents for Project No. 800-494, except as specified under bid items 2 through 16.	LS	1		LS	\$ 100,000.00	LS	\$ 1,000.00
2	Mobilization/Demobilization	LS	1	\$ 50,475.00	LS	\$ 75,000.00	LS	\$ 75,000.00
3	Clear and Grub	LS	1	\$ 485.00	LS	\$ 25,000.00	LS	\$ 45,000.00
4	Abandonment/Removal of existing facilities	LS	1	\$ 11,153.00	LS	\$ 42,000.00	LS	\$ 30,000.00
5	Replacement of existing CMP with CCFRPM pipe and fittings by open-cut = 48-inch diameter	LF	20	\$ 103,493.00	\$ 2,800.00	\$ 56,000.00	\$ 3,250.00	\$ 65,000.00
6	Rehabilitation of 48-inch diameter pipeline by slip lining method	LF	61	\$ 46,535.00	\$ 1,640.00	\$ 100,040.00	\$ 1,900.00	\$ 115,900.00
7	Construction of CCFRPM by open-cut - 48-inch diameter	LF	93	\$ 243,216.00	\$ 1,650.00	\$ 153,450.00	\$ 2,100.00	\$ 195,300.00
8	Construction of concrete outlet structure	LS	1	\$ 140,425.00	LS	\$ 215,000.00	LS	\$ 200,000.00
9	Removal and disposal of sediment	LS	1	\$ 73,650.00	LS	\$ 60,000.00	LS	\$ 50,000.00
10	Placement of stone riprap	CY	90	\$ 53,591.00	\$ 490.00	\$ 44,100.00	\$ 350.00	\$ 31,500.00
11	Construction of 72-inch access vault and blow-off piping system	LS	1	\$ 101,762.00	LS	\$ 70,000.00	LS	\$ 300,000.00
12	Construction of redundant pipe access riser and cap	LS	1		LS	\$ 50,000.00	LS	\$ 55,000.00
13	Site Restoration	LS	1	\$ 18,843.00	LS	\$ 53,000.00	LS	\$ 7,500.00
14	Hauling and Disposal of Hazardous Material	TON	1	\$ 377.00	\$ 300.00	\$ 300.00	\$ 850.00	\$ 275.00
15	Bypass Contingency Allowance	LS	1	\$ 200,000.00	LS	\$ 200,000.00	LS	\$ 200,000.00
16	Cost for providing all shoring and bracing on all Bid Items above including but not limited to that as required by Sections 6700-6708 of the Labor Code	LS	1	\$ 205,247.00	LS	\$ 350,000.00	LS	\$ 225,000.00
				Total Base Bid		\$ 1,249,252.00		\$ 1,593,890.00
				BID ALTERNATE A		\$ -		\$ 6,000.00
				Total		\$ 1,249,252.00		\$ 1,599,890.00
								\$ 1,596,475.00
								\$ 7,000.00
								\$ 1,603,475.00

**AGREEMENT FOR THE CONSTRUCTION OF
Emergency Outfall Improvements Project**

Project No. 800-494

THIS AGREEMENT, made and concluded, in duplicate, this _____, between the **UNION SANITARY DISTRICT** ("District"), Union City, California, and **GARNEY PACIFIC, INC.** ("Contractor"), License No 999415.

WITNESSETH:

1. That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the District, and under the conditions expressed in the two bonds, bearing even date with these presents, and hereunto annexed, the Contractor agrees with the District, at his/her own proper cost and expense, to do all the work and furnish all the materials necessary to construct and complete in good workmanlike and substantial manner the project entitled: **Emergency Outfall Improvements Project (Project No. 800-494)** in strict conformity with the plans and specifications prepared therefor, which said plans and specifications are hereby specially referred to and by said reference made a part hereof.

2. Now, therefore, in consideration of the mutual covenants and agreements of the parties herein contained and to be performed, the Contractor hereby agrees to complete the work in accordance with the terms and conditions stipulated in the Contract Documents for the sum of **One Million Three Hundred Ninety-Nine Thousand Seven Hundred Dollars (\$1,399,700.00)** (the "Contract Price") computed in accordance with Contractor's accepted proposal dated April 27 , 2021, which accepted proposal is incorporated herein by reference thereto as if herein fully set forth. The sum includes Bid Alternate A that has been accepted by the District and is hereby incorporated in the Agreement. Compensation shall be based upon the lump sum bid items plus the unit prices stated in the Bid Schedule times the actual quantities or units of work and materials performed or furnished. The further terms, conditions, and covenants of this Agreement are set forth in the Contract Documents, each of which is by this reference made a part hereof. Payments are to be made to the Contractor in accordance with the provisions of the Contract Documents and the Technical Specifications in legally executed and regularly issued warrants of the District, drawn on the appropriate fund or funds as required by law and order of the District thereof.

3. The District hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the Contract Price, and hereby contracts to pay the same at the time, in the manner and upon the conditions set forth in the Contract Documents; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

4. The Contractor and any subcontractor performing or contracting any work shall comply with all applicable provisions of the California Labor Code for all workers, laborers and mechanics of all crafts, classifications or types, including, but necessarily limited to the following:

(a) The Contractor shall comply with all applicable provisions of Section 1810 to 1815, inclusive, of the California Labor Code relating to working hours. The Contractor

shall, as a penalty to the District, forfeit the sum of twenty-five dollars (\$25) for each worker employed in the execution of the Contract by the Contractor or by any subcontractor for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week, unless such worker receives compensation for all hours worked in excess of eight (8) hours at not less than 1-1/2 times the basic rate of pay.

(b) Pursuant to the provision of California Labor Code, Sections 1770 et. seq., the Contractor and any subcontractor under him shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations. Pursuant to the provisions of California Labor Code Section 1773.2, the Contractor is hereby advised that copies of the prevailing rate of per diem wages and a general prevailing rate for holidays, Saturdays and Sundays and overtime work in the locality in which the work is to be performed for each craft, classification, or type of worker required to execute the Contract, are on file in the office of the District, which copies shall be made available to any interested party on request. The Contractor shall post a copy of said prevailing rate of per diem wages at each job site.

(c) As required by Section 1773.1 of the California Labor Code, the Contractor shall pay travel and subsistence payments to each worker needed to execute the work, as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with this Section.

(d) To establish such travel and subsistence payments, the representative of any craft, classification, or type of workman needed to execute the contracts shall file with the Department of Industrial Relations fully executed copies of collective bargaining agreements for the particular craft, classification or type of work involved. Such agreements shall be filed within 10 days after their execution and thereafter shall establish such travel and subsistence payments whenever filed 30 days prior to the call for bids.

(e) The Contractor shall comply with the provisions of Section 1775 of the California Labor Code and shall, as a penalty to the District, forfeit not more than two hundred dollars (\$200) for each calendar day, or portion thereof, for each worker paid less than the prevailing rate of per diem wages for each craft, classification, or type of worker needed to execute the contract. The Contractor shall pay each worker an amount equal to the difference between the prevailing wage rates and the amount paid worker for each calendar day or portion thereof for which a worker was paid less than the prevailing wage rate.

(f) As required under the provisions of Section 1776 of the California Labor Code, Contractor and each subcontractor shall keep an accurate payroll record, showing the name, address, social security number, work classification, and straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work. Said payroll shall be certified and shall be available for inspection at all reasonable hours at the principal office of the Contractor on the following basis:

(1) A certified copy of an employee's payroll record shall be made available for inspection or furnished to the employee or his or her authorized representative on request.

(2) A certified copy of all payroll records enumerated in Paragraph 4(f), herein, shall be made available for inspection or furnished upon request to the

District, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations.

(3) A certified copy of all payroll records enumerated in Paragraph 4(f), herein, shall be made available upon request by the public for inspection or for copies thereof; provided, however, that a request by the public shall be made through the District, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to subparagraph 4(e) herein, the requesting party shall, prior to being provided the records, reimburse the costs of preparation by the Contractor, subcontractors, and the entity through which the request was made. The public shall not be given access to the records at the principal offices of the Contractor.

The certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the division.

Certified payroll records shall be submitted electronically as required under California Labor Code Section 1776 to the Labor Commissioner pursuant to California Code of Regulations Chapter 8, Section 16404.

Each Contractor shall file a certified copy of the records, enumerated in Paragraph 4(f) with the entity that requested the records within 10 days after receipt of a written request. Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by the District, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number. The name and address of the Contractor awarded the contract or performing the contract shall not be marked or obliterated. The Contractor shall inform the District of the location of the records enumerated under Paragraph 4(f) including the street address, city and county, and shall, within 5 working days, provide a notice of change of location and address. The Contractor shall have 10 days in which to comply subsequent to receipt of written notice specifying in what respects the Contractor must comply with this Paragraph 4(f). In the event that the Contractor fails to comply within the 10-day period, he or she shall, as a penalty to the state or the District, forfeit one hundred dollars (\$100) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due. Responsibility for compliance with Paragraph 4(f) lies with the Contractor.

(g) The Contractor and any subcontractors shall, when they employ any person in any apprenticeable craft or trade, apply to the joint apprenticeship committee administering the apprenticeship standards of the craft or trade in the area of the construction site for a certificate approving the Contractor or subcontractor under the apprenticeship standards for the employment and training of apprentices in the area or industry affected; and shall comply with all other requirements of Section 1777.5 of the California Labor Code. The responsibility of compliance with California Labor Code Section 1777.5 during the performance of this contract rests with the Contractor. Pursuant to California Labor Code Section 1777.7, in the event the Contractor willfully fails to comply with the provisions of California Labor Code Section 1777.5, the

Contractor shall be denied the right to bid on any public works contract for up to three (3) years from the date noncompliance is determined and be assessed civil penalties.

(h) In accordance with the provisions of Article 5, Chapter 1, Part 7, Division 2 (commencing with Section 1860), and Chapter 4, Part 1, Division 4 (commencing with Section 3700) of the California Labor Code, the Contractor is required to secure the payment of compensation to its employees and for that purpose obtain and keep in effect adequate Workers' Compensation Insurance. If the Contractor, in the sole discretion of the District satisfies the District of the responsibility and capacity under the applicable Workers' Compensation Laws, if any, to act as self-insurer, the Contractor may so act, and in such case, the insurance required by this paragraph need not be provided.

The Contractor is advised of the provisions of Section 3700 of the California Labor Code, which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code and shall comply with such provisions and have Employer's Liability limits of \$1,000,000 per accident before commencing the performance of the work of this Contract.

The Notice to Proceed with the Work under this Contract will not be issued, and the Contractor shall not commence work, until the Contractor submits written evidence that it has obtained full Workers' Compensation Insurance coverage for all persons whom it employs or may employ in carrying out the work under this Contract. This insurance shall be in accordance with the requirements of the most current and applicable state Workers' Compensation Insurance Laws. In accordance with the provisions of Section 1861 of the California Labor Code, the Contractor in signing this agreement certifies to the District as true the following statement: "I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this contract."

A subcontractor is not allowed to commence work on the project until verification of Workers' Compensation Insurance coverage has been obtained and verified by the Contractor and submitted to the Construction Manager for the District's review and records.

(i) In accordance with the provisions of Section 1727 of the California Labor Code, the District, before making payment to the Contractor of money due under a contract for public works, shall withhold and retain therefrom all wages and penalties which have been forfeited pursuant to any stipulation in the contract, and the terms of Chapter 1, Part 7, Division 2 of the California Labor Code (commencing with Section 1720). But no sum shall be withheld, retained or forfeited, except from the final payment, without a full investigation by either the Division of Labor Standards Enforcement or by the District.

5. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this Agreement the instrument and the bid proposal of said Contractor, then this Agreement instrument shall control, and nothing herein contained shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

6. The Contractor agrees to provide and maintain insurance coverage, and to indemnify and save harmless the parties named and in the manner set forth in Section 00800-2.0,

LIABILITY AND INSURANCE, of the Supplementary General Conditions of the Specifications.

The duty of Contractor to indemnify and save harmless, as set forth herein, shall include a duty to defend as set forth in Section 2778 of the California Civil Code; provided, however, that nothing herein shall be construed to require Contractor to indemnify against any responsibility or liability in contravention of Section 2782 of the California Civil Code.

7. The Contractor shall diligently prosecute the work so that it shall be substantially completed within the time specified in Section 00800-1.1, **Time Allowed for Completion**.

8. Except as otherwise may be provided herein, Contractor hereby expressly guarantees for one (1) full year from the date of the substantial completion of the work under this agreement and acceptance thereof by the District, to repair or replace any part of the work performed hereunder which constitutes a defect resulting from the use of inferior or defective materials, equipment or workmanship. If, within said period, any repairs or replacements in connection with the work are, in the opinion of the District, rendered necessary as the result of the use of inferior or defective materials, equipment or workmanship, Contractor agrees, upon receipt of notice from District, and without expense to District, to promptly repair or replace such material or workmanship and/or correct any and all defects therein. If Contractor, after such notice, fails to proceed promptly to comply with the terms of this guarantee, District may perform the work necessary to effectuate such correction and recover the cost thereof from the Contractor and/or its sureties.

In special circumstances where a particular item of work or equipment is placed in continuous service before substantial completion of the Work, the correction period for that item may start to run from an earlier date. This date shall be agreed upon in writing by the Contractor and District on or before the item is placed in continuous service.

Any and all other special guarantees which may be applicable to definite parts of the work under this agreement shall be considered as an additional guarantee and shall not reduce or limit the guarantee as provided by Contractor pursuant to this paragraph during the first year of the life of such guarantee.

9. The Contractor shall provide, on the execution of this Agreement, a good and sufficient corporate surety bond in the penal sum of one hundred percent (100%) of the Contract Price, which bond shall be on the form provided by the District in Section 00610, **FORM OF PERFORMANCE BOND**, and be conditioned upon the faithful performance of all work required to be performed by the Contractor under this Agreement. Said bond shall be liable for any and all penalties and obligations which may be incurred by Contractor under this Agreement. The corporate surety bond shall be issued by a corporate surety that possesses a minimum rating from A. M. Best Company of A:VII and that is approved by the District. The corporate surety shall be authorized to conduct business in California. At its discretion, the District may request that a certified copy of the certificate of authority of the insurer issued by the Insurance Commissioner of the State of California be submitted by the surety to the District. At its discretion, the District may also require the insurer to provide copies of its most recent annual statement and quarterly statement filed with the Department of Insurance pursuant to Article 10 (commencing with Section 900) of Chapter 1 of Part 2 of Division 1 of the Insurance Code.

In addition to the bond required under Paragraph 9, hereof, Contractor shall furnish a good and sufficient corporate surety bond in the penal sum of one hundred percent (100%) of the Contract Price, which bond shall be on the form provided by the District in Section 00620, **PAYMENT BOND**, and conform strictly with the provisions of Sections 9550 et seq. of the Civil Code, and all amendments thereto. The corporate surety bond shall be issued by a

corporate surety that possesses a minimum rating from A. M. Best Company of A:VII and that is approved by the District. The corporate surety shall be authorized to conduct business in California. At its discretion, the District may request that a certified copy of the certificate of authority of the insurer issued by the Insurance Commissioner of the State of California be submitted by the surety to the District. At its discretion, the District may also require the insurer to provide copies of its most recent annual statement and quarterly statement filed with the Department of Insurance pursuant to Article 10 (commencing with Section 900) of Chapter 1 of Part 2 of Division 1 of the Insurance Code.

11. The Contractor may substitute securities for the amounts retained by the District to ensure performance of the work in accordance with the provisions of Section 22300 of the Public Contract Code.

12. The Contractor shall be provided the time period specified in Section 01340-2.0, **MATERIAL AND EQUIPMENT SUBSTITUTIONS**, for submission of data substantiating a request for a substitution of an "or equal" item.

13. As required by Section 6705 of the California Labor Code and in addition thereto, whenever work under the Contract involves the excavation of any trench or trenches five feet or more in depth, the Contractor shall submit in advance of excavations, a detailed plan showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection from the hazard of caving ground during the excavation of such trench or trenches. If such plan varies from the shoring system standards established by the Construction Safety Orders of the Division of Industrial Safety in Title 8, Subchapter 4, Article 6, California Code of Regulations, the plan shall be prepared by a registered civil or structural engineer employed by the Contractor, and all costs therefore shall be included in the price named in the Contract for completion of the work as set forth in the Contract Documents. Nothing in this Section shall be deemed to allow the use of a shoring, sloping, or other protective system less effective than that required by the Construction Safety Orders. Nothing in this Section shall be construed to impose tort liability on the District, the Design Consultant, Construction Manager or any of their agents, consultants, or employees. The District's review of the Contractor's excavation plan is only for general conformance to the California Construction Safety Orders.

Prior to commencing any excavation, the Contractor shall designate in writing to the Construction Manager the "competent person(s)" with the authority and responsibilities designated in the Construction Safety Orders.

14. In accordance with Section 7104 of the Public Contract Code, whenever any work involves digging trenches or other excavations that extend deeper than four feet below the surface, the provisions of Section 00700-7.2, **Differing Site Conditions**, shall apply.

15. In accordance with Section 7103.5 of the Public Contract Code, the Contractor and subcontractors shall conform to the following requirements. In entering into a public works contract or a subcontract to supply goods, services, or materials pursuant to a public works contract, the Contractor or subcontractor offers and agrees to assign to the District all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act [Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code], arising from purchases of goods, materials or services pursuant to this Contract or the subcontract. Such assignment shall be made and become effective at the time the District tenders final payment to the Contractor, without further acknowledgment by the parties.

16. In accordance with Section 4552 of the Government Code, the Contractor shall conform to the following requirements. In submitting a bid to the District, the Contractor offers and agrees that if the bid is accepted, it will assign to the District all rights, title, and interest

in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act [Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code], arising from purchase of goods, materials, or services by the Contractor for sale to the District pursuant to the bid. Such assignment shall be made and become effective at the time the District tenders final payment to the Contractor.

17. Pursuant to Public Contract Code Section 7100, the acceptance by the Contractor of an undisputed payment made under the terms of the Contract shall operate as, and shall be, a release to the District, and their duly authorized agents, from all claim of and/or liability to the Contractor arising by virtue of the contract related to those amounts. Disputed contract claims in stated amounts may be specifically excluded by the Contractor from the operation of the release.

18. In accordance with California Business and Professions Code Section 7030, the Contractor is required by law to be licensed and regulated by the Contractors' State License Board which has jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed within 10 years of the date of the alleged violation. Any questions concerning the Contractor may be referred to the Registrar, Contractors' State License Board, P.O. Box 26000, Sacramento, California 95826.

19. INDEMNIFICATION. To the fullest extent permitted by law, Contractor shall indemnify and hold harmless the District from any claims, choses in action or lawsuits, whereby any subcontractor, material or equipment supplier, laborer or any person who supplies work or materials to said work of improvement may claim damages, losses and expenses thereto arising out of or resulting from any claim for performance of work, including the legal defense of any stop notice action as well as attorney fees and costs. District may be required to engage separate legal counsel from that of the Contractor should District and Contractor be both named as defendants, cross-defendants or other parties to any such stop notice action in District's sole discretion. Contractor shall be fully liable for any judgment or damages resulting from any claim for stop notice relief or other liability regarding payment for materials, supplies, labor or equipment under this contract. In claims against any person or entity indemnified under this paragraph by an employee of Contractor, a subcontractor, anyone directly or indirectly employed by them for whose acts they may be liable, the indemnification obligation under this paragraph shall not be limited in amount or type of damages, compensation or benefits payable by or for the Contractor or a subcontractor. In all cases, indemnification shall include attorney fees and court costs.

Unless arising solely out of the active negligence, gross negligence or willful misconduct of the District or the Design Consultant, the Contractor shall indemnify, defend and hold harmless: (1) the District and its Board of Directors, officers, employees, agents and representative; (ii) the Design Consultant and its consultants for the Work and their respective agents and employees; and (iii) if one is designated by the District for the work, the Construction Manager and its agents and employees (collectively "the Indemnified Parties"). The Contractor's obligations hereunder include indemnity, defense and hold harmless of the Indemnified Parties from and against any and all damages, losses, claims, demands or liabilities whether for damages, losses or other relief, including, without limitation attorney's fees and costs which arise, in whole or in part, from the Work, the Contract Documents or the acts, omissions or other conduct of the Contractor or any subcontractor or any person or entity engaged by them for the Work. The Contractor's obligations under the foregoing include without limitation: (i) injuries to or death of persons; (ii) damage to property; or (iii) theft or loss of property; (iv) stop notice claims asserted by any person or entity in connection with the Work; and (v) other losses, liabilities, damages or costs resulting from, in whole or part, any

acts, omissions or other conduct of Contractor, any of Contractor's Subcontractors, of any tier, or any other person or entity employed directly or indirectly by Contractor in connection with the Work and their respective agents, officers or employees. If any action or proceeding, whether judicial, administrative, arbitration or otherwise, shall be commenced on account of any claim, demand or liability subject to Contractor's obligations hereunder, and such action or proceeding names any of the Indemnified Parties as a party thereto, the Contractor, at its sole cost and expense, shall defend the District and the Design Consultant in such action or proceeding with counsel reasonably satisfactory to the Indemnified Parties named in such action or proceeding. In the event that there shall be any judgment, award, ruling, settlement, or other relief arising out of any such action or proceeding to which any of the Indemnified Parties are bound by, Contractor shall pay, satisfy or otherwise discharge any such judgment, award, ruling, settlement or relief. Contractor shall indemnify and hold harmless the Indemnified Parties from any and all liability or responsibility arising out of any such judgment, award, ruling, settlement or relief. The Contractor's obligations hereunder are binding upon Contractor's Performance Bond Surety and these obligations shall survive notwithstanding Contractor's completion of the Work or the termination of the Contract.

IN WITNESS WHEREOF, the parties hereto have executed this agreement this

GARNEY PACIFIC, INC.

By: _____

Bill E. Williams
President

Address: 324 E. 11th, Suite: E2, Tracy, CA 95376

UNION SANITARY DISTRICT

By: _____

Anjali Lathi
Board Secretary

Address: 5072 Benson Road, Union City, California 94587

ATTEST:

Karen W. Murphy

Attorney for Union Sanitary District

**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**MAY 10, 2020
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 10**

TITLE: **Authorize the General Manager to Execute Contract Change Order No. 1 with Western Water Constructors, Inc. for the Aeration Blower No. 11 Project. *(This is a Motion Item)***

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Sami E. Ghossain, Technical Services Work Group Manager
Raymond Chau, CIP Team Coach
Derek Chiu, Assistant Engineer

Recommendation

Staff recommends the Board authorize the General Manager to execute Contract Change Order No. 1 with Western Water Constructors, Inc. (WW) in the amount of \$101,145 for the Aeration Blower No. 11 Project (Project).

Discussion

Contract Change Order (CCO) No. 1 includes modifications to the ventilation system at the East Aeration Blower Building where Blower No. 11 will be installed. The major elements of the modifications include:

- Modifying the size of the building wall louvers and converting the exhaust louver into a second supply louver.
- Adding an air filter bank to the second supply louver.
- Installing two supply fans and associated ductwork and supports.
- Replacing the existing skylights with three roof-mounted relief hoods.
- Implementing electrical and control changes in support of the ventilation system modifications.

Carollo's estimate for this work is \$80,000. Staff received WW's quote in the amount of \$118,834. The difference is mainly attributed to higher procurement costs for the two supply fans, ductwork, and supports. For the supply fans, staff worked with the contractor to get more competitive quotes from another fan manufacturer. With better pricing on the supply fans and savings from other items, staff negotiated the change order to \$101,145.

The contract change order includes a time-extension request to extend substantial completion of the Project from September 19, 2021 to December 5, 2021. The delay is mainly due to the long fabrication schedule of the new equipment added in this change order. The supply fans have the longest fabrication and delivery schedule at 10 weeks. The time extension of 78 calendar days will be non-compensable. In lieu of paying extended overhead to WW, the District will provide an electrical connection for their field office for the duration of the Project.

Background

On September 28, 2020, the Board awarded the construction contract for the Project to WW in the amount of \$1,652,000. The project was designed by Carollo Engineers and construction management is being provided for by Tanner Pacific, Inc. The project scope includes the following elements:

- Installation of a second high-speed blower, Blower No. 11, in the East Aeration Blower Building.
- Modifications to the aeration piping system, electrical system, and other associated systems to facilitate the addition of the new high-speed blower.
- Improvements to the building's ventilation system to improve the performance of the two high-speed blowers.
- Replacement of the building's roofing membrane system.
- Seismic retrofit to the building's precast concrete panels.
- Miscellaneous structural concrete repairs to the building.

On October 28, 2020, the District issued the Notice to Proceed to WW. The improvements to the building's ventilation system includes the relocation of the existing supply fan from the north building louver to the south building louver (currently a passive exhaust louver) and repurposing it as an exhaust fan. The north louver would become a passive supply louver with an air filter bank to remove dust from the supply air entering the building. The exhaust fan would pull outside air into the building through the north louver and discharge the excess supply air and heated building interior air out through the south louver. During operation, the existing high-speed Blower 12 and new high-speed Blower 11 would also pull outside air into the building through the north louver. Altogether, the total supply air pulled into the building would be used for process air in the aeration basins and for cooling of the blowers inside the building. Please refer to Figure 1 that shows the current design.

The building's ventilation system is critical for the operation of the high-speed blowers, which are sensitive to dust and debris and can be damaged if excessive dust and debris enter them. The air filter bank to be installed behind the supply louver would ensure that clean supply air enters the building. However, during the submittal preparation phase, it was discovered that the size of the supply air filter that fits into the existing supply louver would result in airflow velocities exceeding the rated capacity of the air filters and thus degrading their performance.

After reviewing alternatives, staff and Carollo decided to upgrade the building's ventilation system more extensively to ensure the supply air entering the building is properly filtered and the volume of supply air is increased to help maintain the optimum operating temperature of the blowers. The proposed ventilation upgrade will modify the size of the north and south louvers and install new supply fans and air filter banks at both louvers. In addition, three roof-mounted relief hoods will be installed to provide passive exhaust of excess supply air and heated building interior air. The ventilation upgrade will also accommodate a future high-speed blower that will be installed in the East Aeration Blower Building during the upcoming Aeration Basin Modifications Project of the Enhanced Treatment and Site Upgrade Program. Please refer to Figure 2 that shows the ventilation system upgrade proposed in CCO No. 1.

Previous Board Action

November 11, 2019, the Board authorized the General Manager to execute an agreement and Task Order No. 1 with Carollo in the amount of \$122,849 for final design services for the Project.

September 28, 2020, the Board awarded the construction contract for the Project to Western Water Constructors, Inc. in the amount of \$1,652,000.

October 12, 2020, the Board authorized the General Manager to execute Task Order No. 2 with Carollo in the amount of \$74,705 to provide engineering services during construction for the Project.

December 14, 2020, the Board authorized the General Manager to execute an Agreement and Task Order No. 1 with Tanner Pacific, Inc. in the amount of \$258,800 to provide construction management services for the Aeration Blower No. 11 Project and Centrifuge Building Improvements Project.

PRE/SEG/RC/DC;mb

Attachments: Figure 1 – Original Ventilation System Design
Figure 2 – Ventilation System Upgrade Proposed in CCO No. 1
Contract Change Order No. 1

FIGURE 1 – ORIGINAL VENTILATION SYSTEM DESIGN FOR THE EAST AERATION BLOWER BUILDING

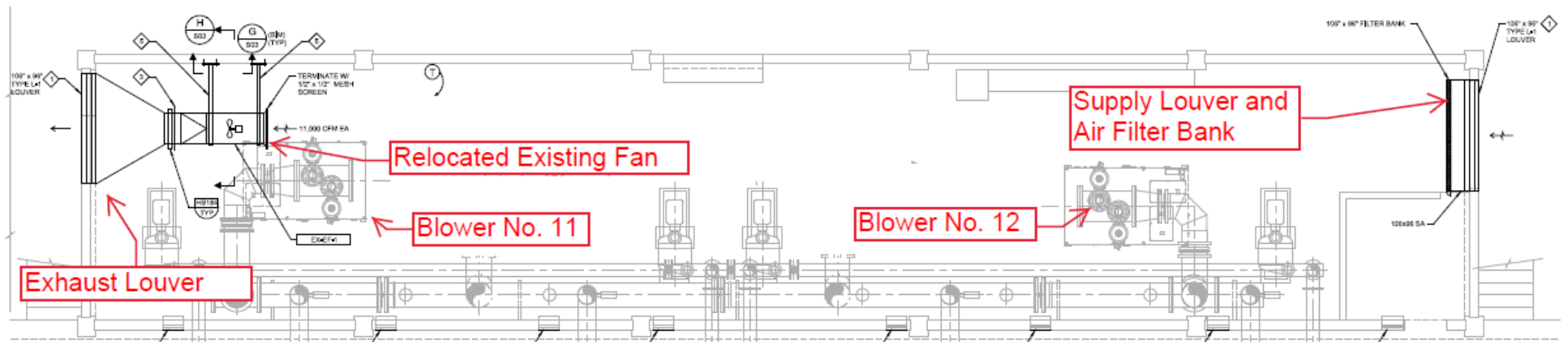
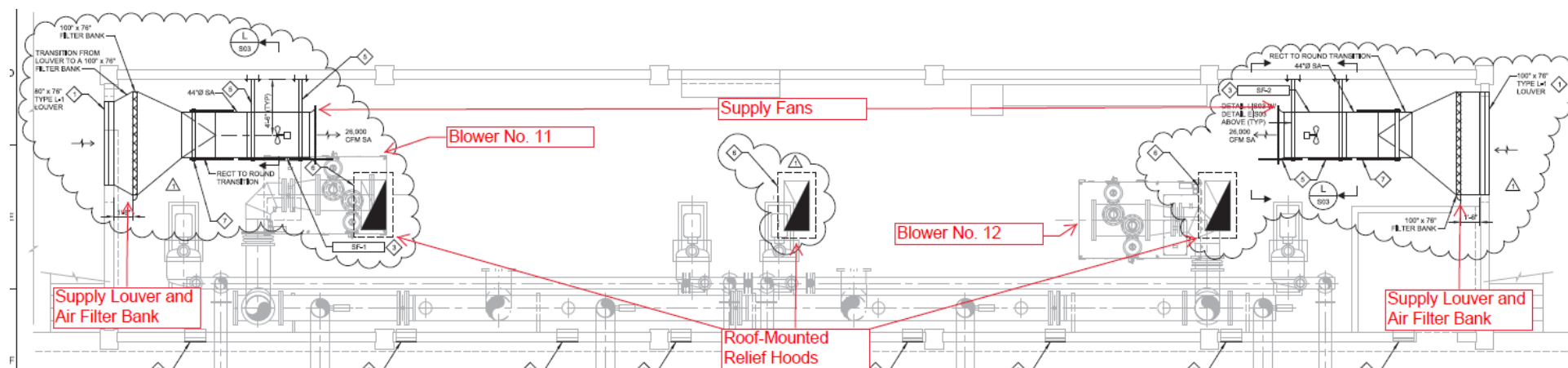


FIGURE 2 – VENTILATION SYSTEM UPGRADE PROPOSED IN CCO NO. 1 FOR THE EAST AERATION BLOWER BUILDING



CONTRACT CHANGE ORDER No. 01

Union Sanitary District Aeration Blower No. 11 Project Project No. 900-528

Item: Blower Room Intake Ventilation Modifications

Contractor is hereby directed to make the herein described changes from the plans and specifications or do the following work not included in the plans and specifications of this contract. All new work herein described shall be done in accordance with the applicable provisions of the plans and specifications, except as specifically modified by this Contract Change Order.

DESCRIPTION OF CHANGE:

In accordance with Request for Quotation (RFQ) No. 2 dated February 2, 2021, and associated Design Clarification No. 3 dated February 5, 2021, provide all labor, material, and equipment to modify the HVAC ventilation system, including but not limited to the following:

- Reduce the size of the two intake louvers as shown on drawing H01.
- Provide and install two 15HP inline supply fans sized at 26,000 CFM each.
- Provide additional inlet ductwork for the north supply fan.
- Provide and install three roof mount relief hoods.
- Provide and install a discrete output module to RIO-12 to allow for the "auto start" commands for each new supply fan.
- Deletion of the work associated with the relocation of EX-EF-1 including associated electrical work and backdraft damper.
- Deletion of the work associated with the field-mounted thermostat.

Specification Section 01010-2.4.2, No. 9: The requirement to complete demolition of the existing HVAC system within 60 days of beginning HVAC demolition work is increased to 106 days.

Specification Section 01510- 1.0: While Contractor remains responsible for providing at its own cost, all electric power required for the Project, the District is allowing the Contractor to connect to a single welding receptacle connection for the Contractor's field office use. Contractor shall not overload the capacity of the welding receptacle connection. The temporary power is provided as-is with no guarantee of availability to the Contractor. The District shall not be liable for any costs or delays due to utility power or backup generation power failures. The use of this temporary power shall end with the completion of the Project.

Interim Milestone No. 1, as defined in Specification Section 00800-1.1, is waived.

A non-compensable time extension is granted for Project Substantial Completion, as defined in Specification Section 00800-1.1:

Original Project Substantial Completion Date:	September 19, 2021
Non-compensable Time Extension Granted in this CCO:	78 Calendar Days
Revised Project Substantial Completion Date	December 5, 2021

REFERENCES: RFQ No. 2

COST OF CHANGE: \$101,145

CONTRACT TIME ADJUSTMENT: 78 calendar days

We, the undersigned Contractor, have given careful consideration to all aspects of the change proposed and hereby agree. This Contract Change Order constitutes full and complete compensation for all labor, equipment, materials, overhead, profit, any and all indirect costs and time adjustment, including and delay and rescheduling, required to perform the above described change and will accept this Contract Change Order as full and final payment.

This document supplements the Contract Documents and all provisions of the Contract Documents will apply thereto. It is understood that the Contract Change Order shall be effective when fully executed by the District.

ACCEPTED:

Western Water Constructors, Inc.
Project Manager:

By: _____
Stephen Welling

Date: _____

RECOMMENDED FOR ACCEPTANCE:

Tanner Pacific, Inc.
Construction Manager:

By: _____
Masih Hamkar

Date: _____

Union Sanitary District
Project Manager:

By: _____
Derek Chiu

Date: _____

Union Sanitary District
CIP Coach:

By: _____
Raymond Chau

Date: _____

Union Sanitary District
Technical Services Manager:

By: _____
Sami Ghossain

Date: _____

AUTHORIZED STAFF APPROVAL:

The Contractor shall not commence with the above-described work of this change order prior to the approval by the District's Authorized Representative.

Union Sanitary District
Authorized Representative:

By: _____
Paul R. Eldredge, P.E.

Date: _____



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**MAY 10, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 11**

TITLE: Authorize the General Manager to Execute Task Order No. 2 with V&A Consulting Engineers, Inc. for the Cathodic Protection System Improvements Project (This is a motion item)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Sami E. Ghossain, Technical Services Work Group Manager
Raymond Chau, CIP Team Coach
Thomas Lam, Associate Engineer

Recommendation

Staff recommends the Board authorize the General Manager to Execute Task Order No. 2 with V&A Consulting Engineers, Inc. (V&A) in the amount of \$30,854 to provide engineering services during the construction of the Cathodic Protection System Improvements Project (Project).

Discussion

The purpose of this Task Order is to authorize engineering services during construction, such as submittal and shop drawing review, responding to requests for information, and preparation of design clarification memoranda.

The scope of services and fees of Task Order No. 2 with V&A are summarized below:

Task	Task Description	Amount
1	Project Management	\$4,622
2a	Review RFIs	\$2,022
2b	Review Submittals	\$8,088
2c	Design Clarification Memoranda	\$1,116

Task	Task Description	Amount
3	Periodic Site visit	\$1,129
4	Final System Checkout	\$7,564
5	Informal RFIs	\$6,091
	Other Direct Costs	\$222
Total Not to Exceed Amount		\$30,854

The task order's total not-to-exceed amount is 6.4 percent of the construction contract amount of \$483,800. For a project of this size and scope, staff expects the fee to be in the range of 4 to 7 percent. The task order amount is towards the upper end of the fee range due to the Final System Checkout task for which V&A will review the contractor's test report of the new cathodic protection systems and perform independent tests of the systems to verify the results. As a comparison, the table below summarizes the final fees and percentages of engineering services during construction of past plant and pump station projects.

Project	Engineering Services During Construction Cost (A)	Construction Cost (B)	Percentage of A to B
Chemical Tanks and Piping Replacement Project	\$81,768	\$2,226,332	3.7%
Primary Digester No. 5 Rehabilitation	\$35,896	\$779,600	4.6%
Newark Pump Station Wetwell Improvements	\$49,663	\$679,100	7.3%

The task order amounts for the Project's agreement with V&A are summarized in the table below:

Task Order / Amendment	Not to Exceed Amount
Task Order No. 1 – Final Design Services	\$86,521
Task Order No. 2 – Engineering Services During Construction	\$30,854
Total	\$117,375

The construction contract for the Project was awarded to Corpro Companies, Inc. during the Board meeting of April 26, 2021. Staff expects to issue the Notice to Proceed in May 2021 and anticipates construction to be completed by December 2021. Staff plans to hire a consultant to provide construction management and inspection services for the Project.

Background

The District operates cathodic protection systems to protect its underground steel and iron pipelines and appurtenances from corrosion. These systems are located at the Alvarado Wastewater Treatment Plant (Plant), Newark Pump Station (PS), Irvington PS, and sites where the twin force main pipelines and steel casings cross under major roadways and railroads. The cathodic protection systems are a combination of sacrificial anodes installed in shallow excavations and anodes installed in a deep well and energized using a rectifier. The type of system is dependent on the quantity and proximity of steel and iron pipelines within an area. The cathodic protection systems are designed to sacrificially degrade the anodes and impede corrosion of the pipelines.

Staff annually tests and measures the cathodic protection systems to monitor the effectiveness of the anodes and rectifiers. In 2018, the District hired JDH to review the data and evaluate the condition of the cathodic protection systems. JDH presented its findings and recommendations in the 2018 Annual Survey and Cathodic Protection Condition Assessment Report (Report). The Report provided a plan to repair, replace, or upgrade the existing cathodic protection systems during the next 10 years.

Newark Pump Station

The cathodic protection system improvements at the Newark PS was one of the recommendations in the Report. The Newark PS system, which consists entirely of sacrificial anodes in shallow excavations, was installed in 2004 as part of the Pump Station Force Main Corrosion Repairs Project. JDH found that most of the sacrificial anodes are nearly depleted. New anodes were recommended to be installed for corrosion protection of the underground steel pipelines which range in diameters between 24-inches and 48-inches. The cathodic protection pipeline test station terminal boards were also recommended to be replaced.

Plant

One of the Report's recommendations was to replace seven oil-cooled rectifiers with air-cooled rectifiers. The oil-cooled rectifiers are in poor condition, and they tend to overheat and are hard to maintain due to the difficulty in replacing the oil. The seven oil-cooled rectifiers are located near the following structures in the Plant:

- Headworks Building
- Primary Clarifiers 1-4 Building
- West Blower Building
- Control Box No. 3
- Alvarado Effluent Pump Station
- Thickener No. 3
- Thickener No. 4

The Report also recommended replacing the deep anode well located at the Heating and Mixing Building No. 3 because the anodes are nearly depleted. A new deep anode well will be

installed, and the existing deep anode well will be “destroyed” pursuant to the California Well Standards issued by the California Department of Water Resources. Additionally, the Report also recommended an inactive deep anode well located at the West Blower Building be “destroyed” as it was replaced with a new deep anode well several years ago. Please refer to Figure 2 for the location of the improvements at the Plant.

Project Scope

JDH provided design services for the Newark Pump Station Cathodic Protection System Project when it was previously bid. V&A Consulting Engineers completed the design of improvements to the Plant’s cathodic protection system. The Project’s scope includes:

- Plant
 - Replacement of seven existing oil-cooled rectifiers with air-cooled rectifiers located throughout the Plant.
 - Installation of one new 250-foot-deep anode well located east of the Heating and Mixing Building No. 3.
 - Destruction of two existing deep anode wells located near the Heating and Mixing Building No. 3 and the West Blower Building pursuant to the California Well Standards issued by the California Department of Water Resources.
- Newark PS
 - Installation of new buried (shallow depth) sacrificial anodes at 10 locations to protect the underground steel pipelines which range in diameters from 24 to 48 inches.
 - Replacement of 10 existing cathodic protection test station terminal boards.

Previous Board Action

April 22, 2019, the Board rejected all bids received for the Newark Pump Station Cathodic Protection System Upgrade Project and authorized staff to re-bid the project.

June 24, 2019, the Board rejected the sole bid received for the Newark Pump Station Cathodic Protection System Upgrade Project.

November 9, 2020, the Board rejected all bids received for the Cathodic Protection System Improvements Project and authorized staff to re-bid the project.

April 26, 2021, the Board awarded the construction contract for the Cathodic Protection System Improvements Project to Corrpro Companies, Inc. in the amount of \$483,800.

PRE/SEG/RC/TL;mb

Attachment: Task Order No. 2

Cathodic Protection System Improvements Project

TASK ORDER NO. 2

to

AGREEMENT

BETWEEN

UNION SANITARY DISTRICT

AND

V&A CONSULTING ENGINEERS, INC.

FOR

ENGINEERING SERVICES DURING CONSTRUCTION

Dated September 23, 2020

1. PURPOSE

The purpose of this Task Order No. 2 is to provide engineering services during construction for the Cathodic Protection System Improvements Project, Project Number 800-503 (Project).

Engineering services to be provided during construction include project management, submittal reviews, RFI reviews, clarification memo preparation, site visits, cathodic protection system verification testing, engineering support, and participation in conference calls. These services are to be performed by the same engineers who work on the design and possess detailed knowledge about the Project.

2. PROJECT COORDINATION

All work related to this task order shall be coordinated through the District's Project Manager, Thomas Lam.

3. SCOPE OF SERVICES

The task numbers in this Scope of Services are associated with the cost data presented in Exhibit A. V&A Consulting Engineers, Inc. (Engineer) shall provide the following engineering support services during the construction of the project:

General Scope Assumptions

- Although the Scope of Work is broken down into tasks, the fee estimate for each individual task shall not be considered a “not to exceed” amount for each task. It is anticipated that some tasks may require more effort, and some may require less effort. The Engineer shall have the ability to adjust the budgets within the Scope of Work among tasks to balance the overall level of effort. The Engineer shall not exceed the total budget for the project without written authorization from the District.

Task 1 – Project Management:

The objective of this task is to track and execute the project in accordance with the schedule, budget, and quality expectations that are established. This task includes the following project management work activities:

- a. Monitor project progress, including work completed, work remaining, budget expended, schedule, estimated cost of work remaining, and estimated cost at completion; manage activities within total project budget.
- b. Monitor project activities for potential changes and anticipate changes whenever possible; with approval, modify project tasks, task budgets, and approach to keep the overall project within budget and on schedule.
- c. Manage the quality of all work activities and project deliverables.
- d. Prepare and submit monthly invoices and progress reports.

Engineer’s budget allowance for this task is 24 hours.

Task 2 – Submittal, RFI, and Clarification Memoranda:

- a. Requests for Information (RFI):

Engineer shall respond to formal requests for information (RFIs) when requested by the District. Engineer shall provide a written response on the Engineer’s response sheet and return the response sheet to the Construction Manager. Engineer shall complete review of RFI, provide response, and return response within seven (7) calendar days of Engineer’s receipt of RFI. If for any reason the response cannot be completed within this period, Engineer shall notify Construction Manager and provide reason for delay prior to the end of the specified review period.

The District’s Construction Manager will perform an initial review to screen all RFIs for form, completeness, and general content conforming to that specified in the Contract Documents before transmitting them to Engineer.

Up to 12 hours to review and respond 4 RFIs at an average of 3 hours per RFI, which could include issuing necessary clarifications, interpretations, and re-design of the Contract Documents, as appropriate for the orderly completion of the work.

b. Submittal Review:

Engineer shall respond to requests for submittal review when requested by the District. Engineer shall provide written review comments on the Engineer's review comment sheet and return the review comment sheet to the Construction Manager. Engineer shall complete review of submittal, provide comments, and return review comment sheet within twenty-one (21) calendar days of Engineer's receipt of submittal for normal submittals. Review comments for critical path or expedited submittals shall be returned within ten (10) calendar days of Engineer's receipt of submittal. If for any reason the review cannot be completed within this period, Engineer shall notify Construction Manager and provide reason for delay prior to the end of the specified review period.

The Construction Manager will make an initial review to screen all submittals for form, completeness, and general content conforming to that specified in the Contract Documents before transmitting them to Engineer.

Engineer's submittal review is to determine compliance with the Contract Documents. Submittal review is not intended as acceptance of the work. The review is not intended to relieve the Contractor of his full responsibility for performance as required by the Contract Documents.

All administrative and quality control submittals shall be reviewed by the Construction Manager.

Up to 48 hours to review and respond up to 12 submittals (including resubmittals) at an average of 4 hours per submittal, including shop drawings, material and equipment data sheets, engineering calculations, and other data the Contractor is required to submit per the Contract Documents.

c. Clarification Memorandum:

Clarification Memorandum will be issued to 1) clarify Contract Documents when necessary, 2) in the event that modifications to the Contract Documents are desired by the District, or 3) to assist the Construction Manager with the preparation of contract change order requests.

Up to 6 hours on preparing 1 Clarification Memoranda at an average of 6 hours per Clarification Memorandum.

Task 3 – Periodic Site Visits:

- a. Provide up to 6 hours to coordinate and conduct up to 1 site visit for observational purposes during construction. Days of critical construction will be identified using the project schedule and close coordination with the Contractor.

Task 4 – Final System Checkout:

- a. The contractor will energize the Cathodic Protection (CP) system and provide testing of the completed system at all rectifiers and junction boxes that were a part of the project scope. Engineer shall review the report and prepare comments in response.
- b. After the Contractor's final system checkout is complete, Engineer shall perform field testing to verify the results of the Contractor's testing. A potential survey will not be conducted. Any deficiencies of the system determined by the Engineer shall be repaired and retested by the Contractor at no additional cost to the District. It is assumed the Contractor shall provide Engineer with at least one week of notice to coordinate the testing. Engineer shall provide a letter report documenting the results of the testing. Engineer's scope includes the following testing:
 - 1) Measure the rectifier and anode outputs at Rectifiers A, B, C, D, E, F, G, and R4. Rectifiers A, B, D, E, F, G, and R4 will have new air-cooled rectifiers installed. Additionally, Rectifier E will have a newly abandoned anode well in addition to an existing unmodified anode well (i.e., only one active anode well will remain). Rectifier C will have a new anode well.
 - 2) "On" and "instant off" pipe-to-soil potentials will be measured at the structure junction boxes associated with each of the 8 rectifiers to verify the rectifier is influencing the intended pipelines; however, synchronized current interrupters will not be installed at all 12 rectifiers, so the true polarized potential of the pipelines will not be measured.

Task 5 – Informal Requests for Information:

- a. Engineer shall respond to Construction Manager's informal requests for information, including verbal, email, and telephone correspondence with Construction Manager.
- b. Provide up to 25 hours of Informal correspondence.

4. DELIVERABLES

All deliverables shall be provided electronically in Word or PDF format. The following deliverables are included in this Task Order:

- Provide responses to submittals, RFIs, and Clarification Memorandum with required supporting documentation, as required.
- Provide a letter response to the Contractor's final system test report.
- Provide a letter report for the final system checkout conducted by Engineer.

5. PAYMENT TO THE ENGINEER

Payment to the Engineer shall be as called for in Article 2 of the Agreement. The cost ceiling shall be \$30,854. A summary of the anticipated distribution of cost and manpower between tasks is included as Exhibit A.

The following table summarizes the previously-executed and proposed task orders under the Agreement:

Task Order / Amendment	Not to Exceed Amount	Board Authorization Required?	District Staff Approval
Task Order No. 1 – Final Design	\$86,521	No	Paul R. Eldredge
Task Order No. 2 – Engineering Services During Construction	\$30,854	Yes	Paul R. Eldredge
Total	\$117,375		

6. TIME OF COMPLETION

The work defined in this Task Order No. 2 shall be completed within 300 calendar days after the execution of this Task Order and is subject to the conditions of Article 3 of this Agreement.

7. KEY PERSONNEL

Engineering personnel assigned to this Task Order No. 2 are as follows:

<u>Role</u>	<u>Key Person to be Assigned</u>
Principal in Charge	Glenn Willson
Project Manager	Chelsea Teall

Key personnel shall not be changed except in accordance with Article 8 of the Agreement.

IN WITNESS WHEREOF, the parties hereto have made and executed this Task Order No. 2 as of _____ and therewith incorporate it as part of the Agreement.

DISTRICT

ENGINEER

Union Sanitary District

V&A Consulting Engineers, Inc.

By: _____
Paul R. Eldredge, P.E.
General Manager/District Engineer

By: _____
Glenn H. Willson, P.E.
Western Regional Manager

Date: _____

Date: _____

Exhibit A

JOB NO: 19-0241

4/29/2021

CLIENT: Union Sanitary District

PROJECT NAME: Cathodic Protection System Improvements Project, Engineering Services During Construction, Task Order No. 2

Task	Description	Principal-in-Charge	Senior Project Manager	Project Manager	Associate Engineer	Assistant Engineer	Engineering Assistant	Project Admin	Hours	Cost
1	Project Management	2		12			6	4	24	\$4,622
2a	RFI (12 hours for 4 requests)			3		9			12	\$2,022
2b	Submittal Review (48 hours for 12 submittals)			12		36			48	\$8,088
2c	Clarification Memoranda (6 hours for 1 memos)	1		1		4			6	\$1,116
3	Periodic Site Visits (one 2-hr visit)			1	5				6	\$1,129
4	Final System Checkout	2	2	8	24		2		38	\$7,564
5	Informal Requests for Information	2		23					25	\$6,091
	Subtotal Direct Labor Hours	7	2	60	29	49	8	4	159	
	Hourly	\$297	\$259	\$239	\$178	\$145	\$134	\$89		
	Subtotal Direct Labor Cost	\$2,079	\$518	\$14,340	\$5,162	\$7,105	\$1,072	\$356		\$30,632
Other Direct Costs		Unit Cost	Units	No. of Units						Cost
	Truck (per day)	\$85	per day	2						\$170
	Mileage (per mile)	\$0.575	per mile	90						\$52
	Office Expenses (Printing/Reproduction) (at cost)	\$1.00	at cost	0						\$0
	Subtotal Other Direct Costs									\$222
GRAND TOTAL ESTIMATED COST										\$30,854

**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**MAY 10, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 12**

TITLE: Board Direction Regarding New Campus Boardroom Following Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Update Board Workshop (*This is a Direction Item*)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager
Curtis Bosick, Enhanced Treatment and Site Upgrade Assistant PM
ETSU Steering Committee (Armando Lopez, Sami Ghossain, Robert Simonich)

Recommendation

Staff is seeking feedback and direction regarding the Boardroom based on information provided in response to comments received from the Board Members at the ETSU Board workshop held on February 9 and the Board meeting of March 8, 2021.

Discussion

On February 9, 2021, the Campus design team and staff held a workshop with the Board to review the new Campus Building schematic design package. Some of the general feedback received during this workshop related to topics such as: building security; heating, ventilation, and air conditioning (HVAC) controls; audio/video requirements; and the proposed ceiling height of the new Boardroom. At the March 8, 2021 meeting, the Board provided additional feedback on the individual comments received from Board members in relation to the workshop held on February 9, 2021. During the March 8, 2021 meeting, the Board provided direction to staff to research the potential for the Boardroom ceiling height to be increased beyond the proposed height which varies from 11'-8" to 13'.

One concept that was brought up during these aforementioned meetings was the possibility of separating the Boardroom from the current building footprint as one possibility to increase the

Boardroom ceiling height as there would not be a second story directly above. The Campus design team has provided conceptual sketches (see Figures 1-3) of separating the Boardroom footprint to accommodate a higher Boardroom ceiling. Very preliminary estimates for the increased cost to the Campus Building project to accommodate a higher ceiling height is in the range of \$2.3 to \$2.9 million dollars. In the event the Board is interested in pursuing this option, staff will need to further evaluate the concept to determine the impacts to the current schedule.

Staff has also included some preliminary images to help visualize what was originally presented in the schematic design package on February 9, 2021. These images are meant to provide examples of what the Boardroom could look like and have been included as Figures 4-6. Staff is not suggesting these images are at all complete or that these are the only options that the Board will have to choose from. Certain elements such as the layout of the dais or the color schemes are place holders at this point and time. Staff is planning on discussing this in greater detail at the next ETSU Board workshop, which has not been scheduled yet. For reference, a photo of the existing Boardroom including ceiling heights has been included as Figure 7.

Staff is seeking direction on the footprint of the building and Boardroom and if there is any interest in further developing this concept.

Background

The ETSU Program is the culmination of the District's planning efforts and is based on the outcomes and findings of the Plant Solids System/Capacity Assessment – Phases 1 and 2, Administration/Control/FMC Buildings Evaluation, the Effluent Management Study and the Secondary Treatment Process Improvements evaluation. The program includes projects recommended for implementation that will be phased to address both immediate drivers (poor sludge settleability, treatment capacity, effluent disposal and aging infrastructure), while preparing for future requirements such as nutrient regulations for discharge in the Bay that are currently being considered by the Regional Water Quality Control Board.

The Phase 1 and 2 projects included in this program were presented to the Board during the workshop held on May 8, 2019 and are summarized in the Final Report which was approved by the Board on August 26, 2019. A third phase of projects was briefly outlined that covered the timeframe from 2040 to 2058 and included potentially stricter nutrient limits in the more distant future. The projects identified in the ETSU Program and modified by the 30% design report to be implemented in the near-term (the next seven to ten years) are included in Phase 1 and are summarized in the table below.

Phase 1A	Aeration Basin Modifications	Retrofitting existing Aeration Basins 1 through 7 and construction of an 8 th aeration basin with the flexibility to operate initially with an anaerobic selector during the
----------	------------------------------	---

		implementation phase and transitioning to a biological nutrient removal (BNR) process following completion.
Phase 1A	Campus Building (Admin, FMC, Ops)	Construction of a new combined Campus Building, including associated site and utility improvements.
Phase 1B	Secondary Clarifiers	Construction of four new 160-foot diameter secondary clarifiers, mixed liquor control box, and centralized RAS pump station.
Phase 1B	Effluent Facilities	Construction of new chlorination/dechlorination contact basins, effluent pump stations, and relocation of existing effluent force main.
Phase 1C	Plant Equalization Storage	Retrofitting existing Secondary Clarifiers 1 through 4 to operate as primary effluent equalization basins.

The full version of the ETSU Program report, including appendices, can be found at the following link: <https://unionsanitary.ca.gov/ETSU>.

ETSU Phase 1A Project

Staff developed a Phase 1A Project scope which includes the Aeration Basin Modifications project and the Campus Building project. These two projects are being designed together for the initial construction because they are the first two concurrent projects that must both be completed before the remainder of Phase 1 can be accomplished, specifically the new secondary clarifiers, which are necessary for nutrient reduction.

The major scope items for the Aeration Basin Modifications Project are as follows:

- Retrofit Aeration Basins 1 through 7 to initially operate with an anaerobic selector to improve settling and then transition to a Biological Nutrient Removal (BNR) process to remove nutrients at the conclusion of Phase 1B. This work includes but is not limited to the following:
 - Installation of baffling and mechanical mixing to create deoxygenation, anoxic and flexible aeration zones.
 - Addition of nitrified recycle pumps and dedicated RAS piping for each basin, repurposing of existing channels to facilitate step feed operation and surface wasting and modifications to existing aeration air distribution and diffuser piping systems.
- Construct new Aeration Basin 8
- Replace Roof Deck for Aeration Basins 1 through 4. The existing precast prestressed concrete tee-section beams to be replaced with a new cover.

- Replace Aeration Blowers 7 through 10 and Channel Blowers 1 through 4 with new high-speed turbo blowers. This work includes the replacement/upsizing of existing 480V electrical gear and demolition of existing centrifugal blowers and 4160 kV switchgear.
- Replace Odor Scrubbers 2 through 5. This work includes the demolition of the existing odor scrubber facilities.
- Rehabilitate Primary Effluent Lift Station No. 2
- Expand and/or retrofit existing electrical, mechanical, communication, and conveyance systems/equipment as required to accomplish the above scope of work.

The major scope items for the Campus Building project are as follows:

- Construct a new Campus Building that consolidates the District's existing Administration, Control/Lab and Fabrication, and Maintenance and Construction (FMC) buildings and is constructed in accordance with current seismic and safety regulations. This work includes all associated site, landscaping and utility improvements, and new parking areas and driveways.
- Potentially construct a new storm water retention pond and covered parking with solar panels in portions of the new parking lots to be constructed around the new Campus Building.
- Install electrical and communication/network improvements as required to accomplish the above scope of work.

Previous Board Action

December 12, 2016, the Board authorized the General Manager to execute an agreement and Task Order No. 1 with Woodard & Curran (formerly RMC Water and Environment) in the amount of \$265,217 to study, review and assess the District's near- and long-term projects.

January 9, 2017, the Board authorized the General Manager to execute Task Order No. 2 with Carollo Engineers in the amount of \$279,698 for the Plant Solids System/Capacity Assessment – Phase 2.

March 27, 2017, the Board authorized the General Manager to execute Task Order No. 2 with Woodard & Curran in the amount of \$69,877 for the Effluent Management Study.

July 11, 2017, the Board held Workshop No. 1 on the background and analysis of the Administration and Control Buildings and cost comparison of the retrofit and new building alternatives.

January 22, 2018, the Board authorized the General Manager to execute Amendment No. 2 to Task Order No. 2 with Woodard & Curran in the amount of \$74,518 to evaluate strategies for

early adoption of nutrient removal process at the Plant and at the Hayward Marsh during the Effluent Management Study.

March 19, 2018, the Board held Workshop No. 2 on the retrofit vs. new options for the Administration and Control Buildings, the options for secondary process improvements, and the need to vet the membrane bioreactor treatment technology.

May 8, 2019, the Board held Workshop No. 3 on results from the secondary process evaluation, the alternatives and phasing of the secondary treatment process improvements, the new campus building alternative, and the capital and O&M cost updates.

July 22, 2019, the Board approved the Enhanced Treatment & Site Upgrade Program Manager (Limited Duration) and Enhanced Treatment & Site Upgrade Assistant Program Manager (Limited Duration) Job Descriptions and Salary Ranges.

August 26, 2019, the Board Adopted Resolution 2864 Approving the District's Final Report for the Enhanced Treatment & Site Upgrade Program.

January 13, 2020, the Board authorized the General Manager to execute an Agreement and Task Order No. 1 with Hazen and Sawyer in the amount of \$6,752,860 for the Enhanced Treatment and Site Upgrade Phase 1A Project to provide the 30% design services for all projects in Phase 1 of the ETSU Program (excluding the Campus Building project) and final design services associated with the Aeration Basin Modifications Project.

March 9, 2020, the Board authorized the General Manager to execute Task Order No. 2 with Hazen and Sawyer in the amount of \$3,737,412 for the Enhanced Treatment and Site Upgrade Phase 1A Project to complete the design of the Campus Building Project.

July 13, 2020, the Board authorized the General Manager to execute Amendment No. 1 to Task Order No. 1 with Hazen and Sawyer in the amount of \$98,335 for the Enhanced Treatment and Site Upgrade Phase 1A Project to include the Design of Aeration Basin No. 8 in the 30% Design of the Aeration Basin Modifications Project.

October 28, 2020, the Board held a Workshop on results from ETSU Phase 1A project design to date with emphasis on the review of the 30% Design Submittal for the Phase 1A, 1B, and 1C projects.

November 11, 2020, the Board authorized the General Manager to execute Amendment No. 2 to Task Order No. 1 with Hazen and Sawyer in the amount of \$750,760 for the Enhanced Treatment and Site Upgrade Phase 1A Project to include Aeration Basin No. 8 in the Final Design of the Aeration Basin Modifications Project.

January 11, 2021, the Board authorized the General Manager to execute an Agreement with Hazen and Sawyer for design services for the Enhanced Treatment and Site Upgrade Phase 1B and 1C Projects and Task Order No. 1 for design of the ETSU Phase 1B Project in the amount of \$7,960,952.

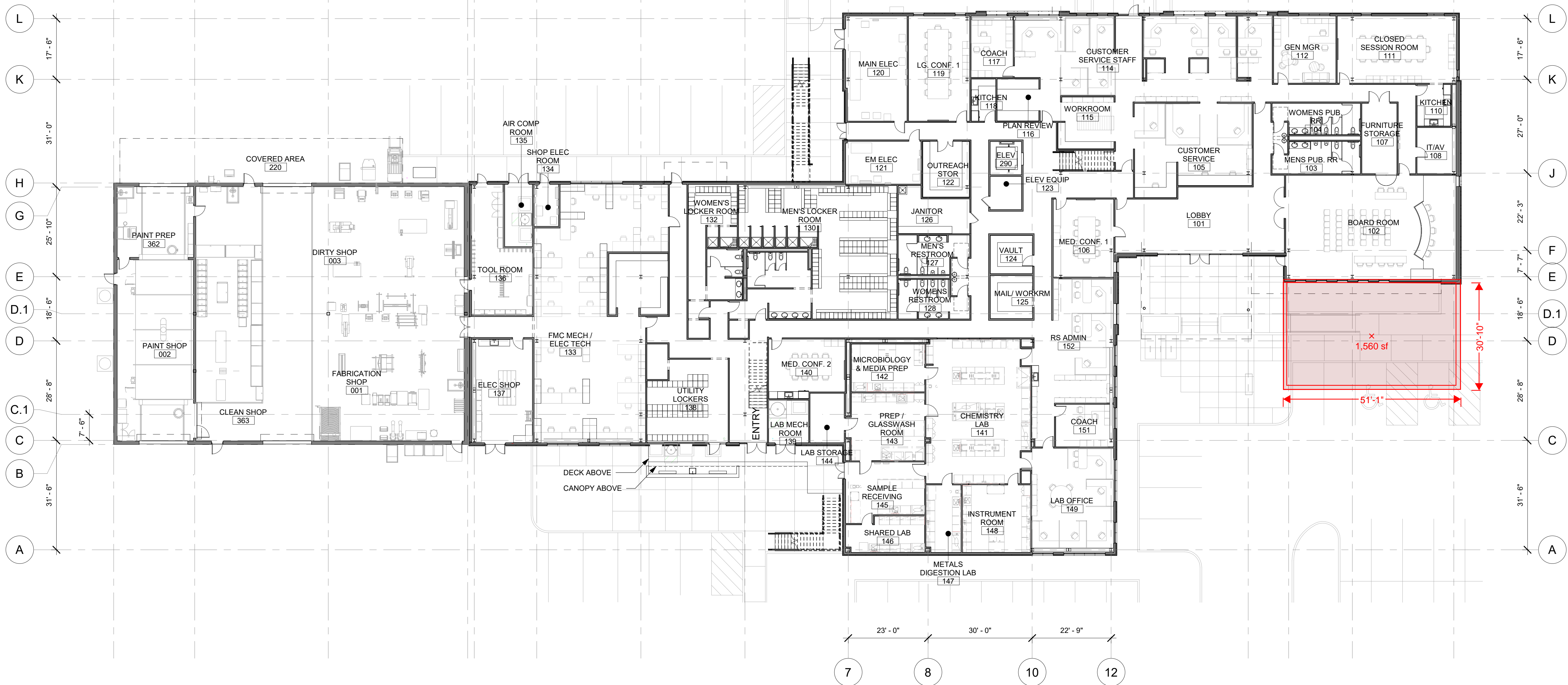
February 9, 2021, the Board held a Workshop on results from Phase 1A project design to date with emphasis on the review of the New Campus Schematic Design Proposal.

February 22, 2021, the Board authorized the General Manager to execute an Agreement and Task Order No. 1 with Psomas for value engineering, constructability review, and construction management services for the Enhanced Treatment and Site Upgrade (ETSU) Phase 1A Project in the amount of \$10,986,283.

March 8, 2021, the Board directed staff on the individual comments received from Board Members regarding the ETSU Board workshop held on February 9, 2021 regarding the new Campus Building schematic design package.

Attachments:

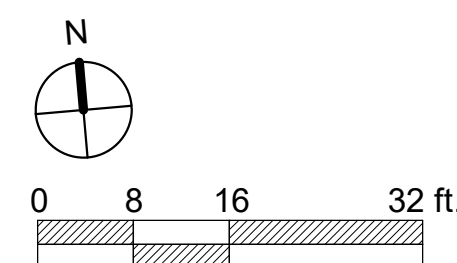
- Figure 1 – Conceptual campus floor plan adjustment
- Figure 2 – Conceptual campus elevation view adjustment
- Figure 3 – Conceptual campus section view adjustment
- Figure 4 – Preliminary Boardroom floor plan
- Figure 5 – Preliminary Boardroom south elevation
- Figure 6 – Preliminary Boardroom 3d image
- Figure 7 – Existing Boardroom photo with ceiling heights




FLOOR PLAN - LEVEL 1
1/16" = 1'-0"

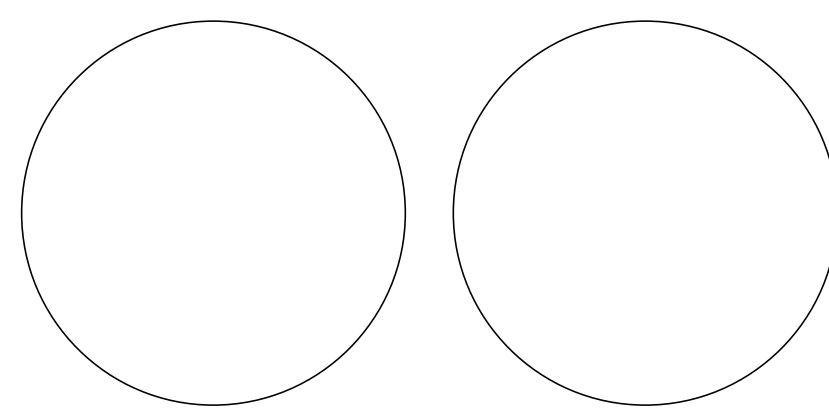
Keynote Legend	
/value	Keynote Text

SHEET NOTES:
1. SEE ENLARGED FLOOR
PLANS FOR REMAINING
DOOR AND WALL TAGS
2.



PRELIMINARY DRAWING DO NOT USE FOR CONSTRUCTION

				PROJECT ENGINEER:	A. BRIGGS
				DESIGNED BY:	Designer
				DRAWN BY:	Author
				CHECKED BY:	Checker
				IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO FULL SCALE	<div> <div>0</div> <div>1/2"</div> <div>1"</div>  </div>
REV	ISSUED FOR	DATE	BY		



Hazen

HAZEN AND SAWYER
102 MISSION STREET, SUITE 500
SAN FRANCISCO, CALIFORNIA 94105

Burks Toma
Architects



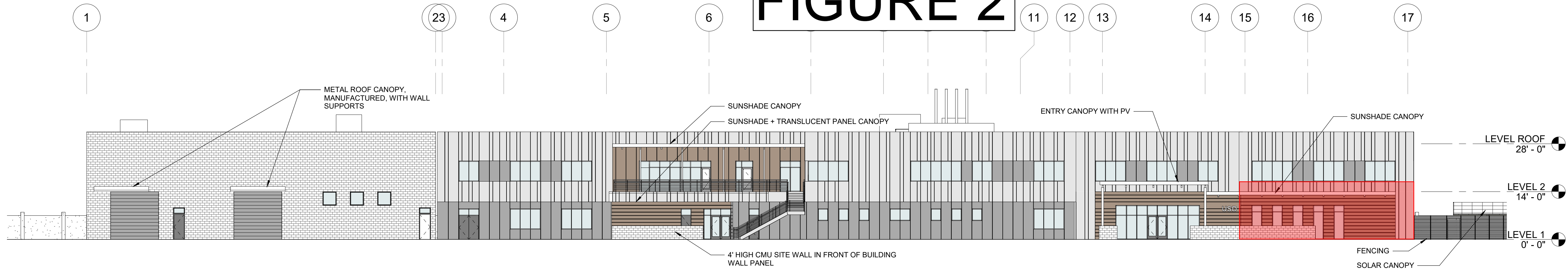
ENHANCED TREATMENT SITE AND UPGRADE PROGRAM

PHASE 1A PROJECT

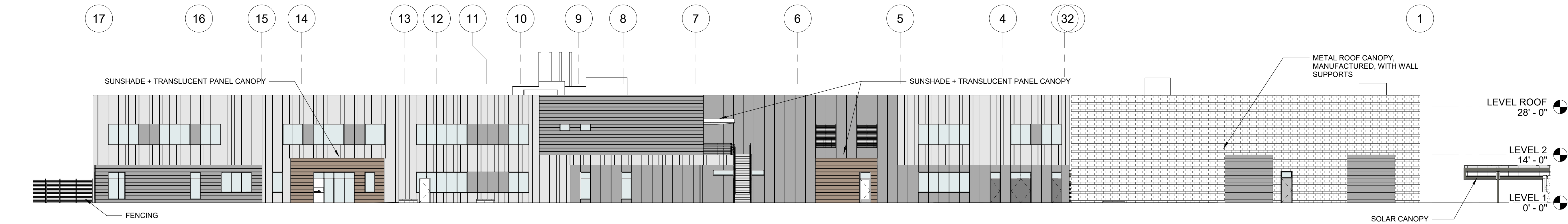
PLAN
ARCHITECTURE
FLOOR PLAN - LEVEL 1

DATE:	2020
HAZEN NO.:	20118-002
CONTRACT NO.:	1
DRAWING NUMBER:	A810.1
SHEET NUMBER:	

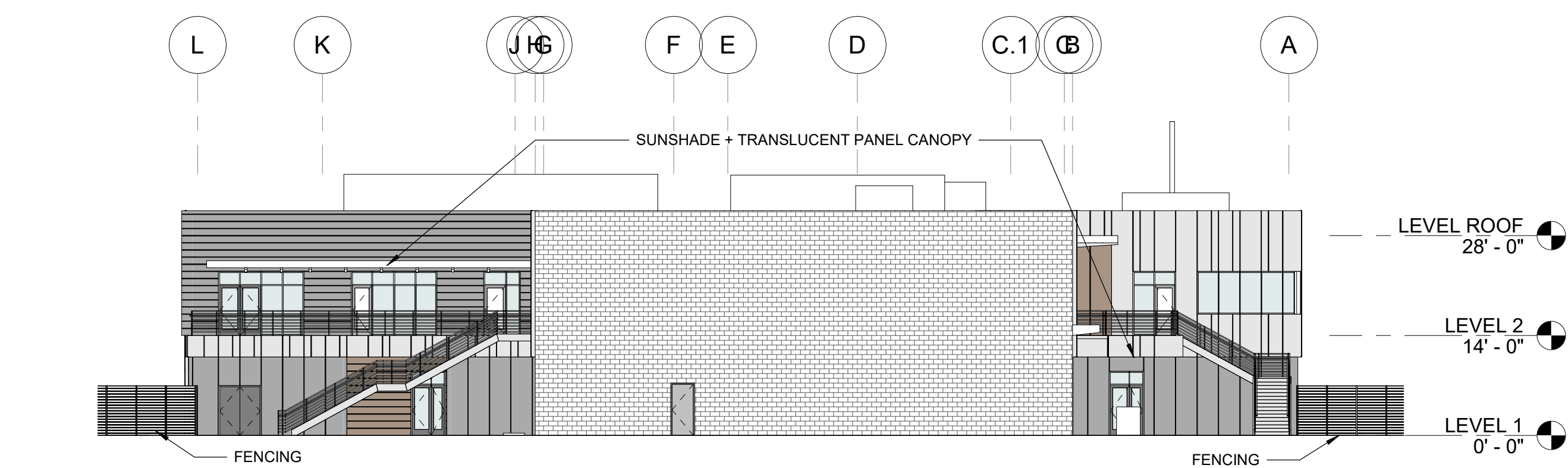
FIGURE 2



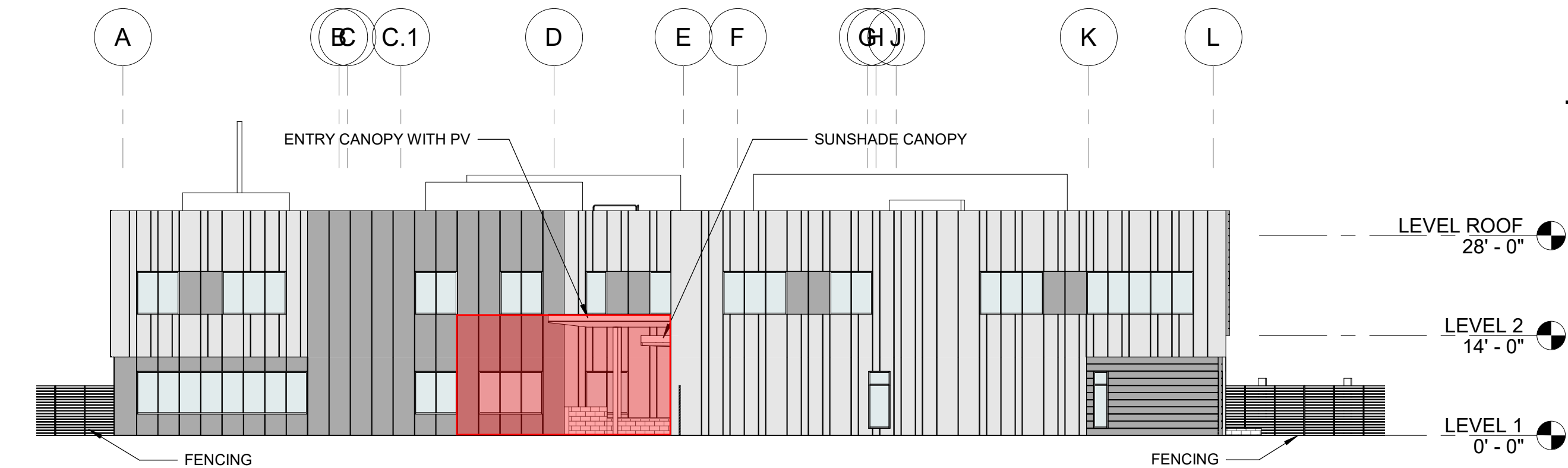
1 SOUTH ELEVATION
1/16" = 1'-0"



2 NORTH ELEVATION
1/16" = 1'-0"



3 WEST ELEVATION
1/16" = 1'-0"



4 EAST ELEVATION
1/16" = 1'-0"

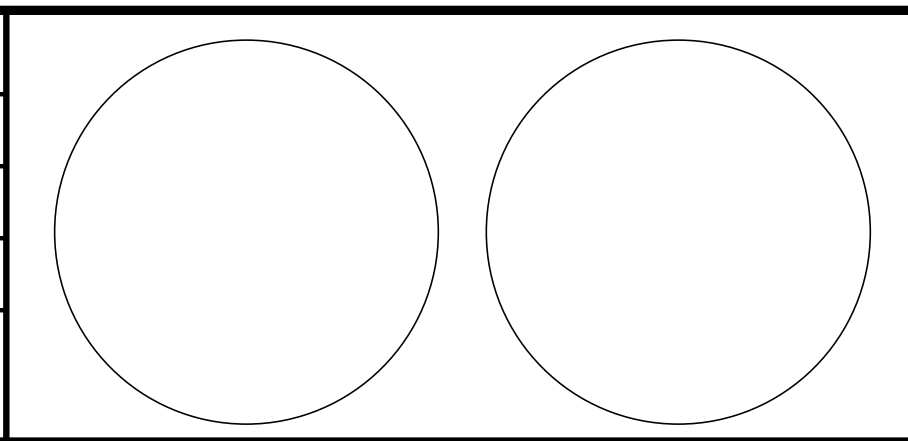
EXTERIOR
MATERIAL LEGEND

	METAL PANEL - 1
	METAL PANEL - 2
	METAL PANEL - 3
	ACCENT PANEL
	CMU
	GLAZING

PRELIMINARY DRAWING DO NOT USE FOR CONSTRUCTION

REV	ISSUED FOR	DATE	BY

PROJECT ENGINEER:	A. BRIGGS
DESIGNED BY:	Designer
DRAWN BY:	Author
CHECKED BY:	Checker
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO FULL SCALE	0 1/2" 1"



HAZEN AND SAWYER
102 MISSION STREET, SUITE 500
SAN FRANCISCO, CALIFORNIA 94105

BurksToma
Architects

UNION
SANITARY
DISTRICT

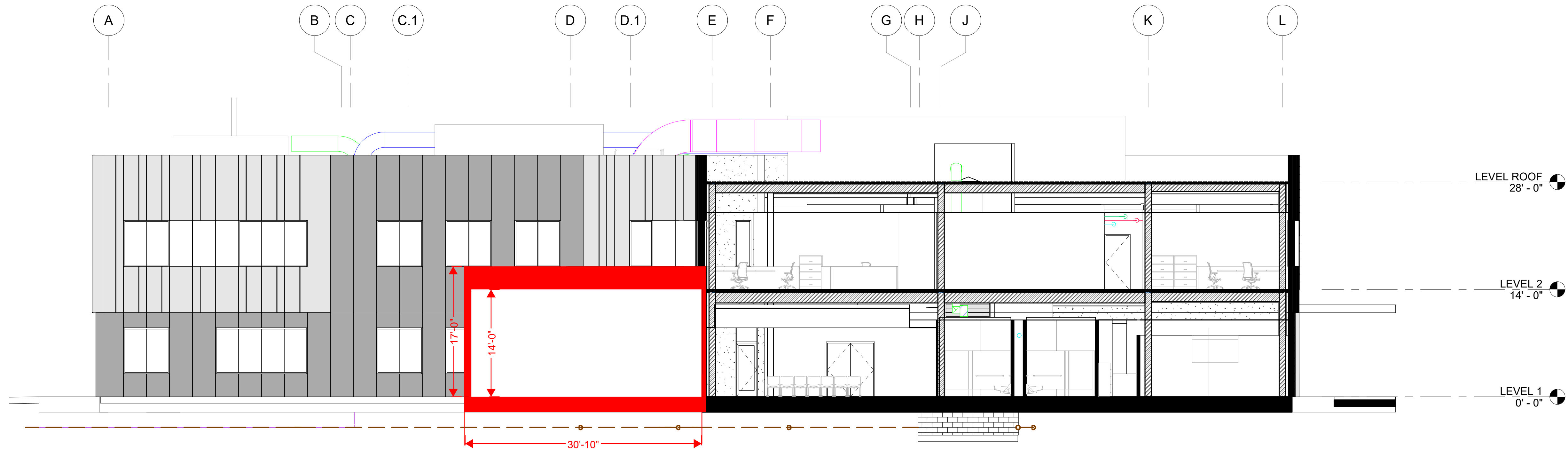
ENHANCED TREATMENT
SITE AND UPGRADE
PROGRAM

PHASE 1A PROJECT

ELEVATION
ARCHITECTURE
ELEVATIONS

DATE:	2020
HAZEN NO.:	20118-002
CONTRACT NO.:	1
DRAWING NUMBER:	A820.1
SHEET NUMBER:	

FIGURE 3



BUILDING SECTION - 5

PRELIMINARY DRAWING DO NOT USE FOR CONSTRUCTION





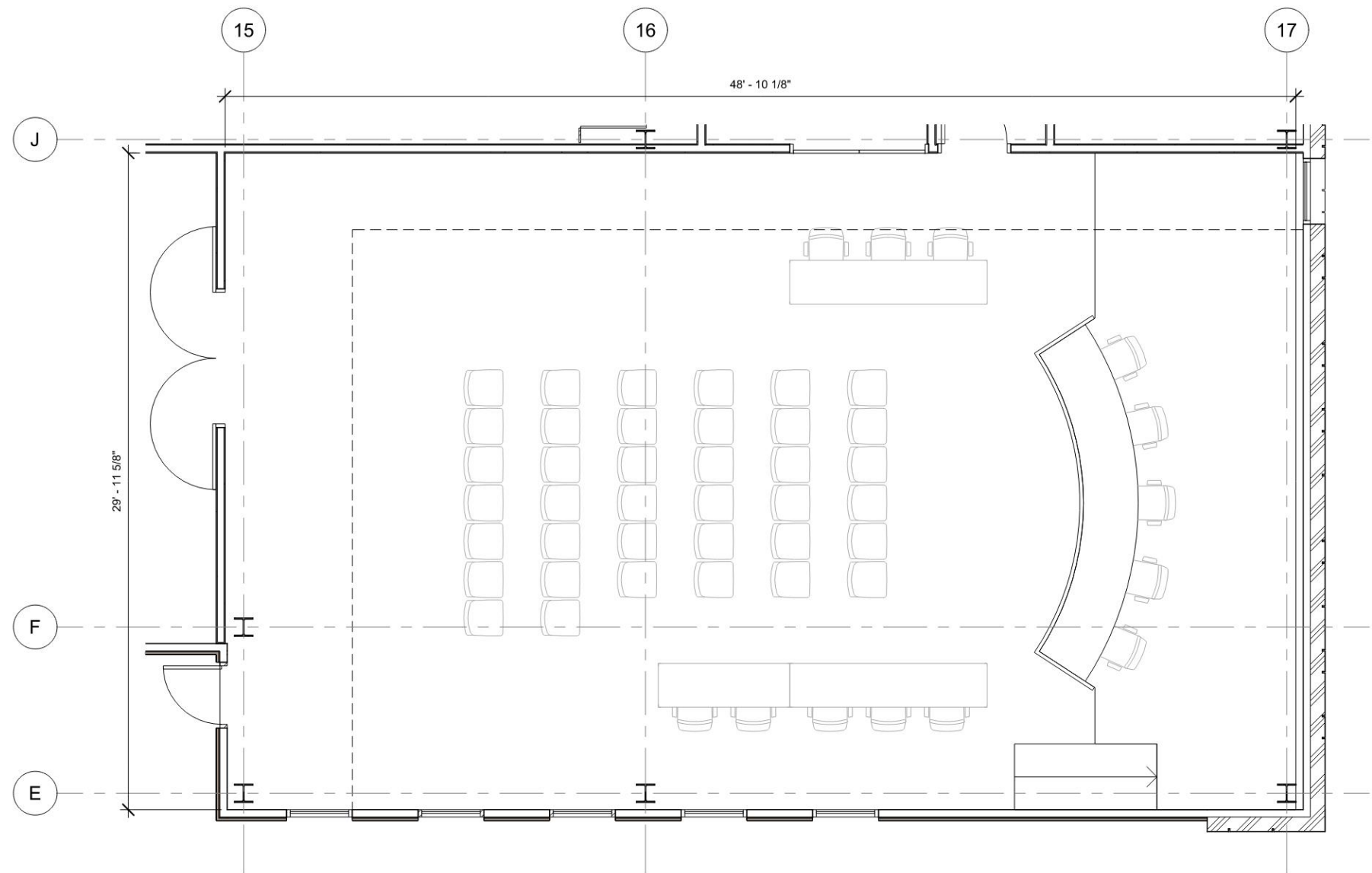
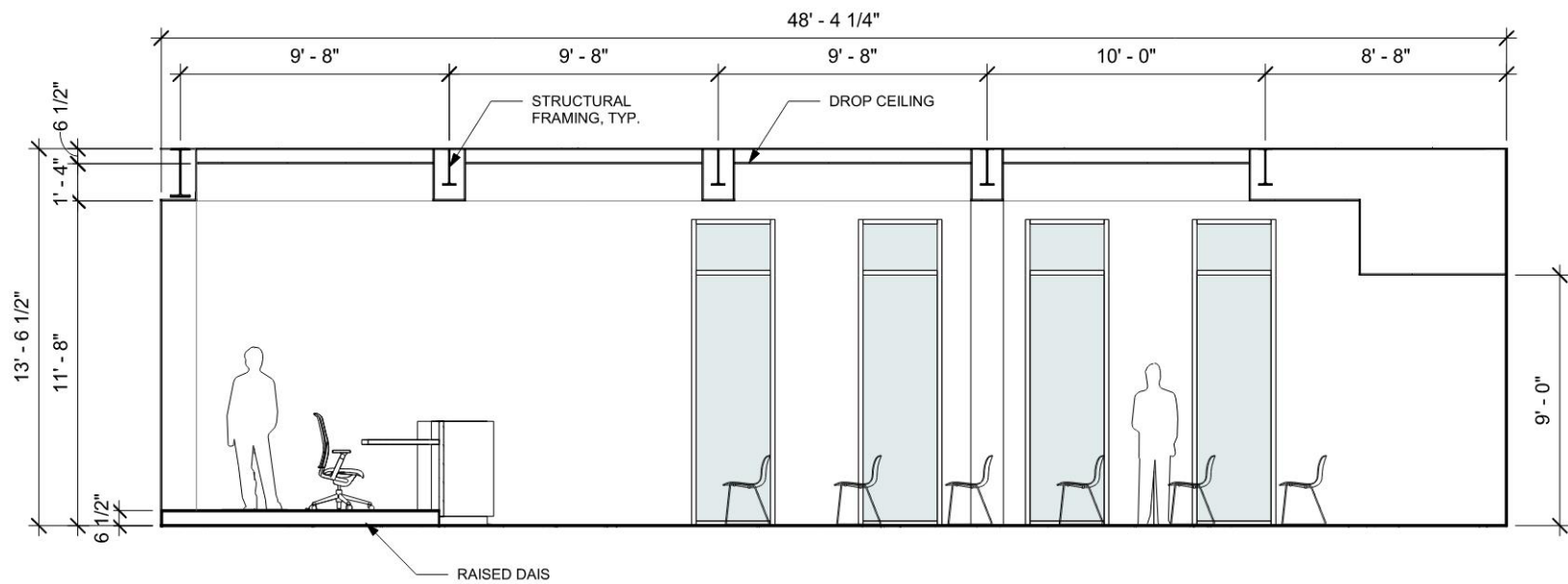
				PROJECT ENGINEER: A. BRIGGS						ENHANCED TREATMENT SITE AND UPGRADE PROGRAM		Unnamed	DATE: 2020	
				DESIGNED BY: Designer						HAZEN NO.: 20118-002				
				DRAWN BY: Author						CONTRACT NO.: 1				
				CHECKED BY: Checker						DRAWING NUMBER: A836.4				
				IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO FULL SCALE						SHEET NUMBER:				
REV				ISSUED FOR		DATE		BY						

FIGURE 4



South Elevation

FIGURE 5



Coffered Ceiling

FIGURE 6

+13'-0" AT
B.O. CEILING

+11'8" AT
B.O. BEAM

+9'-0" AT
B.O. SOFFIT



FIGURE 7



**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**MAY 10, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 13**

TITLE: **Certificates of Merit to Union Sanitary District's Class I Permitted Industries
(This is an Information Item)**

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
 Sami E. Ghossain, Technical Services Work Group Manager
 Michael Dunning, Environmental Compliance Coach
 Alex Paredes, Pretreatment Coordinator

Recommendation
Information only.

Discussion

The Certificates of Merit award is an annual event that is held to recognize industries that have exceeded the requirements of their wastewater discharge permits during the prior calendar year and that have demonstrated their continued commitment to protecting the environment. In addition, the certificates recognize the industries for consistently complying with and implementing pollution prevention measures, maintaining a cooperative relationship with the District, and demonstrating continued awareness and understanding of environmental issues and requirements.

This year, the District is awarding Certificates of Merit to twenty-six (26) out of thirty-five (35), or 74% of the Significant Industrial Users (SIUs) with Class I Wastewater Discharge Permits. District staff commends these twenty-six SIU's for their excellent performance during 2020.

In accordance with the current District COVID-19 Prevention Program, the framed Certificates of Merit will be mailed to the recipients along with an acknowledgement letter and an email announcement of their achievement. In addition, staff will mail letters to the mayors of Fremont, Newark and Union City recognizing the facilities in their cities and place an

advertisement in the May 11th issue of the Tri-City Voice and May 14th issue of the Argus congratulating the awardees.

Companies receiving the Certificates of Merit are:

City of Fremont (23 of 29 SIU's)

Air Liquide Advanced Materials (2nd consecutive year)
Amphenol NovaSensor (7th consecutive year)
Applied Thin-Film Products (15th consecutive year)
Bay Area Circuits, Inc. (2nd consecutive year)
Compugraphics, Inc. (7th consecutive year)
Confluent Medical Technologies, Inc.
Enablence USA Components, Inc. (12th consecutive year)
Finisar Corporation (18th consecutive year)
Global Plating, Inc. (6th consecutive year)
Intematix Corporation (2nd consecutive year)
Lam Research Corporation (CA03/CA3E) (10th consecutive year)
Microwave Technology, Inc. (10th consecutive year)
NeoPhotonics Corporation (2nd consecutive year)
Quality Transport, Inc./Truck-Rail Handling, Inc. (11th consecutive year)
Quantum Clean #2 (14th consecutive year)
Raxium, Inc.
Sanmina Corporation (2nd consecutive year)
Seagate Technology, LLC (3rd consecutive year)
SLD Laser Diode, Inc. (9th consecutive year)
Tri-Cities Recycling and Disposal Facility (16th consecutive year)
Washington Hospital Healthcare System (8th consecutive year)
Western Digital Technologies B1 (4th consecutive year)
Western Digital Technologies B2 (3rd consecutive year)

City of Newark (2 of 4 SIU's)

Britech Electropolishing, Inc.
Matheson Tri-Gas, Inc. (11th consecutive year)

City of Union City (1 of 2 SIU's)

Electrochem Solutions, Inc. (5th consecutive year)

Background

None.

Previous Board Action

None.

Agenda Item No. 13
Meeting of May 10, 2021
Page 3

PRE/SEG/MD/AP:dp

Attachment: Advertisement: Certificate of Merit

Congratulations to Tri-City Industries

You're helping to keep San Francisco Bay clean!



Union Sanitary District congratulates
the following industries. They have received USD's
2020 Certificate of Merit
for 100% compliance with water quality requirements



Fremont

- | | |
|---|--|
| ★ Air Liquide Advanced Materials (2) | ★ NeoPhotonics Corporation (2) |
| ★ Amphenol NovaSensor (7) | ★ Quality Transport, Inc./Truck-Rail Handling, Inc. (11) |
| ★ Applied Thin-Film Products (15) | ★ Quantum Clean #2 (14) |
| ★ Bay Area Circuits, Inc. (7) | ★ Raxium, Inc. |
| ★ Compugraphics, Inc. | ★ Sanmina Corporation (2) |
| ★ Confluent Medical Technologies, Inc. | ★ Seagate Technology, LLC (3) |
| ★ Enablex USA Components, Inc. (12) | ★ SLD Laser Diode, Inc. (9) |
| ★ Finisar Corporation (18) | ★ Tri-Cities Recycling and Disposal Facility (16) |
| ★ Global Plating, Inc. (6) | ★ Washington Hospital Healthcare System (8) |
| ★ Intematix Corporation (2) | ★ Western Digital Technologies B1 (4) |
| ★ Lam Research Corporation (CA03/CA3E) (10) | ★ Western Digital Technologies B2 (3) |
| ★ Microwave Technology, Inc. (10) | |

Newark

- ★ Britech Electropolishing, Inc.
- ★ Matheson Tri-Gas, Inc. (11)

Union City

- ★ Electrochem Solutions, Inc. (5)

- ★ (Consecutive years receiving award)



Protecting The Tri-Cities & San Francisco Bay

Board of Directors

Manny Fernandez Tom Handley Pat Kite Anjali Lathi Jennifer Toy

**Directors**

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**MAY 10, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 14**

TITLE: COVID-19 Update (*This is an Information Item*)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer

Recommendation

Information only.

Discussion

None.

Background

General Manager Eldredge will provide an update on the District's COVID-19 response and staffing levels.

Previous Board Action

None.

**UNION SANITARY DISTRICT
CHECK REGISTER
04/17/2021-04/30/2021**

Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
177408	4/29/2021	143	210161	OVERAA	PRIMARY DIGESTER NO. 7	\$1,239,574.25	\$1,239,574.25
177320	4/22/2021	110	3246	EAST BAY DISCHARGERS AUTHORITY	O&M ASSESSMENT, APR-JUN 2021	\$304,801.49	\$304,801.49
177385	4/29/2021	143	197607	CAROLLO ENGINEERS	CHERRY ST. PS	\$13,776.69	\$259,875.92
	4/29/2021	143	197207		WAS THICKENERS	\$117,791.12	
	4/29/2021	143	197234		PRIMARY DIGESTER NO. 7	\$100,738.10	
	4/29/2021	143	197339		AERATION BLOWER 11 (HIGH SPEED)	\$5,745.65	
	4/29/2021	143	197284		ALVARADO INFLUENT PS PUMPS AND VFDS	\$21,824.36	
177363	4/22/2021	110	102505	USP TECHNOLOGIES	2806 GALS HYDROGEN PEROXIDE	\$12,318.34	\$70,099.52
	4/22/2021	110	102279		4456 GALS HYDROGEN PEROXIDE	\$19,561.84	
	4/22/2021	110	102582		4346 GALS HYDROGEN PEROXIDE	\$19,078.94	
	4/22/2021	110	102581		4360 GALS HYDROGEN PEROXIDE	\$19,140.40	
177409	4/29/2021	143	210161E	OVERAA	PRIMARY DIGESTER NO. 7 - ESCROW PYMT	\$65,240.75	\$65,240.75
177410	4/29/2021	170	140120210412	PACIFIC GAS AND ELECTRIC	SERV TO 04/04/21 IRVINGTON PS	\$62,559.89	\$62,559.89
177342	4/22/2021		9787	OVERTON MOORE PROPERTIES	REFUND # 36532	\$60,000.00	\$60,000.00
177429	4/29/2021	143	187617	WOODARD & CURRAN INC	IRVINGTON BASIN MASTER PLAN UPDATE	\$58,731.75	\$58,731.75
177413	4/29/2021	110	1532847	POLYDYNE INC	45,600 LBS CLARIFLOC C-6267	\$50,761.66	\$50,761.66
177380	4/29/2021	150	267073	BURKE, WILLIAMS & SORENSON LLP	EMPLOYMENT LEGAL - FEB 2021	\$45,114.84	\$45,114.84

**UNION SANITARY DISTRICT
CHECK REGISTER
04/17/2021-04/30/2021**

Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Am
177345	4/22/2021	170	666720210407	PACIFIC GAS AND ELECTRIC	SERV TO 03/31/2021 PASEO PADRE PS	\$370.83	\$45,049.46
	4/22/2021	110	892820210407		SERV TO 03/31/21 HAYWARD MARSH	\$61.45	
	4/22/2021	110	170120210412		SERV TO 03/22/2021 PLANT	\$41,231.22	
	4/22/2021	170	898220210407		SERV TO 03/31/21 FREMONT PS	\$195.41	
	4/22/2021	170	013720210412		SERV TO 04/05/20 BOYCE RD PS	\$3,190.55	
177399	4/29/2021	110	9017708253	KEMIRA WATER SOLUTIONS INC	48,000 LBS FERROUS CHLORIDE	\$6,987.21	\$28,301.85
	4/29/2021	110	9017707444		46,820 LBS FERROUS CHLORIDE	\$7,417.87	
	4/29/2021	110	9017707423		48,400 LBS FERROUS CHLORIDE	\$7,018.87	
	4/29/2021	110	9017707737		47,820 LBS FERROUS CHLORIDE	\$6,877.90	
177364	4/22/2021	122	55512	VALLEY OIL COMPANY	7,865 GALS UNLEADED 10% ETHANOL GAS	\$24,625.97	\$24,625.97
177369	4/22/2021	122	817227	WESTERN STATES OIL CO	6,008 GALS UNDYED CARB ULTRA LOW DIESEL	\$19,339.42	\$19,339.42
177378	4/29/2021	170	156353	BAILEIGH INDUSTRIAL HOLDINGS	1 HYDRAULIC PRESS - 165 TON	\$18,736.30	\$18,736.30
177366	4/22/2021	121	47380	WECO INDUSTRIES LLC	240 GAL SANAFOAM VAPOROOTER	\$17,618.11	\$17,618.11
177400	4/29/2021	143	800526.9	KIEWIT INFRASTRUCTURE WEST CO	PRIMARY DIGESTER NO. 2 REHABILITATION	\$16,999.30	\$16,999.30
177318	4/22/2021	110	1420415	DEPARTMENT OF GENERAL SERVICES	SERV: FEB 2021 PLANT	\$16,334.60	\$16,334.60
177332	4/22/2021	110	9017706109	KEMIRA WATER SOLUTIONS INC	47,260 LBS FERROUS CHLORIDE	\$7,626.43	\$15,461.44
	4/22/2021	110	9017707422		48,560 LBS FERROUS CHLORIDE	\$7,835.01	

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177312	4/22/2021		266921	BURKE, WILLIAMS & SORENSON LLP	CIP - FEB 2021	\$2,562.56	\$12,879.36
	4/22/2021	150	266920		GENERAL LEGAL - FEB 2021	\$7,055.36	
	4/22/2021	150	266923		ETSU - FEB 2021	\$3,261.44	
177300	4/22/2021		69621	3T EQUIPMENT COMPANY INC	10 PIPE PATCH KITS WINTER	\$7,067.63	\$11,446.66
	4/22/2021		69618		10 PIPE PATCH KITS WINTER	\$4,379.03	
177425	4/29/2021	110	49070996	UNIVAR SOLUTIONS USA INC	4849.9 GALS SODIUM HYPOCHLORITE	\$3,503.46	\$10,580.02
	4/29/2021	110	49065493		4897.1 GALS SODIUM HYPOCHLORITE	\$3,537.56	
	4/29/2021	110	49073915		4899.1 GALS SODIUM HYPOCHLORITE	\$3,539.00	
177356	4/22/2021	170	321120	TAP MASTER INC	SERVICE: DIGESTER LINE STOP	\$9,398.00	\$9,398.00
177353	4/22/2021	170	128209	SHAPE INCORPORATED	1 SUMP PUMP REPLACEMENT	\$7,684.70	\$7,684.70
177361	4/22/2021	110	49053167	UNIVAR SOLUTIONS USA INC	4900 GALS SODIUM HYPOCHLORITE	\$3,539.65	\$7,007.06
	4/22/2021	110	49057571		4800 GALS SODIUM HYPOCHLORITE	\$3,467.41	
177398	4/29/2021	170	2002918	JENSEN INSTRUMENT COMPANY	4 ROSEMOUNT TEMPerture TRANSMITTERS	\$6,465.34	\$6,465.34
177368	4/22/2021	170	4230055	WESTERN ENERGY SYSTEMS	2 COGEN REFURBISHED INTERCOOLERS	\$6,056.25	\$6,056.25
177322	4/22/2021	132	319874	EXAMINETICS	2021 HEARING AND RESPIRATOR TESTS	\$5,900.00	\$5,900.00
177303	4/22/2021	143	2000479519	AECOM TECHNICAL SERVICES INC	CENTRIFUGE BUILDING IMPROVEMENTS	\$5,798.26	\$5,798.26
177347	4/22/2021	110	1530589	POLYDYNE INC	42,120 LBS CLARIFLOC WE-539	\$5,741.35	\$5,741.35
177381	4/29/2021		20210422	STATE OF CALIFORNIA	SALES & USE TAX 01/01/21 - 03/31/2021	\$5,355.46	\$5,355.46
177377	4/29/2021		9068	ASSOCIATED PLUMBING, INC	REFUND # 36567	\$5,000.00	\$5,000.00

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177328	4/22/2021		9841550677	GRAINGER INC	ASTD PARTS & MATERIALS	\$1,218.84	\$4,082.23
	4/22/2021	170	9837458653		4 PLUGS	\$332.80	
	4/22/2021	170	9839658748		1 SOLENOID	\$176.33	
	4/22/2021	170	9836361049		1 LAMP	\$64.22	
	4/22/2021		9838555390		77 BOXES DISPOSABLE GLOVES	\$2,236.08	
	4/22/2021	172	9830166303		1 CRIMPER	\$53.96	
177412	4/29/2021	110	105680	PIIAN SYSTEMS LLC	6 5-GAL ODOR NEUTRALIZERS	\$4,025.68	\$4,025.68
177359	4/22/2021	130	505602	TRACKER, A DIV OF C2, LLC	PORTFOLIO ACCOUNTING & REPORTING ANNUAL	\$3,900.00	\$3,900.00
177417	4/29/2021	110	21033113	S&S TRUCKING	GRIT HAULING 03/24 & 03/26/2021	\$1,992.13	\$3,589.43
	4/29/2021	110	21040727		GRIT HAULING 04/02/2021	\$916.73	
	4/29/2021	110	21040818		GRIT HAULING 03/29/2021	\$680.57	
177336	4/22/2021	113	2103239	MCCAMPBELL ANALYTICAL	LAB SAMPLE ANALYSIS	\$264.00	\$3,515.00
	4/22/2021	113	2103C98		LAB SAMPLE ANALYSIS	\$220.00	
	4/22/2021	113	2103746		LAB SAMPLE ANALYSIS	\$3,031.00	
177428	4/29/2021	170	3633	WELCOME BUILDING MAINTENANCE	SOLAR PANEL CLEANING	\$3,360.00	\$3,360.00
177352	4/22/2021		7249	SANCO PIPELINES INC	REFUND # 36524	\$3,300.00	\$3,300.00
177370	4/22/2021		14775	WOLFENDEN CONSTRUCTION INC	REFUND # 36525	\$3,300.00	\$3,300.00
177393	4/29/2021	173	60016	EXTENSIS	GEOEXPRESS SWM RENEWAL	\$3,215.00	\$3,215.00
177305	4/22/2021	143	15158	ALAMEDA COUNTY WATER DISTRICT	PURIFIED WATER FEASIBILITY EVALUATION	\$3,172.14	\$3,172.14

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177344	4/22/2021		9787	PACIFIC COMMONS OWNER LP	REFUND # 36533	\$2,500.00	\$2,500.00
177406	4/29/2021		27140	MLC HOLDINGS INC	REFUND # 36557	\$2,500.00	\$2,500.00
177421	4/29/2021		24037	T.M. SHANAHAN ENGINEERING	REFUND # 36549	\$2,500.00	\$2,500.00
177404	4/29/2021		57015624	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS	\$131.31	\$2,303.35
	4/29/2021	170	57031219		ASTD PARTS & MATERIALS	\$764.50	
	4/29/2021	170	57115075		ASTD PARTS & MATERIALS	\$98.34	
	4/29/2021	170	57012751		ASTD PARTS & MATERIALS	\$113.18	
	4/29/2021	171	57266677		ASTD PARTS & MATERIALS	\$41.52	
	4/29/2021	170	57266629		ASTD PARTS & MATERIALS	\$513.01	
	4/29/2021	170	57269254		ASTD PARTS & MATERIALS	\$641.49	
177330	4/22/2021	141	DMKH291	IRON MOUNTAIN	OFF-SITE STORAGE AND SERVICE - APR 2021	\$1,346.26	\$2,203.45
	4/22/2021	173	202318277		OFF-SITE STORAGE AND SERVICE - MAR 2021	\$318.67	
	4/22/2021	141	DLVG171		OFF-SITE STORAGE AND SERVICE - APR 2021	\$538.52	
177396	4/29/2021	111	3P8802	HARRINGTON INDUSTRIAL PLASTICS	ASTD PVC PARTS & MATERIALS	\$2,195.27	\$2,195.27
177331	4/22/2021	170	944635	KAMAN INDUSTRIAL TECHNOLOGIES	1 MOTOR	\$2,049.47	\$2,154.87
	4/22/2021	170	695004		ASTD PARTS & MATERIALS	\$105.40	
177411	4/29/2021	120	26472273	PEOPLEREADY INC	TEMP LABOR-PERRY, R. WK END 04/04/2021	\$1,676.40	\$2,011.68
	4/29/2021	120	26478218		TEMP LABOR-PERRY, R. 03/26/2021	\$335.28	
177314	4/22/2021		120282491	COLORADO WASHINGTON INC COMCAST OF	FIBER INTERNET BACKUP - APR 2021	\$2,010.36	\$2,010.36

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177307	4/22/2021	120	14481	AMERICAN DISCOUNT SECURITY	03/01/21 - 03/31/21 GUARD AT DISTRICT	\$1,932.00	\$1,932.00
177340	4/22/2021	122	222125	NAYLOR STEEL INC	ASTD METAL, STEEL, STAINLESS & ALUMINUM	\$1,759.51	\$1,759.51
177329	4/22/2021	170	95751908	H & E EQUIPMENT SERVICES INC	REACH RENTAL 03/22/2021 - 03/26/2021	\$1,724.15	\$1,724.15
177301	4/22/2021	143	21660493	ABC IMAGING, INC	EMERGENCY OUTFALL OUTLET IMPROVEMENTS	\$1,668.91	\$1,668.91
177387	4/29/2021	170	12050651	CH BULL COMPANY	2 LIFTING CABLES	\$1,627.15	\$1,627.15
177358	4/22/2021	170	406470725	TERMINIX COMMERCIAL	MARCH PEST CONTROL	\$1,054.00	\$1,426.00
	4/22/2021	170	406466148		PEST CONTROL	\$240.00	
	4/22/2021	170	406470724		PEST CONTROL	\$132.00	
177346	4/22/2021	120	26458767	PEOPLEREADY INC	TEMP LABOR-PERRY, R. WK END 03/28/2021	\$1,394.56	\$1,394.56
177304	4/22/2021	170	9111419903	AIRGAS NCN	1 CY ARGON	\$302.61	\$1,239.83
	4/22/2021	170	9978864363		CYLINDER RENTAL	\$937.22	
177427	4/29/2021	113	8804288903	VWR INTERNATIONAL LLC	LAB SUPPLIES	\$104.80	\$1,233.09
	4/29/2021	113	8804351290		LAB SUPPLIES	\$113.14	
	4/29/2021	113	8804317621		LAB SUPPLIES	\$165.76	
	4/29/2021	113	8804378593		LAB SUPPLIES	\$57.42	
	4/29/2021		8804250570		LAB SUPPLIES	\$642.72	
	4/29/2021	113	8804306058		LAB SUPPLIES	\$149.25	
177371	4/29/2021	123	72074	AIR & TOOL ENGINEERING COMPANY	REPAIRED RIVET BUSTER	\$243.95	\$1,213.25
	4/29/2021	123	72076		2 PISTOL GRIP CHIPPERS	\$969.30	

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177315	4/22/2021	170	20210328	COMMUNICATION & CONTROL INC	UTILITY FEE/ANTENNA RENTAL	\$1,136.60	\$1,136.60
177321	4/22/2021		6537	ENERGY CHOICE INC	ASTD COGEN PARTS	\$1,130.37	\$1,130.37
177405	4/29/2021	123	801001	MISSION CLAY PRODUCTS LLC	ASTD CLAY FITTINGS	\$1,109.05	\$1,109.05
177407	4/29/2021	114	2135872	MOBILE MODULAR MANAGEMENT CORP	ETSU TEMPORARY OFFICE SPACE	\$1,071.05	\$1,071.05
177337	4/22/2021	122	56441684	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS	\$440.29	\$1,034.02
	4/22/2021		56613264		ASTD PARTS & MATERIALS	\$574.69	
	4/22/2021	170	56455668		ASTD PARTS & MATERIALS	\$19.04	
177310	4/22/2021		26081	BAYSHORE PLUMBERS	REFUND # 36527	\$500.00	\$1,000.00
	4/22/2021		26082		REFUND # 36526	\$500.00	
177401	4/29/2021		5069579	MALLORY SAFETY AND SUPPLY LLC	60 PR GLOVES	\$215.37	\$950.70
	4/29/2021		5064591		ASTD CAL GAS	\$735.33	
177306	4/22/2021	143	36545404870	ALS ENVIRONMENTAL	ALS VOC SAMPLE EQUIPMENT AND ANALYSIS	\$940.00	\$940.00
177384	4/29/2021	170	21835255	CARBOLINE COMPANY	PAINT & RELATED PAINT SUPPLIES	\$852.65	\$852.65
177423	4/29/2021		27114	THE PLUMBING MINISTRY	REFUND # 36554	\$500.00	\$850.00
	4/29/2021		27114.1		REFUND # 36553	\$350.00	
177402	4/29/2021		9068	MANCHESTER HOTELS	REFUND # 36566	\$800.00	\$800.00
177416	4/29/2021		7902672200	RS HUGHES CO INC	ASTD SAFETY SUPPLIES	\$624.96	\$796.65
	4/29/2021		7902672201		ASTD SAFETY SUPPLIES	\$171.69	
177349	4/22/2021	120	01D0036018380	NESTLE WATERS NO. AMERICA READYREFR	WATER SERVICE 03/07/21 - 04/06/21	\$777.00	\$777.00

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177395	4/29/2021	170	9847636546	GRAINGER INC	ASTD PARTS & MATERIALS	\$23.45	\$746.06
	4/29/2021	170	9843944902		ASTD PARTS & MATERIALS	\$113.11	
	4/29/2021		9845441550		20 PACKS DISPOSABLE GLOVES	\$320.04	
	4/29/2021	170	9845670414		ASTD PARTS & MATERIALS	\$41.22	
	4/29/2021	122	9847420735		ASTD PARTS & MATERIALS	\$137.95	
	4/29/2021		9843944894		ASTD PARTS & MATERIALS	\$63.98	
	4/29/2021	170	9842750433		ASTD PARTS & MATERIALS	\$46.31	
177415	4/29/2021	170	248947	ROCHESTER MIDLAND CORPORATION	HOT WATER LOOP SERVICE	\$711.47	\$711.47
177391	4/29/2021	144	3452141	DAILY JOURNAL CORPORATION	AD: PUBLIC NOTICE	\$187.20	\$706.88
	4/29/2021	143	3454941		AD: EMERGENCY OUTFALL OUTLET IMPROVEMENTS	\$519.68	
177343	4/22/2021	173	7	AYHAN OZCAN	NON-RESIDENTIAL DATABASE DATA EXTRACTION	\$675.00	\$675.00
177308	4/22/2021		1102517486	ARAMARK	UNIFORM LAUNDERING & RUGS	\$259.00	\$671.46
	4/22/2021		1102517502		UNIFORM LAUNDERING SERVICE	\$365.14	
	4/22/2021	136	1102517543		ASTD DUST MOPS, WET MOPS & TERRY	\$47.32	
177392	4/29/2021	170	904864219	EVOQUA WATER TECHNOLOGIES	DI WATER SYSTEM	\$289.42	\$671.02
	4/29/2021	170	904859060		DI WATER SYSTEM	\$381.60	

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177403	4/29/2021	113	2104238	MCCAMPBELL ANALYTICAL	LAB SAMPLE ANALYSIS	\$102.00	\$657.00
	4/29/2021	113	2104152		LAB SAMPLE ANALYSIS	\$222.00	
	4/29/2021	113	2103H85		LAB SAMPLE ANALYSIS	\$74.00	
	4/29/2021	113	2103E80		LAB SAMPLE ANALYSIS	\$259.00	
177376	4/29/2021		1102521026	ARAMARK	UNIFORM LAUNDERING & RUGS	\$264.00	\$636.39
	4/29/2021		1102521062		UNIFORM LAUNDERING SERVICE	\$372.39	
177383	4/29/2021	173	4035786722	CANON SOLUTIONS AMERICA INC	MTHLY MAINTENANCE BASED ON USE	\$307.08	\$621.48
	4/29/2021	173	4035787824		MTHLY MAINTENANCE BASED ON USE	\$314.40	
177327	4/22/2021	122	1841094025	GOODYEAR COMM TIRE & SERV CTRS	3 TIRES	\$605.23	\$605.23
177338	4/22/2021	170	210454	METROMOBILE COMMUNICATIONS INC	RADIO SERVICE - APR 2021	\$599.08	\$599.08
177357	4/22/2021		20457503	TELEDYNE ISCO INC	SAMPLING SUPPLIES	\$571.80	\$571.80
177372	4/29/2021	170	9111835736	AIRGAS NCN	2 CY ARGON	\$507.77	\$507.77
177302	4/22/2021		27107	ADVANCED REPIPE SPECIALIST INC	REFUND # 36545	\$500.00	\$500.00
177317	4/22/2021		23005	CVE DEMOLITION INC	REFUND # 36537	\$500.00	\$500.00
177350	4/22/2021		9095	ROBSON HOMES LLC	REFUND # 36544	\$500.00	\$500.00
177316	4/22/2021	173	82075665	CORELOGIC INFORMATION SOLUTION	METROSCAN ONLINE SERVICE	\$339.90	\$339.90
177422	4/29/2021	173	20210422	RUFUS TAI	EXP REIMB: MICROSOFT CERTIFICATION EXAM	\$330.00	\$330.00
177339	4/22/2021		24109028	MOTION INDUSTRIES INC	ASTD PARTS & MATERIALS	\$187.46	\$328.36
	4/22/2021		24108852		ASTD PARTS & MATERIALS	\$140.90	

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177348	4/22/2021		165652	PREFERRED ALLIANCE INC	MARCH 2021 SERVICE FEE	\$318.57	\$318.57
177309	4/22/2021	170	458155	AUTO BODY TOOLMART	ASTD PARTS & MATERIALS	\$302.12	\$302.12
177365	4/22/2021	113	8804245574	VWR INTERNATIONAL LLC	LAB SUPPLIES	\$67.69	\$300.36
	4/22/2021	113	8804197599		LAB SUPPLIES	\$41.98	
	4/22/2021	113	8804261577		LAB SUPPLIES	\$50.59	
	4/22/2021	113	8804254464		LAB SUPPLIES	\$78.57	
	4/22/2021	113	8804288902		LAB SUPPLIES	\$61.53	
177355	4/22/2021	111	20210419	SWRCB - STATE WATER RESOURCES	GRADE III OPERATOR CERTIFICATE RENEWAL - P. BORBECK	\$150.00	\$300.00
	4/22/2021	110	20210415		OPERATOR CERT RNWL: A. LOPEZ - GRADE V	\$150.00	
177333	4/22/2021	111	20210419.1	JUSTIN LAURENCE	EXP REIMB: SAFETY SHOES	\$192.01	\$269.08
	4/22/2021	111	20210419		EXP REIMB: TPO SAFETY RECOGNITION 2ND QTR	\$77.07	
177374	4/29/2021	170	39438	ALLIED FLUID PRODUCTS CORP	ASTD PARTS & MATERIALS	\$267.18	\$267.18
177367	4/22/2021	110	20210415	WEF-WATER ENVIRONMENT FED	WEF MEMBERSHIP A LOPEZ	\$267.00	\$267.00
177424	4/29/2021		24715841	TRI DIM FILTER CORPORATION	120 FILTERS	\$263.40	\$263.40
177362	4/22/2021	136	98XW53131	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 03/27/21	\$180.90	\$180.90
177419	4/29/2021	141	20210331	SPOK INC	APRIL 2021 PAGER SERVICE	\$173.69	\$173.69
177420	4/29/2021		301762	STARLINE SUPPLY COMPANY	8 CS COMPOSTABLE UTENSILS	\$157.21	\$157.21

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177379	4/29/2021	141	16023320	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$24.99	\$153.98
	4/29/2021	130	16029840		ASTD OFFICE SUPPLIES	\$43.79	
	4/29/2021	141	16023000		ASTD OFFICE SUPPLIES	\$85.20	
177335	4/22/2021	170	771003144	MATHESON TRI-GAS INC	MONTHLY CYLINDER RENTAL - MAR 2021	\$134.92	\$134.92
177360	4/22/2021	122	142819	TRI-SIGNAL INTEGRATION INC	FIRE PROTECTION SERVICE - MONTHLY CHARGE MONITORING AGREE	\$133.33	\$133.33
177390	4/29/2021	123	31743	CLARK'S HOME AND GARDEN INC	1.84 FILL SAND	\$131.70	\$131.70
177414	4/29/2021		112131	REMOTE SATELLITE SYSTEMS INT'L	IRIDIUM SVC FEE MAY 2021	\$112.00	\$112.00
177326	4/22/2021	111	20210416	BRUCE GALLEGO JR.	EXP REIMB: TPO SAFETY RECOGNITION 1ST, 2ND & 3RD QTR	\$103.19	\$103.19
177313	4/22/2021	132	1111462	CAREERS IN GOVERNMENT INC	FEATURED JOB POSTING	\$100.00	\$100.00
177311	4/22/2021	110	16021860	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$32.91	\$89.29
	4/22/2021	120	16018010		ASTD OFFICE SUPPLIES	\$56.38	
177394	4/29/2021	110	169723	FREMONT RUBBER STAMP CO INC	2 SELF INKING STAMPS	\$82.69	\$82.69
177397	4/29/2021	122	553751	HULBERT LUMBER SUPPLY	ASTD LUMBER SUPPLIES	\$67.58	\$67.58
177382	4/29/2021	132	503941	STATE OF CALIFORNIA	2 NEW HIRE FINGERPRINTS	\$64.00	\$64.00
177373	4/29/2021	170	4047286120210406	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 04/02/21 - PASEO PADRE	\$61.21	\$61.21
177354	4/22/2021	172	20210415	THOMAS SOLARI	EXP REIMB: MILEAGE FOR CALL OUT	\$60.37	\$60.37
177324	4/22/2021	111	20210419	MICHAEL FULKERSON	EXP REIMB: TPO 3RD QTR SAFETY RECOGITION	\$59.92	\$59.92
177341	4/22/2021	171	20210415	STEVEN NOEGEL	EXP REIMB: CALL OUT MILEAGE	\$55.70	\$55.70
177319	4/22/2021	120	20210415	ART DIOSDADO	EXP REIMB: CLASS A LICENSE FEE	\$50.13	\$50.13

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177334	4/22/2021	121	20210416	ANTHONY MARTINEZ	EXP REIMB: CWEA COLLECTIONS TRAINING	\$50.00	\$50.00
177351	4/22/2021	121	20210415	WALKER ROLLINS	EXP REIMB: CWEA COLLECTIONS TRAINING	\$50.00	\$50.00
177323	4/22/2021	143	732623759	FEDERAL EXPRESS CORPORATION	SHIPPING SERVICE - GRAVITY SEWER REHAB/REPLACEMENT	\$45.25	\$45.25
177386	4/29/2021	122	321238	CENTERVILLE LOCKSMITH	ASTD KEYS & TAGS	\$32.93	\$32.93
177325	4/22/2021	171	20210415	CHRISTOPHER GABRIEL	EXP REIMB: CALL OUT MILEAGE	\$31.36	\$31.36
177389	4/29/2021	143	20210427	RAYMOND CHAU	EXP REIMB: ADMIN PROF RECOGNITION - M. BAUTISTA	\$27.30	\$27.30
177388	4/29/2021	170	20210421	PETE CHAPARRO	EXP REIMB: MILEAGE FOR CALL OUT	\$25.92	\$25.92
177375	4/29/2021	170	8480104250	ANDRITZ SEPARATION INC	CENTRIFUGE REBUILD KIT	\$25.47	\$25.47
177426	4/29/2021	136	98XW53141	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 04/03/21	\$12.52	\$12.52
177418	4/29/2021	130	20210426	JENNIFER SIO-KWOK	EXP REIMB: BIRTHDAY RECOGNITION	\$5.99	\$5.99

Invoices:

Credit Memos :	0	
\$0 - \$1,000 :	130	34,441.87
\$1,000 - \$10,000 :	57	217,147.93
\$10,000 - \$100,000 :	19	602,994.38
Over \$100,000 :	4	1,762,904.96
Total:	210	2,617,489.14

Checks:

\$0 - \$1,000 :	64	22,412.16
\$1,000 - \$10,000 :	44	140,944.42
\$10,000 - \$100,000 :	19	649,880.90
Over \$100,000 :	3	1,804,251.66
Total:	130	2,617,489.14



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**MAY 10, 2021
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 13**

TITLE: **Certificates of Merit to Union Sanitary District's Class I Permitted Industries
(This is an Information Item)**

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Sami E. Ghossain, Technical Services Work Group Manager
Michael Dunning, Environmental Compliance Coach
Alex Paredes, Pretreatment Coordinator

Recommendation
Information only.

Discussion

The Certificates of Merit award is an annual event that is held to recognize industries that have exceeded the requirements of their wastewater discharge permits during the prior calendar year and that have demonstrated their continued commitment to protecting the environment. In addition, the certificates recognize the industries for consistently complying with and implementing pollution prevention measures, maintaining a cooperative relationship with the District, and demonstrating continued awareness and understanding of environmental issues and requirements.

This year, the District is awarding Certificates of Merit to twenty-six (26) out of thirty-five (35), or 74% of the Significant Industrial Users (SIUs) with Class I Wastewater Discharge Permits. District staff commends these twenty-six SIU's for their excellent performance during 2020.

In accordance with the current District COVID-19 Prevention Program, the framed Certificates of Merit will be mailed to the recipients along with an acknowledgement letter and an email announcement of their achievement. In addition, staff will mail letters to the mayors of Fremont, Newark and Union City recognizing the facilities in their cities and place an

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advertisement in the May 11th issue of the Tri-City Voice and May 14th issue of the Argus congratulating the awardees.

Companies receiving the Certificates of Merit are:

City of Fremont (23 of 29 SIU's)

Air Liquide Advanced Materials (2nd consecutive year)
Amphenol NovaSensor (7th consecutive year)
Applied Thin-Film Products (15th consecutive year)
Bay Area Circuits, Inc. (7th 2nd consecutive year)
Compugraphics, Inc. (7th consecutive year)
Confluent Medical Technologies, Inc.
Enablence USA Components, Inc. (12th consecutive year)
Finisar Corporation (18th consecutive year)
Global Plating, Inc. (6th consecutive year)
Intematix Corporation (2nd consecutive year)
Lam Research Corporation (CA03/CA3E) (10th consecutive year)
Microwave Technology, Inc. (10th consecutive year)
NeoPhotonics Corporation (2nd consecutive year)
Quality Transport, Inc./Truck-Rail Handling, Inc. (11th consecutive year)
Quantum Clean #2 (14th consecutive year)
Raxium, Inc.
Sanmina Corporation (2nd consecutive year)
Seagate Technology, LLC (3rd consecutive year)
SLD Laser Diode, Inc. (9th consecutive year)
Tri-Cities Recycling and Disposal Facility (16th consecutive year)
Washington Hospital Healthcare System (8th consecutive year)
Western Digital Technologies B1 (4th consecutive year)
Western Digital Technologies B2 (3rd consecutive year)

City of Newark (2 of 4 SIU's)

Britech Electropolishing, Inc.
Matheson Tri-Gas, Inc. (11th consecutive year)

City of Union City (1 of 2 SIU's)

Electrochem Solutions, Inc. (5th consecutive year)

Background

None.

Previous Board Action

None.

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Attachment: Advertisement: Certificate of Merit

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